

**[ CSC MEMORANDUM CIRCULAR NO. 44,  
September 05, 1990 ]**

**RULES OF PROCEDURE GOVERNING OTHER PERSONNEL  
ACTIONS AND OTHER CIVIL SERVICE MATTERS BROUGHT ON  
APPEAL BEFORE THE CIVIL SERVICE COMMISSION**

In the interest of speedy, just and orderly disposition of cases involving other personnel actions and civil service matters brought on appeal before the Civil Service Commission, the Commission *En Banc*, in a Resolution No. 90-832, (below) hereby adopts and promulgates the attached Rules relative thereto for strict compliance.

(SGD.) PATRICIA A. STO. TOMAS  
*Chairman*

**Resolution No. 90-832**

Rules of Procedure Governing Other Personnel Actions and  
Other Civil Service Matters Brought on Appeal Before  
the Civil Service Commission

Pursuant to the provisions of Section 6 of Article IX-A of the 1987 Constitution, the Civil Service Commission hereby adopts and promulgates the following rules of procedures governing other personnel actions and other civil service matters brought on appeal before the Civil Service Commission.

**Rule I  
General Provisions**

*Section 1. Scope.* — These rules shall apply to all appeals involving the following:

- a. Actions, decisions or rulings on non-contested appointments, such as disapproval, correction of effectivity dates and the like, by Department or Agency heads, the Merit Systems Protection Board (MSPB) and/or the Civil Service Regional Office;
- b. Dropping from the rolls, termination of services and all other forms of separation from the service which are non-disciplinary;
- c. Legality of claims for back salaries and other money benefits;
- d. Rights and privileges arising out of government employment, terms and conditions thereof such as leave privileges, working hours; and
- e. All other civil service matters and personnel actions such as detail, reassignment, transfer, and the like.

## **Rule II**

### **Procedure of Appeal**

*Section 1. Who may File an Appeal; Appeal Period* — The party aggrieved by a decision, ruling, order or action of the Merit Systems Protection Board, the Civil Service Regional Office and/or a department or agency of government involving any matter specified in Section 1, Rule I hereof may appeal to the Civil Service Commission within fifteen (15) days from receipt of a copy of such decision, ruling, order or notice of such action. Appeals from actions of Department or agency heads under Section 1 hereof not falling under the jurisdiction of the MSPB or Civil Service Regional Office should be filed with the CSC within this same period. The party mentioned herein refers to the person whose appointment is disapproved or returned without action; whose services are terminated or whose claim for benefits and the like is denied as the case may be.

*Section 2. Form and Content of Appeal* — The appeal shall be in writing. It shall set forth in clear, simple and concise language and in a methodical manner the following:

- a. The full name of the appellant; his position and the department, office, agency or instrumentality to which he belongs or is appointed;
- b. The date the appellant received either a copy or notice of the decision, ruling, order or action being appealed;
- c. The ground(s) for appeal and/or assignment of error(s);
- d. Brief statement of facts;
- e. A discussion of the grounds relied upon and errors raised; and
- f. Prayer or relief sought;
- g. Proof that the concerned department or agency head and the opposing party are served with copies of the appeal.

*Section 3. How Appeal is file; Duties of the Merit Systems Protection Board or Civil Service Regional Office* — The appeal shall be filed in duplicate copies with the Civil Service Commission, together with the original or certified true copies of supporting documents. The appellant shall furnish a copy of his appeal to the Merit Systems Protection Board or the Civil Service Regional Office concerned, as the case may be, as well as the opposite party. The Merit Systems Protection Board or Civil Service Regional Office, or the Department/Agency Heads concerned shall transmit the records of the case together with its comment or recommendation of the Civil Service Commission within five (5) days from receipt of the appeal. The records of the case shall be systematically, chronologically arranged, paged and securely bound to prevent loss. To ensure the orderly transmittal of records, the same shall bear (1) table of contents indicating the corresponding page and (2) a certification that the records are complete including the number of pages of the same.

*Section 4. When Appeal is Deemed Filed* — The appeal is deemed filed in case the same is sent by registered mail, on the date shown by the postmark or the envelope which shall be attached to the records of the case, and in case of personal delivery, on the date stamped by the Civil Service Commission.