



2017
Omnibus Rules
on Appointments
and Other
Human Resource
Actions



GAWING
LINGKOD
BAYANI
ANG BAWAT KAWANI.

RULE I

General Policies on Appointments



Sec. 1. State shall ensure and promote the Constitutional mandate that appointments in the Civil Service shall be made only according to **merit and fitness**.

Sec. 2. Merit and fitness shall be determined, as far as practicable, by **competitive examinations**. This does not apply to appointments to positions which are **policy determining, primarily confidential, or highly technical**.

RULE I

General Policies on Appointments



Sec. 3. Any action denoting the **movement** or **progress** of human resource in the civil service such as promotion, transfer, reappointment, reinstatement, reemployment, reclassification, detail, reassignment, secondment, demotion and separation shall be known as **human resource action**.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

- **Permanent appointment** – an appointment issued to a person who meets all **QS requirements of the position.**

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

Temporary appointment – issued to an appointee who meets the education, experience, and training requirements **except** eligibility

- *A temporary appointment may only be issued in the absence of an applicant who meets all the qualification requirements of the position as certified by the appointing officer/authority.*
- Shall **not to exceed 12 months** and may only be **renewed once**

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

Temporary appointment – Shall **not to exceed 12 months** and may only be **renewed once**

RECKONING PERIOD

- Pelonio's appointment was disapproved on the ground that she was previously appointed under temporary status, and that, her September 1, 2017 appointment was already on its sixteenth renewal.
- Rule on one (1) renewal limitation of temporary appointments was introduced in the 2017 ORAOHRA.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



RECKONING PERIOD

- In line with the prospective character of the rule, for purposes of disallowing more than one (1) renewal, it should not include appointments issued prior to the 2017 ORAOHRA. **Pelonio's prior temporary appointments cannot be the subject of the provision under the 2017 ORAOHRA.**
- Reckoning date shall start from her temporary appointment issued on September 1, 2017, if any. Therefrom, she may still be allowed one (1) more temporary appointment to the same position. Granted the petition of Pelonio.

Pelonio, Lalaine D., Decision No. 180478, Sept. 5, 2018

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions

Temporary appointment shall be disapproved/invalidated if the deficiency of the appointee is any or combination of the **education, training, or experience requirement**, except to positions that are:

- ✓ hard to fill
- ✓ provided by special law (medical officer/specialist positions, special science teachers, police officers, and faculty positions)
- ✓ other meritorious cases as may be determined by the Commission

X *A temporary appointment to a position which involves practice of profession may be issued to a person who lacks the required experience or training but only in the absence of an applicant who meets all the qualification requirements of the position as certified by the appointing officer/authority.*

Temporary appointment issued to a person who meets all the requirements of the position shall be disapproved/invalidated.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Temporary appointment

When there are no available qualified faculty in the region, place or locality, as certified by the appointing officer/authority, temporary appointments may be issued until the required Master's degree is met/complied with.

The renewal of temporary appointment shall be limited to five (5) times only reckoned from the effectivity of CSC Memorandum Circular No. 25, s. 2017.

Applicable only in the absence of qualified faculty (professor).

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

Substitute appointment - issued when regular incumbent is:

- temporarily unable to perform
- on an approved leave of absence
- under suspension
- on a scholarship grant or on secondment.

This is effective only until the return of the incumbent.

A substitute appointment is allowed only if the leave of absence of the incumbent is at least three (3) months, except in the case of teachers.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions

Employment Status

Substitute appointment –

A position whose duties involve practice of a profession covered by bar/board or special laws shall require the appropriate license.

The substitute appointee shall be entitled to the salaries and benefits attached to the position except for those benefits requiring longer period of service for the availment thereof.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

Coterminous appointment - appointment issued to a person **whose tenure is limited** to a period specified by law.

- Coterminous with the appointing officer/authority
- Coterminous with the head of the organizational unit where assigned

Must meet the education, experience, and training requirements of the position

Eligibility is not required except for positions involving practice of profession or requiring licenses

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions

Coterminous appointment

- Nicolas, former Provincial Administrator, Prov. Govt of Quirino, files an appeal on the CSC RO No. II decision disapproving her re-appointment as Provincial Administrator under coterminous status for failure to meet the required eligibility of the position.
- Nicolas meets the experience, education and training requirements of the position but this does not exempt her from meeting the qualification standard for said position.
- **CSC MC No. 12, s.2011** provides that '**Appointment to Administrator, Legal Officer and Information Officer** position in municipalities, cities and **provinces**, xx, shall comply with the **QS** and concurrence by the concerned Sanggunian, otherwise will be disapproved.

Nicolas, Elizabeth S., Decision No. 150038, Jan. 28, 2015

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Coterminous appointment

Rule VIII. Qualification Standards

Section 38. Appointees to primarily confidential/personal staff positions are exempt from the QS requirements, except those whose duties involve the practice of a profession regulated by the Philippine Bar/Board laws and/or require licenses xxx, and those specifically required by a special law, such as the positions of Provincial/City/Municipal Administrator, Information Officer and Legal Officer required under specific provisions of the 1991 LGC

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions

- Coterminous (primarily confidential in nature)

Exempt from qualification requirements except for positions involving practice of profession or requiring licenses.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



- *Coterminous with the Lifespan of the Agency*
- ***Based on the agency's Staffing Pattern as approved by the DBM or the GCG.***
- ***Need not be renewed annually.***
- ***The lifespan of the agency shall be indicated on the appointment. However, if the performance of the appointee is below Satisfactory, the appointing officer/authority may terminate the services of, or replace the appointee after giving the latter a notice of at least thirty (30) days prior to the date of termination of the appointment.***

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



- *Coterminous with the Lifespan of the Agency*
- ***Must meet the education, experience and training requirements of the positions as proposed by the respective Agency Heads and approved by the Commission.***
- ***Eligibility is not required for coterminous appointment, except those whose duties involve the practice of a profession regulated by the Philippines Bar/Board or special laws and/or require licenses.***

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

Fixed Term appointment – specified term of office subject to reappointment as provided by law, such as Chairperson and members of commissions and boards, SUC President, and Head of Agency appointed by the Board.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions

Employment Status

Contractual appointment - **special contract** to undertake local or foreign-assisted projects or a specific work or job **requiring special or technical skills** not available in the employing agency

- Limited to 1 year, may be renewed every year depending on performance
- Must meet education, training and experience proposed by agency heads and approved by CSC
- Eligibility not required except for positions involving practice of profession or requiring licenses
- *Includes appointments to positions that are co-existent with the duration of a particular project based on the agency's Staffing Pattern as approved by the DBM or the GCG.*
- Entitled to the same benefits enjoyed by regular employees

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status

Casual appointment for essential and necessary services where there are not enough regular staff to meet the demands of the service and for emergency cases and intermittent period

- **Must meet education, training and experience proposed by agency heads and approved by CSC**
- **Eligibility not required except for positions involving practice of profession or requiring licenses**
- **In no case shall casual appointment be issued to fill a vacant plantilla position**
- **Entitled to the same benefits enjoyed by regular employees**
- ***Reappointment (renewal) of casual appointments to the same position shall be submitted to the CSC for notation only, without the need for approval/validation. However, reappointment to another position shall be submitted for approval/validation by the CSC FO concerned.***

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status of Teachers

Permanent —meets all the requirements of the position.

Provisional —meets all the requirements of the position **except the eligibility** * *Scholar-graduates of the Merit Scholarship Program of the Department of Science and Technology – Science Education Institute (DOST-SEI) shall be allowed to teach on provisional status, which appointment may be renewed every school year but not to exceed four (4) years.*

Temporary –meets all the requirements of the position **except the education** *

****only in the absence of a qualified eligible actually available who is willing to accept the appointment as certified by the Schools Division Superintendent***

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Employment Status of Teachers

Substitute – regular incumbent **temporarily unavailable** – required to possess RA 1080 (Teacher) Eligibility

Contractual – **specialized subject** in secondary education; **part-time** – inclusive period indicated for purposes of crediting services – not required to possess RA 1080 (Teacher) eligibility

CSC Resolution No. 1801278



Re: Clarification on Provisional Appointments to Senior High School Teaching Schools

Promulgated on November 20, 2018

*The Commission **clarifies** that in areas where there is shortage of qualified teachers, **automatic renewal of provisional appointments** issued to teachers for the succeeding four (4) years after the issuance of the first provisional appointment to the same position as certified by the DepEd Schools Division Superintendent concerned **shall be allowed.***

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Original appointment

the **initial entry** into the **career or non-career service** **subject to probationary period** under Rule V of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Promotion

the **advancement** of a **career employee** from one position to another with an increase in duties and responsibilities and usually accompanied by increase in salary

- **upward movement** from the **non-career service to the career** service and vice versa shall **not** be considered as a **promotion** but as **reappointment**
- **promotion to another agency** (promoted employee will be required to **notify the head of agency at least 30 days prior to assumption to the position**).
- **special promotions** exempted from qualification requirements but subject to validation

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



The pendency of an administrative case against any employee shall not be a bar to promotion.

An employee who has been found guilty of an administrative offense and imposed the penalty of demotion, suspension or fine shall be disqualified for promotion for the same period of suspension or fine.

In the case of demotion, the period of disqualification for promotion shall be within one (1) year.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Transfer

- the movement of employee from one position to another which is of **equivalent rank, level or salary** without gap in the service *requires:*
 - Written Notice of transfer = *at least* 30 days prior to effectivity date
 - Written Notice of acceptance – 30 days from receipt of notice

✘ No notice of acceptance – deemed approved after lapse of 30 days from receipt of written notice

✘ Failure to transfer on specified date - employee deemed resigned. May be reappointed or reemployed subject to the usual hiring process

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Reemployment

- the appointment of a person who has been **previously appointed** to a position in the government service but was **separated** therefrom as a result of reduction in force, reorganization, retirement, voluntary resignation, or any non-disciplinary action such as dropping from the rolls and other modes of separation.
- **presupposes a gap in service**

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Reappointment the issuance of an appointment as a result of reorganization, devolution, salary standardization, re-nationalization, recategorization, rationalization or similar events, including the following:

- The issuance of appointment from **temporary to permanent, career to non-career or vice versa, non-career to another non-career**
- The **renewal** of temporary, contractual and casual appointment upon the expiration of the appointment or subsequent appointment of substitute teachers
- Personal or coterminous staff of elective officials, who shall **continue to serve in a coterminous capacity**
- ***NO GAP IN SERVICE***

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Reinstatement

- to comparable positions – restoration of a person as a result of a decision, to career position from which he/she has, through no delinquency or misconduct, been separated but **subject position already abolished**; issuance of appointment required
- to the same position/item – no need for issuance of appointment

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Demotion - movement of an employee from a higher position to a lower position where he/she qualifies, if a lower position is available. It entails reduction in duties, responsibilities, status or rank, which may or may not involve a reduction in salary.

- **Due to reorganization/rationalization (REAPPOINTMENT)**
– salary of the higher position
- **Voluntary demotion** - same step of the salary grade of the previous position
- **Demotion as a result of a disciplinary action** – adjustment of the salary of an employee to the next lower salary grade *with the same salary step.*

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Nature of Appointment

Reclassification

- includes downgrading or upgrading when there is a substantial change in regular duties and responsibilities of the position
- not subject to QS; vested right

Reclassification of position *requires the issuance of an appointment* but the same is ministerial on the part of the appointing officer/authority.

In LGUs, ***no reclassification shall be allowed*** except when the position is actually vacant

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



HR movements not requiring issuance of appointment expanded to include

- **Change in item number**
- **Salary adjustment - NOSA**
- **Step increment - NOSI**
- **Reinstatement to the same position/item**
- **Demotion** as a result of a disciplinary action
- **Positions marked as coterminous with the incumbent**

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Other Human Resource Actions

Reassignment

movement across the organizational structure **without a reduction in rank, status, or salary**; requires issuance of an Office Order by the appointing officer

- Reassignment of employees with station-specific place of work **within the geographical location of the agency** shall be allowed only for a maximum period of one (1) year

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Geographical location – area **within the jurisdiction of an agency.**

- NGAs, GOCCs, SUCS – central to regional office, main campus to satellite campus provided that the office of reassignment is existing in the organizational structure of the agency
- LGUs – area within the locality of an LGU where an employee may be reassigned from the Provincial/City/Municipal Hall to other areas within the locality provided that the reassignment is existing in the organizational structure of the LGU

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions

Station Specific Appointment

An appointment is considered station-specific when:

- the particular office or station where the position is located is **specifically indicated on the face of the appointment paper**
- the **position title already specifies the station**, such as Human Resource Management Officer, Accountant, Budget Officer, Assessor, Social Welfare and Development Officer, and such other positions with organizational unit/station-specific function.
- *The reassigned employee who is restored to his/her original post/assignment pursuant to the decision of the Commission shall not be reassigned within one (1) year reckoned from the date of restoration to the original post/assignment. Otherwise, the appointing officer/authority or the authorized official who caused the subsequent reassignment within 1 year from the date of restoration may be cited for indirect contempt by the Commission as provided in Rule 16 of the 2017 RACCS.*

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Appointment is **not** station specific

- One-year maximum period of reassignment within the geographical location of the agency shall not apply
- Employee concerned may request for a recall of the reassignment citing his/her reasons why he/she wants to go back to his/her original station
- Reassignment may also be revoked or recalled by the appointing officer/authority or be declared not valid by the Civil Service Commission or a competent court, on appeal

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Constructive dismissal exists when an official or employee quits his/her work because of the agency head's **unreasonable, humiliating, or demeaning actions**, which render continued work impossible because of **geographic location, financial dislocation and performance of other duties and responsibilities inconsistent with those attached to the position**. Hence, the employee is deemed illegally dismissed.

This may occur although there is no diminution or reduction in rank, status or salary of the employee

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Reassignment that constitutes constructive dismissal may be any of the following:

- Reassignment of an employee to perform duties and responsibilities **inconsistent with the duties and responsibilities of his/her position** such as from a position of dignity to a more servile or menial job;
- Reassignment to an **office not in the existing organizational structure**;
- Reassignment to an existing office but the employee is **not given any definite set of duties and responsibilities**;

Reassignment that constitutes constructive dismissal may be any of the following:

- Reassignment that will cause significant **financial dislocation or will cause difficulty or hardship** on the part of the employee because of geographic location
- Reassignment that is done **indiscriminately or whimsically** such as reassignment of employees twice within a year, or reassignment of career service officials and employees with valid appointments during change of administration of elective and appointive officials.

Reassignment that results in constructive dismissal must be sufficiently established.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



In sum, the features of the rules on reassignment:

- provides avenue for employees with no station specific appointment to request **recall of reassignment**;
- provides grounds that constitute indiscriminate and whimsical reassignment;
- includes provision on reassignment of public health, social and school teachers and other professions covered by special laws; and
- **pending appeal**, reassignment shall **not be executory** (CSC vs Pacheo, G.R. No. 178021, January 25, 2012).

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Detail

temporary movement of an employee **from one department or agency to another** which does not involve a reduction in rank, status or salary.

- provide limit to period of detail to a **maximum of 3 years** (Section 5, Item b (3))
- detail without consent shall be allowed only for a period of one (1) year
- require that detail be covered by an agreement that such will not result in reduction in rank, status or salary (Section 5, Item b (4))

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Detail

The employee may appeal the detail order within 15 days upon receipt to the Commission or CSCRO with jurisdiction if he/she believes there is no justification for the detail. **Pending appeal, the detail order shall be executory** unless otherwise ordered by the Commission.

The decision of the said CSCRO may be further appealed to the Commission within 15 days from receipt.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- Imposition of additional and/or higher duties to be performed by a public official/employee which is temporary and can be terminated anytime at the pleasure of the appointing officer/authority
 - perform the duties of another position on concurrent capacity or on full-time basis;
 - designation in an acting capacity or as Officer-in-Charge (OIC)

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- Whether a first level position holder Rebong, who was designated to perform the duties pertaining to second level positions, be credited as valid experience for purposes of promotion.
- CSC emphasized that CSC Resolution No. 050157 dated February 7, 2005, MC No. 6, s.2005 provides that 'designees can only be designated to positions within the level they are currently occupying'. Hence, CSC concluded that designation made in his favor to perform duties and functions of the second level position, could not be credited for purposes of compliance with the experience requirement as it violates the rules on designation.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- It is worthy to emphasize that the CSC would consider respondent to have complied with the experience requirement were it not for the alleged violation of the rule against designation of a first level position holder to second level positions which is stated in CSC MC No. 06-05, dated Feb 15, 2005 (b) – designees can only be designated to positions within the level they are currently occupying.

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- *Nevertheless, even if CSC is correct in saying that he should have never performed the duties of a second level position, the fact remains that he served as IA 1 in the defunct EllB for nine years and as IA1 in the BOC for eight years.*
- *It is only fair and just that his experience therein should be counted in his favor for purposes of promotion.*

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- *CSC MC No. 06-05 does not even provide for the consequences of designating a first level position holder to second level positions. **Nowhere in the said Circular is it provided that such service would not be credited in the employee's favor for purposes of promotion.** CSC's petition is denied for lack of merit.*

CSC vs Rebong, G.R. No. 215932, June 3, 2019

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- designation in an **acting capacity** - ministerial functions attached to the position but also the exercise of discretion since the person designated is deemed to be the incumbent of the position
- officials designated as **officer-in-charge** - enjoy limited powers which are confined to functions of administration and ensuring that the office continues its usual activities

RULE IV

Employment Status, Nature of Appointment and Other Human Resource Actions



Designation

- *designation to **critical positions** in the local government units such as Provincial/City/Municipal Government Department Head, a copy of the office order shall be furnished by the HRMOs of the LGUs to the CSC FO concerned within thirty (30) days upon its issuance.*
- *Employees designated to positions with duties involving practice of profession shall be required to possess the necessary professional license.*

RULE V

Probationary Period

Probationary period - period of actual service following the issuance of a permanent appointment wherein the appointee undergoes a **thorough character investigation** and **assessment of capability** to perform the duties of the position enumerated in the Position Description Form (PDF).

RULE V

Probationary Period



Coverage

- Those who are issued **original appointments** under **permanent status** in the career service and who meet all the requirements of the positions
- **Non-career service employees who are reappointed/reemployed to a career position under permanent status**

RULE V

Probationary Period



- Temporary appointees who after meeting the eligibility requirements for a permanent appointment in the career service are reappointed (change of status to permanent)
- Those who are reemployed under permanent status
- First-time appointees to closed career positions (faculty and academic staff in state universities and colleges/local colleges and universities, Scientists), unless otherwise provided under the agency Charter

Exempt from probationary period:

- Teachers who, prior to issuance of permanent appointments, **have acquired adequate training and professional preparation** in any school recognized by the government, and possess the appropriate civil service eligibility pursuant to Section 4 of Republic Act No. 4670
- **First-time appointees to closed career positions** in SUCs, and scientific and research institutions if so provided under their agency Charters
- Appointees to positions exempted from the probationary period as may be provided by law.

RULE V

Probationary Period



Reasons for Termination of a Probationary Appointee

- Unsatisfactory performance or want of capacity
- Failure of the appointee to observe propriety in his/her acts, behavior and human/public relations
- Habitual tardiness or absenteeism
- Critical factors based on SPMS
- Unsatisfactory Conduct or Behavior
- Neglect of Duty
- Insubordination

RULE VI

Effectivity and Submission of Appointments



If the appointee has taken his/her oath of office and assumed the duties of the position, **he/she shall be entitled to receive his/her salary at once without awaiting the** approval/validation of his/her appointment by the Commission. **The appointment shall remain effective until disapproved/invalidated by the Commission.**

RULE VI

Effectivity and Submission of Appointments



If the appointee is not allowed to assume office despite his/her receipt of the appointment, or submission thereof to the Commission for approval, the official/s or employee/s **who caused the non-assumption** of the appointee **shall be held administratively liable therefor.**

RULE VI

Effectivity and Submission of Appointments



Section 18. In the case of local government units, the appointment issued by the appointing officer/authority to a department head position requires the concurrence of the majority of all the members of the local sanggunian. *The appointing officer/authority shall submit the appointment to the local sanggunian for concurrence within seven (7) calendar days upon issuance, otherwise, the appointment shall be considered ineffective.*

If the sanggunian does not act on the appointment within fifteen (15) calendar days from the date of its submission, said appointment shall be deemed concurred.

RULE VI

Effectivity and Submission of Appointments



Services rendered without an appointment

- **Not credited as government service**
- **Not recognized by the Commission**
- **Payment of salaries and other benefits = personal liability of the person who made him/her assume office**

RULE VII

Publication and Posting of Vacant Positions



Vacant positions in the career service, *including vacant executive/managerial positions in the second level that are authorized to be filled, together with their corresponding qualification standards and plantilla item numbers*, shall be published and posted **in three (3) conspicuous places for a period of at least ten (10) calendar days for NGAs, SUCs and GOCCs** with original charters in accordance with the provisions of **RA No. 7041** and its implementing guidelines, and **not less than fifteen (15) calendar days for local government units** pursuant to Section 80(a), Title Three, Book I of **RA No. 7160**.

RULE VII

Publication and Posting of Vacant Positions



Effect of Incorrect Information in the Publication

Any incorrect information in the publication of vacant positions, i.e. item number, position title, qualification standards shall be a *ground for the disapproval/invalidation of appointments*

RULE VII

Publication and Posting of Vacant Positions



Positions Exempt From Publication and Posting

- a. Primarily confidential;
- b. Policy-determining;
- c. Highly technical which includes the faculty and academic staff of state/local colleges and universities, and scientific and technical positions in scientific and research institutions with established merit systems;

RULE VII

Publication and Posting of Vacant Positions



Positions Exempt From Publication and Posting

- d. Coterminous with that of the appointing officer/authority, including other non-career positions such as contractual and casual as identified under Section 9, Subtitle A, Title I, Book V of EO No. 292;
- e. Reappointment (change of status to permanent) of those appointed on temporary status for Category II positions under CSC MC No. 11, s. 1996 , as amended; or

RULE VII

Publication and Posting of Vacant Positions



Positions Exempt From Publication and Posting

- f. *Reappointment (renewal) of those appointed on temporary status for Medical Officer/Specialist positions pursuant to PD No. 1424, Further Amending RA No. 1243, As Amended by RA No. 2251, otherwise known as the “Hospital Residency Law”;*
- g. Those to be filled by existing regular employees in the agency in case of reorganization/rationalization; provided, the approved staffing pattern is posted in the agency bulletin boards and other conspicuous places in its central and regional/field offices.

RULE VII

Publication and Posting of Vacant Positions



Validity of Publication

- **Valid until filled** up but not to extend beyond nine (9) months from date of publication
- Should no appointment be issued within the 9-month period, the agency has to cause the re-publication and re-posting of the vacant position.

RULE VII

Publication and Posting of Vacant Positions



ANTICIPATED VACANCIES

- Allowed only to agencies with **SUCCESSION PLAN**.

Exceptions:

- Anticipated vacancies due to **RETIREMENT, RESIGNATION, OR TRANSFER** but the publication should be made not earlier than thirty (30) days prior thereto.

RULE VIII

Qualification Standards



Qualification Standards

The qualification standards are the **minimum and basic requirements for positions in the government in terms of education, training, experience, Civil Service eligibility, physical fitness and other qualities** required for successful performance of the duties of the position. These shall serve as the **basic guide in the selection of the employees and in the evaluation of appointments to all positions in the government.**

RULE VIII

Qualification Standards



Clarification on the Education Requirement for Division Chief Positions with SG 23 and Below (CSC MC No. 04, s. 2019)

- ❖ MC No. 5, s. 2016, Revised QS for Division Chief and Executive/Managerial Positions in the Second Level (February 24, 2016) provides that **education requirement** for division chief position is Master's degree OR Certificate of Leadership and Management from the CSC which is in accordance with the prescribed educational requirement for appointment to DC positions with one of the following criteria: SG 24 positions, thus, pursuant to CSC Resolution No. 1801053 (September 25, 2018), CSC clarifies that the QS for DC positions prescribed in CSC MC No. 5, s.2016 apply only to SG 24 or higher .

RULE VIII

Qualification Standards



Clarification on the Education Requirement for Division Chief Positions with SG 23 and Below (CSC MC No. 04, s. 2019)

Accordingly, DC positions with SG 23 or below or comparable positions with the same SG 23 or below, shall not require Master's degree.

RULE VIII

Qualification Standards



Qualification Standards

- Agencies are **encouraged to set specific or higher standards for their positions**, including the required competencies.
- These standards shall be submitted to the Commission for approval, and once approved, the agency shall uniformly and consistently adopt these in the selection and appointment of employees

RULE VIII

Qualification Standards



Establishment of QS for all positions

- For all positions in the Index of Occupational Services (IOS), Position Titles and Salary grades
- Positions subsequently created and approved in accordance with existing laws, policies, rules and regulations
- QS established and approved by the Commission for positions in particular sector may be adopted for the same position titles in other government sectors without the need for prior approval of the CSC*

* Agencies shall inform the Commission that they are adopting the CSC-approved QS

RULE VIII

Qualification Standards



Establishment of QS for unique positions

- All agency positions should be included in the approved QS Manual of the agency
- Unique positions should have a QS approved/confirmed by the Commission

Appointment to positions without approved QS shall be disapproved/invalidated

RULE VIII

Qualification Standards



QS by Special Law

- QS for certain positions prescribed by a special law shall prevail
- QS for department head and assistant department head positions (mandatory or optional) in LGUs, considered as executive/managerial positions and for newly-created department head and assistant department head positions shall be equivalent or comparable to those prescribed by RA No. 7160

RULE VIII

Qualification Standards



QS for Career Positions

- Must meet the **Education, Training, Experience, Eligibility** and **Competency** requirements prescribed in the QS Manual or CSC approved agency QS
- QS for positions, which may include competencies (knowledge, skills and attitudes) shall be established based on the set of duties and responsibilities indicated in the Position Description Form

RULE VIII

Qualification Standards



QS for Non-Career Positions

- Appointees to casual, contractual, and coterminous positions that are **not** primarily confidential **must meet the education, training, and experience** requirements of the position as proposed by agency heads and approved by the CSC
- Pending submission and approval of agency QS, the qualification requirements under the CSC QS Manual shall be used as bases in the attestation
- **Eligibility is not required** but PREFERENCE should be given to CS eligible. HOWEVER, for **practice of profession** regulated by the BAR or Board or requiring licenses, the corresponding **license/certificate of registration** shall be required

RULE VIII

Qualification Standards



Appointees to primarily confidential positions exempt from QS

Appointees to primarily confidential/personal staff positions are **exempt from QS**

EXCEPT

- those whose duties involve the practice of profession regulated by the BAR/Board laws and/or require licenses
- those specifically required by a special law, e.g. (Provincial/City/Municipal Administrator, Information Officer)

RULE VIII

Qualification Standards



**Reappointment of incumbents under permanent status
under reorganization**

Considered as having met the qualification standards for the
position

RULE VIII

Qualification Standards



EDUCATION

Refers to the **formal** or **non-formal** academic, technical or vocational studies that will enable the candidate to successfully perform the duties and responsibilities indicated in the Position Description Form of the position to be filled.

RULE VIII

Qualification Standards



Education

Non-Formal Education

Certificates of completion of non-formal education issued by the **Department of Education** shall be considered **valid documents for appointment** to positions requiring completion of elementary or high school education, provided, that other requirements of the positions are met.

RULE VIII

Qualification Standards



Education

Degree Obtained From Foreign Schools

Certification issued by **CHED** that a **degree obtained from foreign schools is equivalent to a bachelor's or master's degree** shall be considered valid document for meeting the education requirement for positions requiring completion of a bachelor's or master's degree

RULE VIII

Qualification Standards



Education

Determination of Relevancy of Bachelor's Degree

- Appointee must complete a bachelor's degree from a CHED-recognized college or university
- Supplemented by **12 academic units** of the subject or course

RULE VIII

Qualification Standards



Education

Education Requirement for Division Chief and Executive/Managerial positions

- Graduate of Master's degree
- Certificate of Leadership and Management (C-Pro)

RULE VIII

Qualification Standards



Education

**Considered to have met the Master's Degree
for appointment to Division Chief/Managerial Positions**

- Completion of Bachelor of Laws or Doctor of Medicine
(considered as appropriate education)
- **CES or CSE eligibles**
- **RA 1080 eligibles**
(involves practice of profession belonging to the same
occupational group or functionally related positions)

RULE VIII

Qualification Standards



Experience refers to the previous jobs in either the **government or private sector, whether full-time or part-time**, which, as certified by the Human Resource Management Officer or authorized officials of the previous employer, are functionally related to the duties in the PDF of the position to be filled.

RULE VIII

Qualification Standards



Experience

Relevant Experience Acquired through Job Order or Contract of Service

- May be considered relevant experience **provided covered by a contract or MOA**

Relevant Experience Acquired through Volunteer Work

Experience, on full time basis, as certified by the HRMO or authorized officials, may be considered relevant experience

QUALIFICATION STANDARDS SHOULD BE MET AT THE TIME OF THE ISSUANCE OF APPOINTMENT

RULE VIII

Qualification Standards



Experience

Acquired in First Level positions

- May be considered for meeting the experience requirement for second level positions when acquired in the same occupational group or functionally related positions

Relevant Experience Acquired through Designation

- covered by an Office or Memorandum Order
- Not a violation of the rules on designation

CSC MC No. 16, s. 2018



CSC Resolution No. 1800717 promulgated on July 10, 2018

The Commission *amends* the existing *experience requirements* for *Municipal Government Department Head positions*.

The amended experience requirements for *Municipal Government Department Head I* and *Municipal Government Department Head II* positions shall be *three (3) years relevant experience* to make these equivalent or comparable with the qualifications prescribed by RA No. 7160.

RULE VIII

Qualification Standards



Training

Learning & Development Interventions

Training refers to formal or non-formal training courses and HRD interventions such as coaching, mentoring, job rotation, seminars, workshops, and others that are part of the employee's Individual Development Plan/Career Development Plan.

- Continuous learning and development shall be espoused by the CSC
- **At least one planned HRD intervention for each employee should be ensured by agency head during the year.**

RULE VIII

Qualification Standards



Training

May be acquired from:

- CSC accredited learning and development institutions ;
- Government training institutions;
- Non-accredited private training institution offering training of highly technical/specialized nature;
- Local training institution that is internationally acclaimed for meeting the global standards of excellence in training;
- Institution recognized by Commission on Higher Education (CHED) as Center of Excellence (COE) or Development (COD);
- Foreign institution that offers training for scholarship purposes or for personal advancement of participants; or
- Other institutions that partner with the Civil Service Commission in building capabilities of civil servants.

RULE VIII

Qualification Standards



Training

The following are **not** considered for purposes of meeting the training requirement:

- Attendance to annual agency planning sessions/ workshops/ conferences as a requirement for operations
- Services rendered as facilitator/resource persons in seminars/ workshops/training

RULE VIII

Qualification Standards



Training

**Learning and Development/Training Requirement
for Executive/Managerial Positions in Second Level
(involves practice of profession)**

- **40 hours (MCLE) for BAR passers or (CPE/CPD)** for licensed professionals or trainings relevant to the practice of profession, AND
- **80 hours of management trainings TAKEN WITHIN THE LAST 5 YEARS** reckoned from the date of issuance of appointment (Sec. 68) (amended by **CSC MC No. 19, s. 2019**, Revised Policies on Training/L&D Requirements for Division Chief and Executive/Managerial Positions in Government)

CSC MC No. 19, s. 2019



CSC Resolution No. 19007733 promulgated on July 11, 2019

The Commission ruled to *dispense with the 5-year recency requirement* in the *training/learning and development requirements* for *division chief and executive/managerial positions* in the second level

Amending **Sections 66 to 70** of the 2017 ORAOHRA, as amended

CSC Resolution No. 2000284



Promulgated on February 11, 2020

***Amendment of the Experience and Training
Requirement of Attorney VI positions (SG-26)***

CSC Resolution No. 2000284

- 1997 QS Manual

- Amended QS

| Education | Bachelor of Laws | Education | Bachelor of Laws |
|--------------------|--|--------------------|---|
| Experience | 3 years in position/s involving management and supervision | Experience | 4 years in the practice of law, 1 year of which involves supervision/management |
| Training | 16 hours of training in management and supervision | Training | *36 hours of MCLE and 16 hours of supervisory/management training/learning and development intervention |
| Eligibility | RA 1080 (Attorney) | Eligibility | RA 1080 (Attorney) |

RULE VIII

Qualification Standards



Eligibility refers to the result of **passing a merit and fitness test** which may be determined as far as practicable by competitive examination, or based on highly technical qualifications or other tests of merit and fitness

RULE VIII

Qualification Standards



Eligibility

First Level Eligibility

- First level eligibilities are appropriate for appointment to positions in the **first level**.
- Do not apply to those covered by bar/board/special laws, and other special eligibilities as may be determined by the Commission or those that require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.

RULE VIII

Qualification Standards



Eligibility

Second Level Eligibility

- **Second level eligibilities** are appropriate for appointment to positions in the second and first level.
- They do not apply to those covered by bar/board/ special laws, and other special eligibilities as may be determined by the Commission or those that require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.

RULE VIII

Qualification Standards



Eligibility

Practice of Profession

Eligibilities resulting from passing the bar/board examinations **shall be required for appointment to positions the duties of which constitute the practice of profession(s)** regulated by the Philippine bar/board laws.

RULE VIII

Qualification Standards



Eligibility

Practice of Profession

Eligibilities resulting from passing the bar/board examinations which require **completion of at least a bachelor's degree** shall be considered **appropriate to positions for which the examination is given**, and to other **first and second level positions** not covered by bar/board/special laws

RULE VIII

Qualification Standards



Eligibility

Eligibilities resulting from passing the bar/board examinations which require **completion of less than a bachelor's degree** shall be considered **appropriate to positions for which the examination is given**, and to other **first level positions** not covered by bar/board/special laws or those that require licenses

RULE VIII

Qualification Standards



Eligibility

- *Passing the 13th Shari'a Bar Examinations held in January 2014 and the Shari'a Bar Examinations conducted thereafter shall be considered as an eligibility appropriate for appointment to first and second level positions.*
- *Passing the Shari'a Bar Examinations held prior to the 13th Shari'a Bar Examinations shall be considered as appropriate for appointment to first level positions.*

CSC MC No. 12, s. 2019

CSC Resolution No. 1900309 promulgated on March 25, 2019

The Commission *amends* the existing *qualification standards* for the generic titles of *Administrative Aide V (SG 5)* and *Administrative Aide VI (SG 6)*.



CSC MC No. 10, s. 2005

| | | | | High School Graduate with relevant vocational/ trade course | | | |
|------------------------|---|---|--|---|------------------------------|---|--|
| Administrative Aide V | 5 | 1 | <ul style="list-style-type: none"> * Must be able to read and write/ Elementary School Graduate ** High School Graduate or Completion of relevant vocational/ trade course *** Completion of two-year studies in college or High School Graduate with relevant vocational/ trade course | 1 year of relevant experience | 4 hours of relevant training | Relevant MC 11 s. 1996 Career Service (Sub-professional)/ First Level Eligibility | |
| Administrative Aide VI | 6 | 1 | <ul style="list-style-type: none"> * Must be able to read and write/ Elementary School Graduate ** High School Graduate or Completion of relevant vocational/ trade course *** Completion of two-year studies in college or High School Graduate with relevant vocational/ trade course | 1 year of relevant experience | 4 hours of relevant training | Relevant MC 11 s. 1996 Career Service (Sub-professional)/ First Level Eligibility | |

CSC MC No. 12, s. 2019

CSC MC 12, s. 2019.pdf - Adobe Reader

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| | Position Title | Position Title | | | | |
|-------------------------------|-------------------------------|---|---------------|---------------|---|--|
| Administrative Aide VI (SG 6) | Auxiliary Machine Operator II | Completion of two years studies in college or High School Graduate** with relevant vocational/ trade course | None required | None required | Career Service (Subprofessional)/ First Level Eligibility | |
| | Data Entry Machine Operator I | Completion of two years studies in college or High School Graduate** with relevant vocational/ trade course | None required | None required | Career Service (Subprofessional)/ First Level Eligibility | |
| | Data Controller I | Completion of two years studies in college or | None required | None required | Career Service (Subprofessional)/ First Level Eligibility | |

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CSC MC No. 6, s. 2020



CSC Resolution No. 2000130 promulgated on January 27, 2020

*The Commission **adopts** the following **policies** on specific cases involving changes in qualification requirements owing to **the re-categorization of skilled positions**:*

- 1. Incumbents of re-categorized skilled positions under permanent status, who possess higher eligibilities, such as PRC professional license, which are relevant or functionally related to the skilled positions, shall be considered to have met the eligibility requirements for the said positions.*

CSC MC No. 6, s. 2020



2. Incumbents of re-categorized skilled positions under permanent status, who possess Career Service Professional or Subprofessional eligibility instead of the required skills eligibility, shall be considered to have met the eligibility requirement for the skilled positions.

3. Incumbents of skilled positions appointed under permanent status, at the time of re-categorization shall be considered as having met the new QS for the position.

CSC MC No. 6, s. 2020

4. The new QS of the re-categorized skilled positions shall apply to subsequent appointees if the skilled positions are vacant at the time of re-categorization.



RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board



Role of the HRMPSB

- **HRMPSB** *The HRMPSB shall assist the appointing officer/authority in the judicious and objective selection of candidates for appointment in the agency in accordance with the approved Agency Merit Selection Plan (MSP).*

The HRMPSB shall be primarily responsible for the judicious and objective selection of candidates for appointment in the agency in accordance with the approved Agency MSP and shall recommend to the appointing officer/authority the top five (5) ranking candidates deemed most qualified for appointment to the vacant position.

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board



Role of the HRMO in the HRMPSB

- MEMBER of the HRMPSB. **Shall not act as HRMPSB Secretariat.**
- **HRMO Office/Unit shall perform secretariat and technical support function to the HRMPSB.**
- **Agency head shall designate an employee from other units to act as Secretariat in case it has only 1 HRMO**
- *The highest official in-charge of the human resource management shall be the official directly supervising the human resource management of the agency, e.g., Assistant Secretary/Director for Administration/Human Resource for National Government Agencies.*
- ***The HRMO is the officer/official in-charge of the recruitment, selection, and placement***

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board



Agency Head

- Assess the merits of the HRMPSB recommendation for appointment
- Exercise sound discretion
- Select from among the top five ranking applicants deemed most qualified for appointment
- may appoint an applicant who is ranked higher than those next-in-rank to the vacant position based on the assessment of qualifications/competence evidenced by the comparative ranking

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board

HRMPSB Membership

- Agency head shall, as far as practicable, ensure equal representation of men and women for all levels of positions
- Membership can be modified, provided it conforms with the prescribed composition; cannot be minimized
- Change in composition should be reported to CSC
- *For LGUs, the HRMPSB shall be chaired by the local chief executive or his/her authorized representative, and its members shall be determined by resolution of the sanggunian concerned. A copy of which should also be furnished the CSC RO and CSC FO.*

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board

Ratings Considered for Promotion

- *At least Very Satisfactory performance rating in the last rating period prior to the assessment or screening for promotion or transfer.*
- *The performance rating of at least Very Satisfactory (VS) in the last rating period shall not be required for promotion from first to second level entry positions.*
- *The performance rating prior to the reclassification of the position shall be considered as performance rating in the reclassified position for purposes of promotion.*

Filling up of vacancies resulting from promotion

- Not to be filled until the promotional appointments have been approved/validated by the CSC, except in meritorious cases as may be authorized by the Commission (as amended by **CSC MC No. 21, s. 2019**)

CSC MC No. 21, s. 2019

CSC Resolution No. 1900898 promulgated on August 6, 2019

Section 96 was amended to read, as follows:

*“*Section 96. Agencies, **except those conferred with PRIME-HRM Bronze/Silver/Gold award**, shall not fill up vacancies resulting from promotion until the promotional appointments have been approved or validated by the CSC.*

The Commission may also exempt other agencies based on meritorious cases.

*As prior notice, **promotional appointments** submitted by agencies exempted from this provision **shall include a notation** stating that the employee shall be reverted to his/her former position in case the promotional appointment is disapproved/invalidated. Furthermore, **appointment to a vacant position resulting from promotional appointment shall bear the notation** that the appointment is subject to CSC attestation of the promotional appointment of the incumbent of the previous position.”*

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board

3 Salary Grade Limitation for Promotion

As a general rule

- An employee may be promoted to a position which is not more than 3 salary, pay or job grades higher than the employee's present position

The limitation apply only to promotion within the agency.

The prohibition shall not apply in the following cases:

- Transfer incidental to promotion provided that the appointee is subjected to deep selection
- Reappointment involving promotion from non-career to career provided that the appointee was subjected to deep selection
- Reappointment from career to non-career position
- Reemployment
- Reclassification of position

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board

Appointments issued in violation of the 3-salary grade rule shall be disapproved/invalidated, except:

- The position occupied by the person is next-in-rank to the vacant position as identified in the MSP and SRP of the agency
- The vacant position is a lone or entrance position
- The vacant position is hard to fill
- The vacant position is unique and highly specialized
- The candidates passed through a deep selection process, taking into account superior qualifications
- The vacant position belongs to the closed career system

RULE IX

Agency Merit Selection Plan and Human Resource Merit Promotion and Selection Board

Appointments issued in violation of the 3-salary grade rule shall be disapproved/invalidated, except:

Other Meritorious Cases

- Appointee is a lone applicant who meets all the requirements of the position and passed through a deep selection process
- Qualified next-in-rank waived their right in writing
- The next in rank position is vacant
- Next in rank employee/s is/are not qualified
- Qualified next-in-rank did not apply

RULE X

Certain Modes of Separation – Documents Required for Record Purposes

Resignation

Complete and operative resignation

(DTI vs. Singun, G.R. No. 149356, March 14, 2008)

- Written intention to relinquish;
- Acceptance by the appointing authority/ officer; and
- Written notice of such acceptance duly served to the official or employee concerned.

RULE X

Certain Modes of Separation – Documents Required for Record Purposes

Resignation

- Complete and operative resignation not acted after the lapse of 30-day period (*DTI vs. Singun*)
- Revocable until accepted
- Restoration to former position not automatic in case of withdrawal once resignation is deemed complete and operative
- Proof of notice of the acceptance of resignation to the employee to be submitted

RULE X

Certain Modes of Separation – Documents Required for Record Purposes

Resignation

- An official or employee under investigation, except those prohibited by law, may be allowed to resign pending decision of his/her case without prejudice to the continuation of the proceedings until finally terminated.
- Section 12, R.A. No. 3019 (Anti-Graft and Corrupt Practices Act):

“Section 12. Termination of office. No public officer shall be allowed to resign or retire pending an investigation, criminal or administrative, or pending a prosecution against him, for any offense under this Act or under the provisions of the Revised Penal Code on bribery.”

RULE X

Certain Modes of Separation – Documents Required for Record Purposes

Dismissal

- **Report on Database of Individuals Barred From Taking Civil Service Examinations and from Entering Government Service (DIBAR)**, together with a certified true copy of the decision rendered which has become executory, shall be submitted to the CSC Field Office within thirty (30) calendar days from the date of dismissal, for record purposes.

Dropping from the Rolls

- This rule was deleted in the 2017 ORAOHRA since it was transferred to the 2017 RACCS

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments



Grounds for Disapproval/Invalidation of Appointments

- a. The appointee does not meet the QS
- b. The appointee has been dismissed for cause as enumerated in Section 50 (A), Rule 10 of the 2017 RACCS or has been found guilty of a crime where perpetual/temporary disqualification from appointment is attached to the penalty thereof, unless an executive clemency has been granted
- c. The appointee has intentionally practiced or attempted to practice any deception or fraud in connection with his/her appointment

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

Grounds for the Recall of Disapproval/Invalidation of Appointments

- d. The appointment has been issued in violation of the CSC-approved Merit Selection Plan.

- e. The contractual/casual appointment has been issued to fill a vacant position in the plantilla of personnel or the contractual/casual appointee will perform the duties and responsibilities of the vacant position; or

- f. The appointment has been issued in violation of existing Civil Service Law, rules and regulations, the Board/Bar, Local Government Code of 1991 (RA No.7160), Publication Law (RA No.7041), the Omnibus Election Code (BP Blg. 881, as amended) and other pertinent laws

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

If the appointment, *regardless of the status*, is disapproved/invalidated on grounds which do not constitute a violation of pertinent laws, the same is considered effective until the disapproval/ invalidation is affirmed by the CSCRO or the Commission.

The services rendered shall be credited as government services and the appointee shall be entitled to the payment of salaries from the government as a de facto officer.

However, the pendency of the appeal on disapproved/invalidated temporary, contractual and casual appointments shall not extend the period of effectivity thereof as provided for in the appointment forms.

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

In order for the appointee to be considered as de facto officer, the following elements must concur:

There must be a de jure office. – *The position is under an existing and legally recognized division, office, organization, Plantilla of Position/Staffing Pattern.*

There must be color of right or general acquiescence by the public. – *It must be derived from an election or appointment, however irregular or informal, so that the incumbent is not a mere volunteer. The appointee only assumed the duties and responsibilities of the position because he/she was issued his/her appointment paper.*

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

There must be actual physical possession of the office in good faith. – The appointee has the presumption that the appointment issued to him/her is in compliance with Civil Service Law and rules.

Illustrative Example:

Agency A published a vacant Chief Administrative Officer position (de jure office) with an outdated qualification standards. Employee A was issued an appointment to the said position (color of right) and assumed the duties and responsibilities thereof (actual physical possession of an office in good faith). However, the CSC Field Office disapproved the appointment for not meeting the new qualification standards.

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

Illustrative Example:

The period within which the appointee discharges the actual duties and responsibilities of the Chief Administrative Officer until the disapproval becomes final, as determined by the Commission, shall be credited as government service. The appointee is considered a de facto officer.

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

- An appointment which is disapproved/invalidated on grounds that constitute a violation of pertinent laws may be appealed and the appointee may continue to render services. In the event the disapproval/invalidation is affirmed by the Commission, it **becomes executory**.

The services rendered shall not be credited as government service and the appointing authority/officer shall be personally liable for the payment of salaries.

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

- The appointing officer/authority shall be **personally liable for the salary** of an appointee paid after the CSC has finally disapproved/invalidated the appointment.
- An employee whose promotional appointment is disapproved/invalidated shall be **reverted to his/her former position.**

RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

Appointments issued after an election up to June 30 by outgoing elective appointing officer/authority shall be disapproved/invalidated, unless the following requisites are met:

- **Appointee meets the minimum QS**
- **The appointee has undergone HRMPSB screening prior to the election ban**
- **There is urgent need for the issuance of the appointment so as not to prejudice public service or endanger public safety**
- **CS law, rules and regulations and special laws on the issuance of appointments are followed**

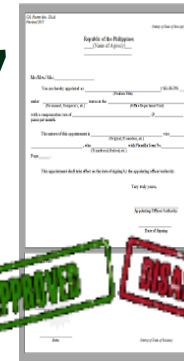
RULE XI

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

Reappointment (renewal) by outgoing appointing officer after the elections or before June 30 of an election year

If in the **exigency of the service**, the outgoing appointing officer, whether elective or appointive, opts to **reappoint temporary, casual and/or contractual employees or appoint/reappoint substitute teachers**, during reorganization, after the election or before June 30 of an election year, **prior authority** must be obtained from the **concerned CSCRO**, otherwise such appointments shall be disapproved/invalidated

CSC Resolution No. 2000127



Re: Action on Appointments by CSC Regional and Field Offices

Promulgated on January 27, 2020

*The Commission **authorizes** the CSC Regional and Field Offices to **immediately review and act on appointments submitted by agencies, as follows:***

CSC Resolution No. 2000127



1. Approve/validate the appointments provided the following conditions are met:
 - a. The appointee meets the qualification requirements for the position to which he/she is being appointed to;
 - b. The required supporting documents are complete;
 - c. All entries on the appointment form are correct; and
 - d. The appointment has been issued pursuant to existing Civil Service Law, rules and regulations and other pertinent laws

CSC Resolution No. 2000127



2. Approve/validate the appointments and indicate a notation which read:

“Subject to Official Verification of Eligibility” provided that the following conditions are met:

- a. The appointee meets the qualification standards for the position requiring civil service eligibility to which he/she is being appointed to;
- b. The required supporting documents are complete;
- c. All entries on the appointment form are correct;
- d. The appointment has been issued pursuant to existing Civil Service Law, rules and regulations and other pertinent laws

CSC Resolution No. 2000127

e. The civil service eligibility of the appointee issued by the duly authorized agency cannot be verified online or due to non-availability of the Masterlist of civil service eligible in the CSC Field Office.

3. Disapprove/invalidate the appointments on any of the grounds provided in Section 107 of the 2017 ORAOHRA, as amended

DISAPPROVED

RULE XII

Prohibitions

- No appointive official shall hold any other office or employment in the government unless otherwise allowed by law or by the primary functions of his/her position.
- No elective official shall be eligible for appointment in any capacity to any public office or position during his/her tenure.
- **No elective or appointive public officer or employee shall receive additional, double or indirect compensation, unless specifically authorized by law**, nor accept without the consent of Congress, any present, emolument, office or title of any kind from any foreign government.

RULE XII

Prohibitions

Revisiting **Campol vs Balao-As**, the SC agreed that the award of full back wages in favor of an illegally dismissed civil service employee who was subsequently employed in another govt agency **violates the constitutional prohibitions against double office-holding and double compensation in the civil service**. Sec. 8, Art. IX-B of the Constitution provides that no elective or appointive public officer or employee shall receive additional, double or indirect compensation xxx.

RULE XII

Prohibitions

SC ruled that petitioners who were subsequently rehired by the NPC, absorbed by PSALM or Transco, or transferred or employed by other government agencies, are not entitled to back wages. To award back wages even to those who remained employed as a direct result of the 2003 reorganization amounts to unjust enrichment and damage to the government.

On the other hand, petitioners who were neither rehired by the NPC or absorbed by PSALM or Transco pursuant to the 2003 reorganization and subsequently employed in the private sector shall be entitled to full back wages (applying *Bustamante and Equitable Banking Corporation*).

NPC Drivers and Mechanics Association (NPC DAMA) vs. The National Power Corp., GR. No. 156208, November 21, 2017

RULE XII

Prohibitions

- A person who lost in an election, **except Barangay election**, shall not be eligible for appointment or reemployment to any office in the government or government-owned or controlled corporation **1 year after election**.
- A person holding a public appointive office or position, including active members of the armed forces, shall be considered resigned from his/her office upon filing of the certificate of candidacy. This prohibition extends to private citizens appointed as board members in public offices representing the private sector.

RULE XII

Prohibitions

An employee who **resigned from the government service** during the three (3)-month period before any election to promote the candidacy of another **shall not be reemployed during the six-month period** following such election.

RULE XII

Prohibitions

No officer or employee in the civil service including the members of the Armed Forces, shall engage directly or indirectly in any partisan political activity or take part in any election except to vote nor shall he/she use his/her official authority or influence to coerce the political activity of any person or body. Nothing herein provided shall be understood to prevent any officer from expressing his/her views on current political problems or issues, or from mentioning the name of candidates for public office whom he/she supports.

RULE XII

Prohibitions

Rules on Nepotism, Exemptions

No appointment shall be made in favor of a relative of the appointing or recommending officer/authority, or of the chief of the bureau or office or of the person exercising immediate supervision over the appointee (**within the 3rd degree either of consanguinity or of affinity**)

Nepotism covers all kinds of appointments REGARDLESS OF STATUS including casual, contractual and coterminous BUT ARE NOT PRIMARILY CONFIDENTIAL

The Rule on Nepotism applies to DESIGNATION

RULE XII

Prohibitions

- Prohibition on appointment in the career service extends to relatives of Appointing or Recommending (A/R) officer/authority with the **4th civil degree of consanguinity or affinity.**
- However, in the non-career service the prohibition extends to the 3rd degree relatives of consanguinity or affinity of appointing or recommending officer

RULE XII

Prohibitions

Exempted from Nepotism

- a. Persons employed in a confidential capacity
- b. Teachers
- c. Physicians
- d. Members of the Armed Forces of the Philippines
- e. Science and technology personnel under RA No. 8439
- f. Other positions as may be provided by law

RULE XII

Prohibitions

Other Prohibited Acts

- Withdrawal or revocation of an appointment already accepted by an appointee
- Appointment or reemployment of a person perpetually dismissed from the service unless he/she has been granted executive clemency by the President of the Philippines upon recommendation of the Commission
- Promotion within six months prior to compulsory retirement, except otherwise provided by law
- Transfer of heads of oversight agencies and their staff or being appointed to any position in the agency of assignment within one year after termination of assignment or designation
- Non career to perform the duties belonging to career positions
- Consultant, contractual, non-career or detailed employee designated to positions exercising control or supervision over regular and career employees, except as may be provided by law

RULE XII

Prohibitions

Extension of Service

For those who will complete the 15 years for retirement under GSIS Law:

Maximum period of two (2) years may be allowed to complete the fifteen (15) years of service required under the GSIS Law

RULE XII

Prohibitions

Extension of Service

The only basis for Heads of Offices to allow an employee to continue rendering service after his/her 65th birthday is a CSC Resolution granting the request for extension

CSC Resolution No. 2000002



Promulgated on January 3, 2020

Guidelines on the Request for Extension of Service

CSC Resolution No. 2000002



- Request for extension of service shall be governed by the provisions of Section 129, Rule XII of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions, as amended.
- Request for extension of service for purposes of completing the 15 years of service shall be granted to government employees irrespective of the status of appointment, including those who have optionally retired from the government service with entitlements to retirement benefits but were re-employed in the government.

CSC Resolution No. 2000002



- Request for extension of service for purposes of completing the 15 years of service due to incurrence of leave of absence without pay for any reason other than illness for more than one year shall not be allowed.

CSC Resolution No. 2000002



- Request for extension in the exigency of the service of those under permanent status may be allowed provided that the Head of Agency shall establish the necessity of the service, including but not limited to the following:
 - Completion of a program or a project, such as in the case of personnel under the research and development sector, provided that the research project is within the priority Research & Development programs of the government and is identified as strategic priority of the agency; or any activities that may have impact on agency program implementation, e.g. computerization program;

CSC Resolution No. 2000002

- Deployment in services that have impact on national security and safety, or when any other national or local emergency has been declared by the appropriate authority;
 - The subject position is highly technical that expertise is not available in the agency;
 - During the transition period to ensure the proper turn-over of program or project implementation by training or orienting successor; and
 - Other analogous conditions as may be determined by the Commission.
-
- Officials and employees on service extension are entitled to salaries, allowances, and other remunerations, that are normally considered part and parcel of an employee's compensation package. As such, they are covered by the principle of accountability and may be administratively charged for violation of Civil Service Law and rules.



RULE XII

Prohibitions

Rule on Dual Citizenship

- Person with dual citizenship shall not be appointed in the government unless he/she renounces his/her foreign citizenship

This rule shall not apply to Filipino citizen whose foreign citizenship was acquired by birth.

RULE XII

Prohibitions

Appointment to public office of those naturalized to another country

- cannot be extended to those who are candidates for or are occupying any public office in the country of which they are naturalized citizen and/or in active service as commissioned or non-commissioned officers in the armed forces of the country of which they are naturalized citizens



thank
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