

**[CSC MEMORANDUM CIRCULAR NO. 38, s. 1993,
September 10, 1993]**

**OMNIBUS GUIDELINES ON APPOINTMENTS AND OTHER
PERSONNEL ACTIONS**

In view of the various changes in policies and the institution of new systems in personnel administration, most especially on matters of appointments, it has become imperative to review and update the requirements and guidelines affecting appointments and other personnel actions through Memorandum Circulars issued by the Commission from time to time.

However, it was noted that several appointments were disapproved due to non-observance of certain procedures or deficiency in supporting papers or requirements, which led to the reissuance or resubmission of those appointments. This resulted in delays, unnecessary waste of effort and expensive operations. Moreover, this often caused misunderstanding between the personnel of this Commission and the agencies concerned and the personnel involved.

To facilitate action on all kinds of appointments and other personnel actions and to effect economy in operations by saving valuable man-hours, the following updated guidelines, requirements and procedures in the preparation and submission of appointments and other personnel actions should be observed:

**GUIDELINES, PROCEDURES AND REQUIREMENTS IN THE PREPARATION AND
SUBMISSION OF APPOINTMENTS**

I

General Guidelines

1. Responsibilities of HRMO/PO

a. The Human Resource Management Office/Personnel Office or the duly authorized personnel in charge of personnel matters shall have the following responsibilities as far as appointments are concerned:

1. Review thoroughly and check the veracity and authenticity of all the requirements and supporting papers in connection with all cases of appointments before submission to the CSC Office concerned;
2. Sign the following certifications at the back of the appointment;
 - Certification as to completeness and authenticity of requirements
 - Certification as to publication of the position to be filled

3. Ensure that the Chairman of the Personnel Selection Board has signed the certification at the back of the appointment, when applicable.
4. Ensure that all questions in the Personal Data Sheet (CS Form 212) of the appointee are answered properly and completely with his recent photograph attached, his right thumbmark affixed and his current Community Tax Certificate indicated therein; and
5. Submit appointments with the prescribed transmittal form (copy attached*) indicating the names of the appointees, their positions and the corresponding date of issuance.
6. Submit a monthly report of employee accession and separation to the CSC Office concerned.

b. Failure to fulfill the above mentioned responsibilities and to submit the said monthly report shall be a ground for administrative disciplinary action for neglect of duty.

2. Basic Documents Required for Submission -

a. Unless otherwise specifically required in certain cases, each appointment shall be accompanied only by the appointee's Personal Data Sheet (CS Form 212).

b. The other required supporting documents shall be retained in the 201 files of the appointee in the agency.

c. All supporting documents which are not original copies shall be submitted as certified true copies by the Records Officer or a duly authorized official of the agency.

3. Request for Reconsideration - Request for reconsideration of action taken by the CSC Office on appointments shall always be made by the appointing officer and shall be submitted to the CSC office concerned within fifteen (15) days from the date of receipt of the appointment, the action on which is sought to be reconsidered.

4. Implications of CSC Disapproval -

a. When an appointment is disapproved by the CSC, the services of the appointee should be terminated, unless an immediate motion for reconsideration has been filed.

b. Services rendered by a person for the duration of his disapproved appointment shall not be credited as government service for whatever purpose.

5. Liability of Appointing Authority and Other Officers -

a. The appointing authority shall be personally liable for the salary of appointees whose appointments have been disapproved for violation of pertinent laws such as RA 7041 and RA 7430.

b. The appointee whose appointment was disapproved for being

lapsed/ineffective due to non-submission to the CSC within the thirty-day period, shall be entitled to payment of salary from the government for a period not exceeding thirty days for actual services rendered. After thirty days, payment of salary shall be the personal liability of the person responsible for the delay in the submission of the appointment.

II

Common Requirements and Procedures for Regular Appointments

Appointments submitted to the CSC Office concerned should meet the requirements listed below. Non-compliance of such requirements shall be a ground for disapproval of said appointments.

1. forms (submit 3 copies)

a. The regular appointment shall be in the prescribed CS Form 33, as revised in September, 1993.

b. Contractual appointment shall also be issued in CS Form 33.

c. All appointments of substitute teachers shall be prepared in CS Form 33 and submitted to the CSC Office concerned for approval. The use of Special Orders for subsequent appointments of teachers within a school year shall be discontinued.

d. Appointments of casual, emergency, or seasonal personnel shall be prepared in the prescribed Plantilla Appointment Form. The practice of issuing Job Orders in hiring casual employees is prohibited.

2. Signature of the Appointing Authority -

a. The appointment must be duly signed by the appointing authority who should indicate the date of signing below his signature. This date shall be the date of issuance of the appointment or Plantilla Appointment.

3. Position Allocation List -

a. The position title to be indicated in the appointment should conform with the approved Position Allocation List. However, in case of generic title, the descriptive title, enclosed in parenthesis should also be indicated (Example: Foreign Service Staff Officer (Budget Officer))

4. Employment Status -

a. The employment status, which is one of the following, shall be indicated on the appropriate space provided therefor;

1. Permanent - issued to a person who meets the requirements for 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.

An appointment issued by the appointing authority under a temporary status

to a person fully qualified for a permanent appointment to the position to which he is being appointed, shall be disapproved for violation of Section 27(1), Book V of Executive Order No. 292, except when it pertains to certain occupational groups for which prior clearance has been obtained from the Commission.

2. Temporary - issued to a person who meets all the requirements for the position to which he is being appointed except for the appropriate eligibility and only in the absence of a qualified eligible actually available, as certified by the Civil Service Regional Director or Field Officer.

The appointment shall not exceed twelve months, but the appointee may be replaced sooner if a qualified eligible who is willing to accept appointment becomes actually available.

3. Substitute - a substitute appointment is issued when the regular incumbent of a position is temporarily unable to perform the duties of his position, as when he is on leave of absence or is absent without official leave or is under suspension or is on scholarship grant or is on secondment. This is good only until the return of the former incumbent.
4. Co-terminous - issued to a person whose entrance and continuity in the service is based on the trust and confidence of the appointing authority or that which is subject to his pleasure or co-existent with his tenure or limited by the duration of a project or subject to the availability of funds or issued for a position which is co-existent with the appointee or as provided for by law.

Appointments of personnel under foreign-assisted projects shall be issued and approved as co-terminous with the project, that is, they are considered employees for the duration of the project, in which case, the name of the project and its completion date shall be indicated on the appointment.

For purposes of coverage or membership with the GSIS, co-terminous appointees shall be considered permanent unless stated otherwise in the appointment.

5. Contractual - issued to a person who shall undertake a specific work or job for a limited period not to exceed one year. The appointing authority is not prevented in indicating the duration of the appointment for purposes of crediting services. Otherwise, the duration of the contractual appointment shall be construed as one year.
6. 6. Employment status of teachers is that defined by the Magna Carta for Public School Teachers (RA 4670), viz:

Temporary - for those who do not meet the minimum educational qualification (Sec. 3 RA 4670), with or without teacher eligibility.

Provisional - for those who meet the minimum educational qualification, but without teacher eligibility. Provisional teachers shall undergo a probation period of not less than one year.

Regular (Permanent) - for those who meet the educational and eligibility requirements.

Provisional (Substitute) - for those who meet the minimum educational qualification but without teacher eligibility and appointed in a substitute capacity.

Regular (Substitute) - for those who meet the educational and eligibility requirements and appointed in a substitute capacity.

Temporary and provisional appointment shall be issued in accordance with the provisions of Sections 3 and 4, RA 4670. However, it must be shown that at the time of the issuance of the appointment there are no applicants actually and immediately available who meet the minimum educational qualifications in the case of temporary appointments or who are registered teachers in the case of provisional appointments.

Temporary or provisional appointments of teachers shall have no definite duration. It is understood, however, that the services of those who hold such position may be terminated at any time by the appointing authority as soon as applicants who possess the minimum educational qualifications or who are registered teachers, as the case may be, are actually and immediately available.

7. 7. Employment status of faculty and academic staff positions in all State Universities and Colleges which belong to the closed career service shall be governed by their approved Merit System which shall include qualification requirements for their faculty and academic staff consistent with the provision of National Compensation Circular (NCC) No. 33, s. 1985, as amended by NCC No. 66, s. 1992.

Any appointment where the status of appointment does not conform with this policy shall be disapproved.

5. Nature of Appointment -

- a. The correct nature of the appointment, in accordance with the following description, shall be indicated on the space provided therefor:

1. Original refers to the initial entry into the career service of persons who meet all the requirements of the position including those appointed to positions falling under CSC MC No. 10, s. 1980.

It is understood that the first six months of service following an original appointment will 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.

However, if no notice of termination or unsatisfactory conduct is given by the appointing authority to the employee before the expiration of the six-month