

# [ Commonwealth Act No. 402, September 13, 1938 ]

## **AN ACT TO PROVIDE FOR THE CLASSIFICATION OF CIVILIAN POSITIONS AND STANDARDIZATION OF SALARIES IN THE GOVERNMENT.**

*Be it enacted by the National Assembly of the Philippines:*

SECTION 1. Scope.—The provisions of this Act shall apply s to all officers and employees of the National Government: embraced in the classified and unclassified civil service, except (a) elective officers and officers whose compensation is fixed in the Constitution; (b) officers chosen by the National Assembly, in accordance with the Constitution; (c) employees stationed outside the territorial limits of the Philippines; (d) the president, deans of colleges, directors of schools, the registrar, the business director and members of the teaching staff of the University of the Philippines; (e) commissioned and enlisted members in the active service of the Philippine Army; (f) persons in the military, naval, or civil service of the United States who may be appointed or detailed to perform duties in the Government of the Commonwealth; and (g) employees who may be declared by the President of the Philippines as primarily confidential or highly technical.

SEC. 2. *Definitions.*—As used in this Act:

- a. The term "class" means a position or group of positions sufficiently similar in respect to the duties and responsibilities thereof that the same requirements as to education, experience, knowledge, and ability are demanded of incumbents; the same tests of fitness are used to choose qualified appointees; and the same rate of compensation is made to apply with equity. The distinction between classes shall be based upon any essential difference in the nature, importance, difficulty, responsibility, or value of the work.
- b. The term "grade" means a horizontal division of a service or group for which approximately the same level of compensation and comparable basic qualifications is prescribed, the distinction between grades being based upon differences in the importance, difficulty, responsibility, and value of the work.
- c. The term "group" means a vertical division of a service embracing positions pertaining to the same line of profession, vocation, employment, occupation, or specialization
- d. The term "compensation" means any salary, wage fee, allowance, or other emoluments accruing or paid to an employee occupying a position.
- e. The term "Board" means "The Salary Board."

SEC. 3. *Schedule of grades and rates of compensation.*

With the exception of the special groups provided in section five hereof, the positions to which this Act applies are classified into ten grades. Such grades and their rates of annual compensation are as follows:

Grade	Rate of compensation			
	P5.100	P5,400	P6.000	
1				
.....				
2	P3,960	4,200	4,500	4,800
.....				
3	3,120	3,300	3,480	3,720
.....				
4	2,400	2,580	2,760	2,940
.....				
5	1,920	2,040	2,160	2,280
.....				
6	1,440	1,560	1,680	1,800
.....				
1	960	1,080	1,200	1,320
.....				
8	720	780	840	900
.....				
9	480	540	600	660
10			360	420
.....				

- a. Grade 1 shall include all classes of positions the duties of which are, under administrative direction and with very wide latitude for the exercise of independent judgment, to serve as head of a very large or very important division or other unit of organization of similar import, engaged in work involving technical training and extended experience on the part of the employees; or to supervise the design and installation of complex and important accounting, office, or institutional system, methods, and procedures; or to plan, organize, and conduct investigations in original research or in development work in professional, scientific, or technical fields; or to perform the most important, difficult, and responsible work along highly specialized professional, scientific, or technical lines, requiring training, extended experience, and demonstrated attainments of an exceptionally high order.
- b. Grade 2 shall include all classes of positions the duties of which are, under administrative direction and with wide latitude for the exercise of independent judgment, to serve as head of a large or important division or other unit of organization of similar import, engaged in work involving technical training and extended experience on the part of the employees; or to plan, organize, and conduct investigations in original research or in development work in a professional, scientific, or technical field; or to perform the most important, difficult, and responsible work along specialized professional, scientific, or technical lines, requiring training, extended experience, and demonstrated attainments of a high order.
- c. Grade 3 shall include all classes of positions the duties of which are, under administrative direction and with considerable latitude for the exercise of independent judgment, to serve as head of a division or other unit of organization of similar import, engaged in work involving technical training and

considerable experience on the part of the employees; or to perform exceptionally difficult, important, and responsible work along professional, scientific, and technical lines, requiring training and extended experience and demonstrated attainments or along very highly specialized clerical lines requiring extended training and mastery in stenography, translation, or other kindred subjects.

- d. Grade 4 shall include all classes of positions the duties of which are, under direction and with considerable latitude for the exercise of independent judgment, to serve as head of a small division, or of a very large or very important section, or other unit of organization of similar import, engaged in work involving technical training and considerable experience on the part of the employees; or to perform very difficult, important, and responsible work along professional, scientific, or technical lines, requiring training, considerable experience, and demonstrated executive ability, or along highly specialized clerical work, requiring training, extended experience and proficiency in stenography, or translation and kindred subjects.
- e. Grade 5 shall include all classes of positions the duties of which are, under direction and with considerable latitude for the exercise of independent judgment, to serve as head of a large section or other unit of organization of similar import, engaged in difficult specialized work; or to perform difficult, important, and responsible work along professional, scientific, technical or specialized clerical lines, requiring training, considerable experience, and demonstrated capacity for sound independent work, and an intimate knowledge of a special subject matter, and/or superior skill in crafts or arts.
- f. Grade 6 shall include all classes of positions the duties of which are, under direct supervision and with substantial latitude for the exercise of independent judgment, to serve as head of a section or other unit of organization of similar import, engaged in varied and difficult work; or to perform moderately difficult, important, and responsible work along professional, scientific, technical, or specialized clerical lines, requiring training and moderate experience, or a lower training but considerable experience, thorough knowledge of a special subject matter, and/or unusual skill in crafts or arts.
- g. Grade 7 shall include all classes of positions the duties of which are, under general supervision and with some latitude for the exercise of independent judgment, to serve as head of a small section or other unit of organization of similar import, engaged in difficult but routine work; or to perform somewhat difficult, and responsible work along professional, scientific, or technical lines, or along clerical lines, requiring training and moderate experience, or lower training but considerable experience, and a good knowledge of a special subject matter; or skill in arts, crafts, or trades.
- h. Grade 8 shall include all classes of positions the duties of which are, under immediate or general supervision and with some latitude for the exercise of independent judgment, to perform responsible work along technical or clerical lines, requiring training and moderate experience, and a broad knowledge of a special subject matter; or simple elementary work requiring scientific or professional training with little or no experience; or subordinate professional or scientific work requiring training and experience; or important, difficult, and

responsible subordinate vigilance work; or skill in crafts or manual labor.

- i. Grade 9 shall include all classes of positions the duties of which are, under immediate or general supervision and with limited latitude for the exercise of independent judgment, to perform simple but responsible work along technical, clerical, messengerial, or subordinate vigilance lines; or simple and elementary subordinate professional or scientific tasks, or semi-skilled crafts or manual labor, requiring training or advanced apprenticeship in subordinate professional or scientific work, or crafts.
- j. Grade 10 shall include all classes of positions the duties of which are, under immediate supervision, to perform the simplest routine clerical, messengerial, or custodial tasks, or unskilled manual labor, including apprenticeship in subordinate professional or scientific work or crafts.

SEC. 4. *Services established by this Act.*—The following services are established:

- I. Administrative Service
- II. Professional and Scientific Service
- III. Educational Service
- IV. Navigation Service
- V. Vigilance Service
- VI. Subprofessional Service
- VII. Craft and Labor Service

The *Administrative Service* shall include all groups comprehending positions the duties of which are in general to perform administrative, fiscal, or clerical work, or any other work commonly associated with office, business or fiscal administration. There shall be ten grades in this service.

The *Professional and Scientific Service* shall include all groups comprehending positions the duties of which are to perform routine, advisory, administrative, or research work which is based upon the established principles of a profession or science, and which requires professional or scientific training equivalent to that represented by graduation from a college or university of recognized standing. There shall be eight grades in this service, the highest of which being Grade 1 and the lowest Grade 8.

The *Educational Service* shall include all groups comprehending positions the duties of which in general are to give or to supervise regular and systematic instruction designed to develop the mental, physical, aesthetic, or vocational powers, including manual skill. There shall be nine grades in this service, the highest of which being Grade 1 and the lowest Grade 9.

The *Navigation Service* shall include all groups comprehending positions the duties of which are to perform work related to the operation, maintenance, and administration of airships, vessels and other floating craft which are not a part of the equipment of the Philippine Army, including the operation, maintenance, and administration of property designed to aid navigation. There shall be ten grades in this service.

The *Vigilance Service* shall include all groups comprehending positions the duties of which are to perform or supervise police or fire-protection work, the guarding of

persons or property under the custody of the Government, the preservation of law and order, and the protection of life and property. There shall be ten grades in this service.

The *Subprofessional Service* shall include all groups comprehending positions the duties of which are to perform work which is incident, subordinate, or preparatory to the work of employees holding positions in the professional and scientific service, requiring or involving professional, scientific, or technical training of any degree inferior to that represented by graduation from a college or university of recognized standing. There shall be seven grades in this service, the highest of which being Grade 4 and the lowest Grade 10.

The *Craft and Labor Service* shall include all groups comprehending positions the duties of which are to perform or supervise domestic, manual, or mechanical work involved in the execution of public works; the manufacture and handling of supplies and equipment; the repair of equipment; the operation of mechanical equipment; the transportation of personnel and property; the caring for the needs of the sick and of persons in the care and custody of the Government, and/or of persons in its employ who are entitled to maintenance; or to perform or supervise work of similar character. There shall be seven grades in this service, the highest of which being Grade 4 and the lowest Grade 10.

SEC. 5. *Special groups*.—Positions not subject to classification by the board shall constitute the special groups, as follows:

- a. *Executive group*.—The positions included in this -group and their annual rates of compensation are:
  1. The Department Secretaries, the Secretary to the President, and the Commissioner of the Budget, at twelve thousand pesos per annum each;
  2. The Undersecretaries of Department, the Commissioner of Civil Service, the Commissioner for Mindanao and Sulu, the Commissioner of Health and Welfare, the Assistant Secretary to the President, and the Deputy Auditor General, at nine thousand pesos per annum each;
  3. The Solicitor-General and the Securities and Exchange Commissioner, at eleven thousand pesos per annum each;
  4. The Directors of Animal Industry, Commerce, Education, Forestry, Health, Lands, Mines, Prisons, National Library, Plant Industry, Posts, Printing, Public Welfare, Public Works, Science, Aeronautics, and Coast and Geodetic Survey; the Bank Commissioner; the Insular Collector of Customs, the Collector of Internal Revenue, the Treasurer of the Philippines, the Chief of the General Land Registration Office, and the Manager of the National Information Board, at seven thousand two hundred pesos per annum each: Provided, That when there is appropriation available, the President may authorize the payment of additional compensation of not more than eighteen hundred pesos per annum each to the Director of Public Works, the Director of Mines, the Insular Collector of Customs, the Collector of Internal Revenue, and the Treasurer of the Philippines;