Republic of the Philippines
CIVIL SERVICE COMMISSION

MC No. 15, s. 1999

MEMORANDUM CIRCULAR

T O : ALL HEADS OF DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENT UNITS INCLUDING GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : *Additional Provisions and Amendments to CSC Memorandum Circular No. 40, s. 1998*

In line with the thrust of the Commission to make the bureaucracy more dynamic and responsive, CSC Resolution No. 99-1907, s. 1999 authorized certain additions and modifications to the existing rules on appointment and other personnel actions, otherwise known as CSC Memorandum Circular No. 40, s. 1998. The amendments, in capital letters, read as follows:

RULE III

Common Requirements For Regular Forms

Sec. 1. The revised CS Form 33 which shall be in Filipino with English translation, shall be used for appointments in the career and non-career service except those of casuals which shall use the Plantilla Appointment Form.

a. Form. The appointment which must be in triplicate copies shall be in the prescribed CS Form 33 (Revised 1998) for regular employees or the Plantilla Form No. ***001*** for casuals. Original copies shall not be filled out using xeroxed or photocopied forms.

CS Form No. ***001***
(Revised 1999)

Republic of the Philippines

_____

_____

PLANTILLA OF CASUAL APPOINTMENT

Source of Funds : _____

Department/Division : _____ Date Prepared by HRMO : _____

Name of Appointee/s	Position	Level	SG	Daily Wage/	Period of Employment		If Renewal, indicate dates of previous employment)
					From	To	

The abovenamed personnel are hereby hired/appointed as casuals at the rate of compensation stated opposite their/his name(s) for the period indicated. It is understood that such employment will cease automatically at the end of the period stated unless renewed. Any or all of them may be laid-off any time before the expiration of the employment period when their services are no longer needed or funds are no longer available or the project has already been completed/finished or their performance are below par.

This is to certify that all requirements and supporting papers pursuant to CSC MC No. 40, s. 1998, ***AS AMENDED,*** have been complied with, reviewed and found in order.

_____
HRMO

CSC ACTION:

____ Approved
____ Disapproved

APPOINTING AUTHORITY:

_____
Name/Position

_____
Date Issued

_____
Head, CSC Field Office

_____
Date Signed

i. Personal Data Sheet. The appointee's Personal Data Sheet (CS Form 212, Revised, 1998) which should be properly and completely accomplished by the appointee, shall be attached to the appointment. ***SAID PDS SHALL CONTAIN AN AUTHORIZATION FROM THE JOB APPLICANT/EMPLOYEE THAT THE AGENCY HEAD OR HIS AUTHORIZED REPRESENTATIVE CAN VERIFY/VALIDATE THE CONTENTS THEREIN.*** For appointment of substitute teachers and renewal of appointment of contractual and casual personnel, updated Personal Data Sheet shall be required.

Section 2. Employment Status in General.

a. Permanent – issued to a person who meets all the minimum qualification requirements of the position to which he is being appointed, including the appropriate eligibility prescribed, in accordance with the provisions of law, rules and standards promulgated in pursuance thereof. ***THIS INCLUDES ALL LEVELS OF POSITIONS.***

Section 4. Nature of Appointment. The nature of appointment shall be as follows:

a. **ORIGINAL** – refers to the initial entry into the career and non-career service.

HOWEVER, FOR THOSE IN THE CAREER SERVICE, the first six months of service following a permanent appointment shall be probationary in nature and the appointee shall undergo a thorough character investigation. A probationer may be dropped from the service for unsatisfactory conduct or want of capacity anytime before the expiration of the probationary period. Provided that such action is appealable to the Commission.

b. **(DELETED)**

e. **REEMPLOYMENT**. – is the reappointment of a person who has been previously appointed to a position in the career or ***NON-CAREER SERVICE*** and was separated therefrom as a result of reduction in force, reorganization, retirement, voluntary resignation, non-disciplinary actions such as dropping from the rolls ***AND OTHER MODES OF SEPARATION***. Reemployment presupposes a gap in the service.

No prior authority shall be required for the reemployment of a person who has been previously retired and who has not reached the compulsory retirement age of 65.

f. Reappointment. - is the re-issuance of an appointment during reorganization , devolution, salary standardization, re-nationalization or similar events. Reappointment presupposes no gap in the service.

Section 6. Other Personnel Movements. - The following personnel movements which will not require issuance of an appointment shall nevertheless require an office order issued by a duly authorized official or body (in case of collegial body):

c. Secondment – movement of an employee from one department or agency to another which is temporary in nature and which may or may not require the issuance of an appointment which may either involve increase in compensation and benefits.

ACCEPTANCE THEREOF IS VOLUNTARY ON THE PART OF THE EMPLOYEE.

Secondment shall be governed by the following general guidelines:

(i) Secondment shall be limited to employees occupying managerial, professional, technical and scientific positions.

(ii) Secondment to international bodies/ organizations recognized by the Philippine government may be allowed.

(iii) Secondment for a period of one year or more shall be subject to approval by the Commission. ***IN CASE THE SECONDMENT OF LESS THAN ONE YEAR IS EXTENDED AND SUCH EXTENSION SHALL COVER A TOTAL PERIOD OF ONE YEAR OR MORE, THE EXTENSION SHALL BE SUBJECT TO THE COMMISSION'S APPROVAL.***

(iv) ***APPROVAL OF THE SECONDMENT SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:***

1. A MEMORANDUM OF AGREEMENT OR CONTRACT FOR SECONDMENT BETWEEN THE MOTHER AND

RECEIVING AGENCY AND CONCURRED IN BY THE EMPLOYEE SHALL BE SUBMITTED TO CSC WITHIN 30 DAYS FROM SIGNING OF THE CONTRACT.

A SECONDED EMPLOYEE SHALL NOT BE ALLOWED TO REPORT TO THE RECEIVING AGENCY EARLIER THAN THE DATE OF SIGNING OF THE MEMORANDUM OF AGREEMENT.

2. THE PERIOD OF SECONDMENT SHALL BE FOR A MAXIMUM OF THREE (3) YEARS EXCEPT OTHERWISE PROVIDED BY LAW OR AS REQUIRED UNDER BILATERAL/MULTILATERAL AGREEMENTS.

(v) ***ANY VIOLATION OF THE PROVISIONS OF THE MEMORANDUM OF AGREEMENT SHALL BE GROUND FOR DISCONTINUANCE THEREOF WITHOUT PREJUDICE TO THE FILING OF DISCIPLINARY ACTION AGAINST THE PERSON/S RESPONSIBLE FOR THE VIOLATION.***

(vi) ***ACCEPTANCE OF SCHOLARSHIP BY SECONDED EMPLOYEE SHALL TERMINATE THE SECONDMENT.***

(vii) Payment of salaries of seconded employee shall be borne by the receiving agency. In case of a higher compensation covered by a duly issued appointment within the Philippine government, the same may be used for the purpose of computing his retirement benefits but not for the purpose of commutation of leave credits earned in the mother agency. In case of a lower compensation, the mother agency shall pay the difference. This rule does not apply in cases of secondment to international agencies.

(viii) The seconded employee shall be on leave without pay in his mother agency for the duration of his secondment, and during such period, he may earn leave credits which are commutable immediately thereafter and payable by the receiving agency.

e. ***DESIGNATION. - IS MERELY AN IMPOSITION OF ADDITIONAL DUTIES TO BE PERFORMED BY A PUBLIC OFFICIAL WHICH IS TEMPORARY AND CAN BE TERMINATED ANYTIME AT THE PLEASURE OF THE APPOINTING AUTHORITY.***

RULE IV

Section 1. An appointment issued in accordance with pertinent laws and rules shall take effect immediately upon its issuance by the appointing authority, and if the appointee has assumed the duties of the position, he shall be entitled to receive his salary at once without awaiting the approval of his appointment by the Commission. The appointment shall remain effective until disapproved by the Commission. In no case shall an appointment take effect earlier than the date of its issuance.

In case of local government unit, appointment requiring concurrence of the Sangguniang **PANLALAWIGAN**/Bayan the effectivity thereof shall not be earlier than the date of such concurrence.

Section 2. No appointment shall be made effective earlier than the date of issuance, except in the case of change of status in view of having acquired a civil service eligibility or in case of a teacher having acquired a valid certificate of registration and valid professional license.

The effectivity of the change of status should be the date of release of the result of the examination and/or the date of issuance of appropriate license/s. **THE SAME SHALL BE MADE UPON THE PRESENTATION OF THE CERTIFICATE OF ELIGIBILITY TO THE PROPER CIVIL SERVICE FIELD/REGIONAL OFFICE AND SUBSEQUENT VERIFICATION OF ITS AUTHENTICITY. SAID OFFICE SHALL INDICATE THE EFFECTIVITY OF THE CHANGE OF STATUS FROM TEMPORARY TO PERMANENT AS A FOOTNOTE ON THE TEMPORARY APPOINTMENT AND SERVICE CARD ON FILE.**

HOWEVER, CHANGE OF STATUS OF APPOINTMENT FROM TEMPORARY TO PERMANENT BECAUSE OF COMPLETION OF THE REQUIRED EDUCATION, TRAINING AND EXPERIENCE SHALL BE EFFECTIVE UPON PRESENTATION OF THE PROOF THERETO AND ITS CORRESPONDING INDORSEMENT FROM THE APPOINTING AUTHORITY.

RULE V

Sec. 1. In addition to the common requirements and procedures, the following requirements and guidelines shall also be observed and the necessary documents submitted, when applicable.

c. Discrepancy in Name/Place of Birth. – In case of discrepancy in the name, date/place of birth of the appointee as appearing in the Report of Rating or Certificate of Eligibility, and that appearing in his Personal Data Sheet (CS Form 212), the correct name, date/place of birth shall be ascertained in accordance with the following requirements and procedures:

i. A request for the correction of name, place and/or date of birth and such other personal information appearing in the records of this Commission must be filed with the **PROPER CIVIL SERVICE REGIONAL OFFICE**, with the use of the proper form.

ii. The request must be accompanied by an authenticated copy of the birth certificate or certificate containing information from the register of birth of the City or Municipality where the requesting party was born.

iii. The birth certificate must contain information/ **DATA** which were recorded or registered within a reasonable period of time after the birth of the person making the request.

iv. A birth certificate containing information recorded long after the birth of the person is not sufficient evidence to warrant a correction or change of information in the records of the Commission in the absence of a court order.

v. The action on said request shall be in an appropriate ***WRITTEN ORDER OF THE CIVIL SERVICE REGIONAL OFFICE***.

RULE XII

Section 2. Dropping from the Rolls. Officers and employees who are either habitually absent or have unsatisfactory or poor performance or have shown to be physically and mentally unfit to perform their duties may be dropped from the rolls subject to the following procedures.

a. An officer or employee who is continuously absent without approved leave (AWOL) for at least thirty (30) **WORKING** days shall be separated from the service or dropped from the rolls without prior notice. He shall, however, be informed of his separation from the service not later than five (5) days from its effectivity which shall be sent to the address appearing on his 201 files ***OR TO HIS LAST KNOWN ADDRESS***;

b. If the number of unauthorized absences incurred is less than thirty (30) **WORKING** days, a written Return-to-Work order shall be served on the official or employee at his last known address on record. Failure on his part to report for work within the period stated in the order shall be a valid ground to drop him from the rolls.

RULE XIII

Sec. 4. 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 any government-owned or controlled corporation within one year following such election.

Sec. 12. No person who has reached the compulsory retirement age of 65 years can be appointed to any position in the government.

The Commission however may, in meritorious cases, extend the services of one who has reached compulsory retirement age of 65 years for a period of ***SIX (6) MONTHS. SUCH EXTENSION SHALL BE AT THE MAXIMUM PERIOD OF ONE (1) YEAR FOR THOSE WHO WILL COMPLETE THE FIFTEEN (15) YEARS OF SERVICE REQUIRED UNDER THE GSIS LAW. REQUEST FOR EXTENSION SHALL BE MADE BY THE HEAD OF OFFICE AND SHALL BE FILED WITH THE COMMISSION PRIOR TO THE DATE OF THE OFFICIAL/EMPLOYEE'S COMPULSORY RETIREMENT.***

Services rendered during the period of extension, **FOR THOSE WHO SHALL COMPLETE THE 15 YEARS OF SERVICE REQUIRED UNDER THE GSIS LAW, SHALL BE CREDITED AS PART OF THE GOVERNMENT SERVICE. OTHERWISE, THE SAME SHALL NOT BE CREDITED AS GOVERNMENT SERVICE FOR PURPOSES OF RETIREMENT.**

OFFICIALS AND EMPLOYEES ON SERVICE EXTENSION SHALL BE ENTITLED TO SALARIES, ALLOWANCES, AND OTHER REMUNERATIONS, THAT ARE NORMALLY CONSIDERED PART AND PARCEL OF AN EMPLOYEE'S COMPENSATION PACKAGE. THEIR ENTITLEMENT TO SUCH SALARIES, ALLOWANCES, AND OTHER REMUNERATIONS SHALL BE SUBJECT TO EXISTING REGULATIONS ON THE GRANT THEREOF. Such extension of service shall not entitle the employee to leave credits.

SEC. 18. UNLESS OTHERWISE PROVIDED BY LAW, NO OFFICER OR EMPLOYEE SHALL ENGAGE DIRECTLY OR INDIRECTLY IN ANY PRIVATE BUSINESS OR PROFESSION WITHOUT A WRITTEN PERMISSION FROM THE HEAD OF AGENCY. PROVIDED THAT THIS PROHIBITION WILL BE ABSOLUTE IN THE CASE OF THOSE OFFICERS AND EMPLOYEES WHOSE DUTIES AND RESPONSIBILITIES REQUIRE THAT THEIR ENTIRE TIME BE AT THE DISPOSAL OF THE GOVERNMENT: PROVIDED FURTHER, THAT IF AN EMPLOYEE IS GRANTED PERMISSION TO ENGAGE IN OUTSIDE ACTIVITIES, THE TIME DEVOTED OUTSIDE OF OFFICE HOURS SHOULD BE FIXED BY THE HEAD OF THE AGENCY SO THAT IT WILL NOT IMPAIR IN ANY WAY THE EFFICIENCY OF THE OFFICER OR EMPLOYEE NOR POSE A CONFLICT OR TEND TO CONFLICT WITH THE OFFICIAL FUNCTIONS.

SEC. 19. NO OFFICER OR EMPLOYEE WHO IS ON STUDY LEAVE OR ON SECONDMENT SHALL BE CONSIDERED FOR PROMOTION DURING THE PERIOD OF HIS STUDY LEAVE OR SECONDMENT.

These amendments shall take effect immediately.

CORAZON ALMA G. DE LEON
Chairman

27 August 1999