

**[CSC MEMORANDUM CIRCULAR NO. 40 S. 1998,
December 14, 1998]**

**REVISED OMNIBUS RULES ON APPOINTMENTS AND OTHER
PERSONNEL ACTIONS**

The Commission, as mandated by law, issued CSC MC No. 38, s. 1993 prescribing the Omnibus Guidelines on Appointments and Other Personnel Actions. However, certain provisions thereof were amended through the various resolutions and circulars which the Commission issued from time to time.

Furthermore, a series of consultations with the Human Resource Management Office (HRDOs) of the various agencies of the government surfaced pressing issues and problems on policies and procedures on appointments and other personnel actions.

In response to the ever changing need in personnel administration, there is an urgency to update and consolidate the various issuances on appointments and other personnel actions to facilitate action on all kinds of appointments and further simplify processing thereof. Hence, the Commission hereby adopts the attached Revised Omnibus Rules on appointments and Other Personnel Actions.

Effective July 1, 1999, a new form for appointment shall be used. Likewise, the revised form for Plantilla of Casual Appointments shall be adopted. Appointments issued using the old forms shall be disapproved without prejudice to resubmission thereof on the new prescribed forms within fifteen (15) days from disapproval.

All other existing Civil Service Commission issuances which are inconsistent herewith are deemed repealed or amended.

This Memorandum Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Adopted: 14 Dec. 1998

(SGD.) CORAZON ALMA G. DE LEON
Chairman

OMNIBUS RULES ON APPOINTMENTS AND OTHER PERSONNEL ACTIONS

Pursuant to Paragraphs 2 and 3, Section 12, Book V of Administrative Code of 1987 otherwise known as Executive Order No. 292, the Civil Service Commission hereby prescribes the following rules to govern the preparation, submission of, and actions to be taken on appointments and other personnel actions.

**RULE I
GENERAL POLICIES ON APPOINTMENTS**

Section 1. The State shall insure and promote the Constitutional mandate that appointments in the Civil Service shall be made only according to merit and fitness.

Section 2. Merit and fitness shall be determined, as far as practicable, by competitive examinations. This does not apply to appointments to positions which are policy determining, primarily confidential, or highly technical.

Section 3. Any action denoting the movement or progress of personnel in the civil service shall be known as personnel action such as promotion, transfer, reinstatement, reemployment, detail, reassignment, secondment, demotion and job rotation.

Section 4. Unless otherwise provided herein, these rules shall likewise apply to appointments in the third level.

RULE II APPOINTMENT FORMS

Section 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.

RULE III COMMON REQUIREMENTS FOR REGULAR APPOINTMENTS

Section 1. Appointments submitted to the CSC office concerned should meet the requirements listed hereunder. Non-compliance with such requirements shall be ground for disapproval of said appointments.

- a. *Form* - The appointment which must be in triplicate copies shall be in the prescribed CS Form 33 (Revised 1998) or the Plantilla Appointment Form. Original copies shall not be filled out using xeroxed or photocopied forms.
- b. *Signature of the Appointing Authority* — The original copy of the appointment must be duly signed and the succeeding two (2) copies thereof at least initiated by the appointing authority.
- c. *Position Title* — The position title indicated in the appointment shall conform with the approved Position Allocation List and should be found in the Index of Occupational Service (IOS). The salary grade shall always be indicated after the position title.
- d. *Employment Status* — The employment status shall be indicated on the space provided therefor. It may be permanent, provisional, temporary, substitute, co-terminus, casual or contractual.
- e. *Date of Signing* — The date of signing, which is the date of the issuance of the appointment shall be indicated below the signature and the initials of the appointing authority.

- f. *Nature of Appointment* — The correct nature of appointment shall be indicated on the space provided therefor. The nature of appointment, which may either be original, initial, promotion, transfer, reemployment, reappointment, reinstatement, renewal, change of status or demotion, shall be indicated in the space provided for.
- g. *Publication of Vacancy*— Vacant positions to be filled shall be published in accordance with RA 7041 and its implementing guidelines except positions enumerated in Section 1 RULE IX hereof.
- h. *Personnel Selection Board (PSB) Evaluation/Screening.* All appointees should be screened and evaluated by the PSB, if applicable. As proof thereof, a certification signed by the Chairman of the Board at the back of the appointment or alternatively, a copy of the proceedings/minutes of the Board's deliberation shall be submitted together with the appointment. The issuance of the appointment shall not be earlier than the date of the final screening/deliberation of the PSB.

Candidates for the following appointments shall no longer be subject to the screening of the PSB:

- i. Substitute appointment due to their short duration and emergency nature. However, should the position be filled by regular appointment, candidates for the position should be screened and passed upon by the PSB.
 - ii. Appointment of faculty members and academic staff of state universities and colleges who belong to the closed career service.
 - iii. Appointment to entry laborer positions
 - iv. Change of status of appointment from temporary to permanent
 - v. Appointment to positions in the non-career service.
- 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. For reappointment 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.

An appointment issued by the appointing authority under a temporary status to a person who meets all the requirements for 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 occupational groups where the agency requires additional special qualifications

(i.e., fellow/diplomate). In such cases, prior clearance to issue temporary appointment should first be obtained from the Commission.

- b. *Temporary* — issued to a person who meets the education, experience and training requirements for the position to which he is being appointed except for the appropriate eligibility but only in the absence of a qualified eligible actually available, as certified to by the Civil Service Regional Director or Field Officer. The appointment shall not exceed twelve months, reckoned from the date it was issued but the appointee may be replaced sooner if a qualified eligible who is willing to accept the appointment becomes actually available.
- c. *Substitute* — issued when the regular incumbent of a position is temporarily unable to perform the duties of his position, as when he is on approved leave of absence or is under suspension or is on scholarship grant or is on secondment, This is effective only until the return of the former incumbent. A substitute appointment is issued only if the leave of absence of the incumbent is at least three (3) months, except in the case of teachers.
- d. *Co-terminus* — issued to a person whose entrance and continuity in the service is based on the trust and confidence of the appointing authority or of the head of the organizational unit where assigned; or co-existent with the incumbent; or limited by the duration of the project; or co-existent with the period for which an agency or office was created. Specifically, the categories of co-terminus appointments are:
 - (a) co-terminus with the appointing authority,
 - (b) co-terminus with the head of organizational unit where assigned,
 - (c) co-terminus with the incumbent,
 - (d) co-terminus with the project, and
 - (e) co-terminus with the life span of the agency.

Appointments of personnel under Foreign-assisted projects shall be issued and approved as co-terminus 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 in the appointment.

- e. *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 shall indicate the inclusive period covered by the appointment for purposes of crediting services.
- f. *Casual* — issued only for essential and necessary services where there are not enough regular staff to meet the demands of the service.

SECTION 3. Employment Status of Teachers. — The employment status of teachers can be of the following:

- a. *Regular permanent* — issued to a teacher who meets all the requirements of the position.
- b. *Provisional* — issued to a teacher who meets all the requirements of the position except the eligibility.
- c. *Substitute* — issued to a teacher when the regular incumbent of the position is temporarily unable to perform the duties of the position.

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

- a. *Original* — refers to the initial entry into the career service of persons who meet all the requirements of the position. This includes those appointed under CSC MC No. 10, s. 1980, as amended by MC No. 11, s. 1996.

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 probationary period, the appointment automatically becomes permanent.

- b. *Initial* — refers to all other appointments of persons entering the government service for the first time (whether career or non-career) which are not covered by the definition of original appointment.
- c. *Promotion* — is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary. Promotion may be from one department or agency to another or from one organizational unit to another within the same department or agency.
- d. *Transfer* — is the movement of employee from one position to another which is of equivalent rank, level or salary without break in the service involving the issuance of an appointment.

The transfer may be from one department or agency to another or from one organizational unit to another in the same department or agency: Provided, however, that any movement from the non-career service to the career service shall not be considered a transfer.

An employee who seeks transfer to another office shall first secure permission from the head of the department or agency where he is employed stating the effective date of the transfer. If the request to transfer of an employee is not granted by the head of the agency where he is employed, it shall be deemed approved after the lapse of 30 days from the date of notice to the agency head.