

CIVIL SERVICE COMMISSION



MC No. 01 s., 1992

MEMORANDUM CIRCULAR

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

SUBJECT : Prohibition Against Appointments or Hiring of New Employees, Creating or Filling of New Positions, Promotion, Giving Any Salary Increase and Other Related Personnel Actions

In its Resolution No. 2333 dated January 2, 1992, the Commission on Elections (COMELEC) promulgated rules implementing the provisions of Section 261 subparagraph (g), (h) and (x) of the Omnibus Election Code of the Philippines. These pertain to prohibitions against appointment or hiring of new employees or filling up of new positions, promotion or giving salary increases within a prescribed period in view of the forthcoming national and local elections on May 11, 1992. Said Resolution fixes the period of prohibition or election ban from March 27, 1992 until May 11, 1992. It also prohibits any transfer or detail whatsoever of any officer or employee in the civil service, including public school teachers except upon prior written approval of the COMELEC. The prohibitive period in this case is the election period provided under the Constitution which is from January 12, 1992 to June 10, 1992.

In the same Resolution, the CSC, including all its field offices, is enjoined not to approve the appointments of new employees where no prior approval of the COMELEC is presented by the appointing authority.

In view thereof, the following specific guidelines are hereby prescribed:

I. Prohibited Acts within the election ban:

(March 27, 1992-May 11, 1992)

Hiring of new employees, creation and filling up of new position, promotion, or giving salary increases or remuneration or privilege to any government official or employee:

- (a) All appointments of "new employees" to vacant positions or newly created positions in an existing organizational setup or under any authorized reorganization scheme whether permanent, provisional, temporary or casual which were issued, executed, made effective and received by the Civil Service Commission (CSC) within the said period.

Those received after the ban, but issued or made effective during the ban.

Those issued during the ban, received after the ban, but effective after the ban shall be approved subject to compliance with other conditions in the processing and approval of appointments.

- (b) All promotional appointments issued, executed, made effective or received by the CSC within the ban.

Those received after the ban but issued or made effective during the ban.

Those issued during the ban, received after the ban but effective after the ban shall be approved subject to compliance with other conditions in the processing and approval of appointments.

- (c) Appointments issued before the ban but received during the ban shall be returned to be resubmitted after the ban provided the effective date is after the ban.

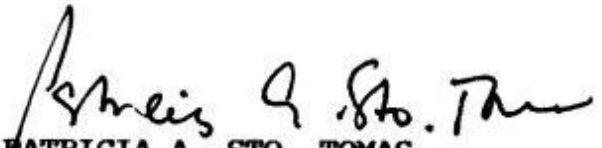
II. Prohibited Acts within the election period:

(January 12, 1992-June 10, 1992)

The phrase "transfer or detail whatsoever" shall be construed in its general terms. Thus, any movement of officer or employee in the civil service, including public school teachers, from one agency to another or from one station or place of assignment to another within the same agency, is prohibited and is considered an election offense.

- (a) Any authority to transfer, detail or secondment of any officer or employee in the civil service including public school teachers without approval of the COMELEC shall not be approved or allowed by the appropriate authorities.
- (b) No appointment through transfer or secondment issued, made effective or received by the CSC or its field office within the election period shall be approved.

This Circular shall take effect immediately.


PATRICIA A. STO. TOMAS
Chairman

January 13, 1992
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