

[PRESIDENTIAL DECREE NO. 1409, June 08, 1978]

CREATING THE MERIT SYSTEMS BOARD

WHEREAS, the need for a stable and responsive Civil Service has become especially critical with the institution in the country of a Parliamentary form of government that stresses accountability to the people;

WHEREAS, while the present civil service system, by reason of its new structure, has shown itself to have dynamic flexibility and adaptiveness, there remains the need to further promote a more positive approach to personnel growth and development;

WHEREAS, the two major functions of the Commission are the strengthening of the merit system and the development of viable careers among civil service employees;

WHEREAS, these two goals can be better achieved through a redefinition of the functions of the Civil Service Commission so that its career development concerns may be separated from the protective character of its responsibilities;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by the Constitution, do hereby decree and order:

SECTION 1. There is hereby created in the Civil Service Commission a Merit Systems Board.

SEC. 2. Composition.—The Board shall be composed of a Commissioner and Associate Commissioners who shall be appointed by Civil Service Commission and who may be removed only for cause as provided by law.

SEC. 3. Qualifications.—The Commissioner and Associate Commissioners shall have the same qualifications as that of a judge of the court of first instance.

SEC. 4. Salary.—The Commissioner and Associate Commissioners shall each receive salaries of not less than P42,000 and P36,000 per annum, respectively.

SEC. 5. Powers and Functions of the Board.—The Board shall have the following powers and functions, among others:

1. Hear and decide administrative cases involving officers and employees of the civil service.
2. Hear and decide cases brought before it by officers and employees who feel aggrieved by the determination of appointing authorities involving appointment, promotion, transfer, detail, reassignment and other personnel actions, as well as complaints against any officers in the government arising from abuses arising from personnel actions of these officers or from violations of the merit system.
3. Hear and decide complaints of civil service employees regarding malpractices of other officials and employees.
4. Promulgate, subject to the approval of the Civil Service Commission, rules and regulations to carry out the functions of the Board.