

S. No. 643
H. No. 9458

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth
day of July, two thousand twenty-one.

[REPUBLIC ACT NO. **11701**]

AN ACT GRANTING NIGHT SHIFT DIFFERENTIAL PAY
TO GOVERNMENT EMPLOYEES INCLUDING THOSE
IN GOVERNMENT-OWNED OR -CONTROLLED
CORPORATIONS AND APPROPRIATING FUNDS
THEREFOR

*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. Government employees occupying position
items from Division Chief and below, or their equivalent,
including those in government-owned or -controlled corporations,
whether the nature of their employment is permanent,
contractual, temporary, or casual, shall be paid night shift
differential at a rate not exceeding twenty percent (20%) of
the hourly basic rate of the employee, as determined by the
head of the agency, for each hour of work performed between
the hours of 6:00 in the evening and 6:00 in the morning of

the following day: *Provided*, That the night shift differential pay provided under this Act shall be in addition to and shall not in any way diminish whatever benefits and allowances are presently enjoyed by government employees.

Hourly basic rate refers to basic salary rate per hour derived by dividing the basic monthly rate by twenty-two (22) working days, and dividing the quotient derived by eight (8) hours.

SEC. 2. The following government employees are not covered by this Act:

(a) Government employees whose schedule of office hours fall between 6:00 in the morning to 6:00 in the evening. Services rendered beyond the regular eight (8)-hour work schedules are paid overtime pay in accordance with existing laws, rules and regulations; and

(b) Government employees whose services are required, or are on call, twenty-four (24) hours a day such as uniformed personnel of the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), the Bureau of Jail Management and Penology (BJMP), the Bureau of Fire Protection (BFP), and others similarly situated, as may be determined by the Civil Service Commission (CSC) and the Department of Budget and Management (DBM).

SEC. 3. The CSC, in coordination with the DBM, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 4. The amount necessary for the initial implementation of this Act shall be funded as follows:

(a) For the national government entities, the amount shall be charged against existing appropriations for the purpose of the departments, bureaus, offices, and agencies concerned. Thereafter, such sums as may be necessary for the continuous implementation of this Act shall be included in the annual General Appropriations Act;

(b) For local government units, the amount shall be charged against their respective funds, subject to the provisions of Sections 325 and 331 of Republic Act No. 7160 or the "Local Government Code of 1991"; and


(c) For government-owned or -controlled corporations and their subsidiaries, the amount shall be charged against their respective corporate funds.

SEC. 5. *Separability Clause*. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 6. *Repealing Clause*. – Section 18 of Republic Act No. 7305 is hereby amended or modified accordingly. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.


SEC. 7. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,



LORD ALLAN JAY Q. VELASCO
*Speaker of the House
of Representatives*


VICENTE C. SOTTO III
President of the Senate

This Act, which is a consolidation of Senate Bill No. 643 and House Bill No. 9458, was passed by the Senate of the Philippines and the House of Representatives on February 2, 2022.





MARK LLANURO L. MENDOZA
Secretary General
House of Representatives



MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved: APR 13 2022



RODRIGO ROA DUTERTE
President of the Philippines

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