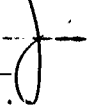


16 JUL 19 P2:45

SENATE

S. No. 543

RECEIVED BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
STRENGTHENING THE CAREER EXECUTIVE SERVICE

EXPLANATORY NOTE

Presidential Decree 807 or the Civil Service Decree of the Philippines created three levels in our civil service system. These are: the first level, which includes the clerical, trades, crafts and custodial service positions for non-professional or sub-professional work requiring less than four years of collegiate studies; the second level, which includes the professional, technical and scientific positions requiring at least four years of college work up to Division Chief level; and the third level, which mainly covers positions in the career executive service, the entry to which is currently prescribed by the Career Executive Service Board or CESB.

Those who belong in the third level of the civil service system occupy positions in the executive and managerial services. They enjoy security of tenure, mobility, and classification based on ranks. These positions have significant roles in the bureaucracy as they have a direct hand both in the formulation and implementation of government policies thus it is important that we enact a system that would set up career development and professionalize the career executive service.

This bill seeks to systematize appointments and promotions in the government by providing for a systematized career rank progression in the bureaucracy. It also seeks to create a Career Executive Service Board (CESB) that will issue rules, standards and procedures in the recruitment, selection, and assignment to positions, classification, compensation, mobility, performance management, tour of duty, rewards and incentives and training of the Career Executive Service Officers (CESOs).

This bill seeks to promote the concept of merit and fitness over that of trust and confidence. It is hoped that thru the passage of this bill, the practice of appointing people to career executive positions in the government even if that person is not eligible will be averted.


In view of the foregoing, immediate passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

16 JUL 19 P2:45

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S. No. 543

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
STRENGTHENING THE CAREER EXECUTIVE SERVICE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

ARTICLE 1
GENERAL PROVISIONS

1 **SECTION 1. Short Title.** - This Act shall be known as the "Career Executive Service
2 Act of 2016."
3

4 **SEC. 2. Declaration of Policy.** - It is the policy of the State, under Article IX, B,
5 Section 3 of the 1987 Philippine Constitution, to establish a career service and to provide the
6 public sector with a well-selected and development-oriented corps of public managers who
7 possess the necessary expertise and responsive leadership qualities that will serve as a
8 stabilizing force, an instrument for change, a vanguard of professionalism and careerism the
9 civil service, and a critical link between the government and the people. Towards this end, the
10 State hereby calls for an effective, efficient and responsible administration of the
11 executive/managerial class within the third level of the career service that will maintain
12 continuity and stability in the bureaucracy.
13

14 **SEC. 3. Coverage.** - This Act shall cover the Career Executive Service which consists
15 of the executive/managerial class of the third level of the career service in the Executive
16 Branch of the government all of whom shall be appointed by the President and those
17 occupying positions above division chief level but are not appointed by the President.
18

19 **SEC. 4. Definitions of Terms.** - As used in this Act, the following terms shall be
20 construed as follows:
21

- 22 a) "Career Executive Service (CES)" refers to the corps of well-selected and
23 development-oriented career executive who provide competent and faithful service.
24
25 b) "Career Executive Service Board (CESB)" refers to the policymaking body
26 responsible for the development, maintenance and administration of the System under
27 the supervision of the Civil Service Commission as provided herein.
28

- 1 c) "Career Executive Service Eligible (CESE)" refers to a person who passed the
2 qualifying examination process set by the CESB but has not yet been appointed to a
3 position in the CES.
4
- 5 d) "Career Executive Service Officer (CESO)" refers to a Career Executive Service
6 Eligible who is conferred a CES rank and appointed to a position covered by the CES.
7
- 8 e) "Career Executive System (System)" refers to the system designed to professionalize
9 and promote career development among the executive and managerial personnel of
10 the third level in the career service.
11
- 12 f) "Mobility" refers to the movement of a CESO from one position to another without
13 reduction in rank or salary.
14
- 15 g) "Rank" refers to the index of classification of CESO to which a CESE may be
16 appointed by the President in accordance with the requirements prescribed by the
17 Board.
18
- 19 h) "Third level" refers to the highest level in the career service of the Civil Service
20 System includes positions in the executive and managerial class covering all positions
21 higher than Chief of Division based on the position classification system of the
22 Department of Budget and Management and the Civil Service Commission.
23

24 ARTICLE II 25 CAREER EXECUTIVE SYSTEM 26

27 **SEC. 5. *The Career Executive System.*** – The System shall cover all executive and
28 managerial positions in the third level of the career service in the Executive Branch, as
29 defined in Section 4 hereof. Entry and advancement in the System shall be governed by the
30 principles of merit and fitness, security of tenure and mobility.
31

32 **SEC. 6. *Career Executive Service Board (CESB).*** - A Career Executive Service
33 Board, hereinafter referred to as the Board, under the supervision of the Civil Service
34 Commission is hereby created. It shall be composed of the Chairperson of the Commission
35 who shall serve as the Board's ex-officio Chairperson and four (4) ex-officio members,
36 namely: the Secretary of the Department of Budget and Management (DBM) or his/her
37 permanent representative holding a position not lower than an Undersecretary; the President
38 of the Development Academy of the Philippines (DAP); the Dean of the National College of
39 Public Administration and Governance (NCPAG) of the University of the Philippines; and
40 the representative of a duly accredited national federation or union of CESOs. The board
41 shall also include three (3) members to be appointed by the President for a term of three (3)
42 years, namely: a representative of a nationwide association of personnel and/or human
43 resource practitioners in the private sector; a representative of the Philippine Association of
44 Professional Regulatory Board Members (PAPRBM) and a representative of the Office of the
45 President.
46

47 **SEC. 7. *Powers and Functions of the Board.*** - The Board shall be the policy-making
48 body for the System. It shall promulgate rules, standards and procedures in the recruitment,
49 selection, assignment to positions, attestation of appointment to CES positions, conferment of
50 ranks, classification, compensation, mobility, performance management, tour of duty,

1 rewards and incentives and training, and career development of CESOs and CESEs:
2 *Provided*, That in the exercise of its power of supervision, the Commission may *motu proprio*
3 review, revise or reverse any policy of the Board within a period of thirty (30) days from
4 receipt of written notice thereof: *Provided, further*, That if the Commission does not act
5 within the said period, the subject policy of the Board shall be deemed as presumptively
6 approved by the Commission.
7

8 **SEC. 8. Office of the Career Executive Service (OCES).** - The Office of the Career
9 Executive Service (OCES) shall serve as the Board's secretariat with its own administrative
10 and financial components. It shall be responsible for the implementation of the policies, rules,
11 regulations, decisions, directives and instructions pertaining to the System. It shall be headed
12 by an Executive Director, who shall be appointed by the President, assisted by two (2)
13 Deputy Executive Directors, both of whom shall be appointed by the President.
14

15 **ARTICLE III**
16 **POLICIES AND STANDARDS**
17 **IN THE CAREER EXECUTIVE SYSTEM**
18

19 **SEC. 9. Membership in the Career Executive System.** - A person who meets the
20 academic, leadership, experience and other requirements and passes the required examination
21 prescribed by the Board shall be included in the register of CESEs and, upon appointment to
22 an appropriate rank in the CES, shall become an active member of the CES. A CESE who is
23 appointed to a position in the CES shall be recommended for original appointment to CESO
24 rank by the Board. This process completes his/her membership in the CES. Recruitment into
25 the System shall be conducted government-wide with provisions to allow qualified or
26 outstanding persons from the nongovernment or private sector to enter the CES.
27

28 **SEC. 10. Security of Tenure.** - A CES incumbent shall enjoy security of tenure in the
29 CES based on eligibility, and shall not be suspended nor dismissed except for cause and with
30 due process of law.
31

32 **SEC. 11. Composition.** - A CESO shall be compensated according to rank and
33 performance. In case a CESO occupies a position whose salary grade is higher than that of
34 the rank the CESO is holding, the CESO shall receive the difference between the salary grade
35 of the position and the rank. The Board, in coordination with the Commission and the DBM,
36 shall develop and periodically review a compensation plan for CESOs. The employing
37 agency shall provide the funds to pay the salary, fringe benefits and allowances of a CESO.
38

39 **SEC. 12. Rank System in the Career Executive System.** - A CESO shall be appointed
40 in accordance with a rank system which shall be established and determined by the Board.
41 Rank classification shall be based on proven competence and qualifications such as
42 appropriate academic and professional background, broad levels of responsibility and other
43 relevant considerations as may be prescribed by the Board.
44

45 **SEC. 13. Promotion in Rank.** - The Board shall provide for the criteria which shall
46 be the basis for promotion in rank. The criteria to be established shall include, but shall not be
47 limited to, performance, qualifications and proven competence. The Board shall recommend
48 to the President qualified CESOs who meet the criteria prescribed by the Board for promotion
49 in rank.
50

1 The evaluation body shall submit its report and recommendations to the Board,
2 OCES, CSC and the appropriate committees in Congress.

3
4 **SEC. 20. Appropriations.** - The amount necessary for the initial implementation of
5 this Act shall be charged against the current year's appropriations of the CESB. Thereafter,
6 such sums as may be necessary for the continued implementation of this Act shall be
7 included in the annual General Appropriations Act.

8
9 **SEC. 21. Transitory Provisions.** - The incumbent Chairman of the Board of the
10 current Career Executive Service Board, as well as the other incumbent Board members, shall
11 continue to exercise their duties and functions until the new Board shall have been created
12 pursuant to this Act. The Career Executive System Board (New Board) created under this Act
13 shall then succeed and take over the functions of the Career Executive Service Board (Old
14 Board) and the composition and members of the New Board, as enumerated under Section 6
15 of this Act, shall assume their respective posts: *Provided, That:*

- 16
17 a) All rights pertaining to the CESOs and CESEs which shall have accrued prior to the
18 effectivity of this Act shall be respected;
19
20 b) The personnel, assets, funds, grants and records of the current CESB secretariat are
21 hereby transferred to the OCES; and
22
23 c) Incumbent officials and employees of the current CESB secretariat shall continue to
24 exercise their respective functions, duties and responsibilities with the corresponding
25 benefits and privileges and shall be deemed absorbed by the OCES.
26

27 **SEC. 22. Implementing Rules and Regulations.** - The Board and the Commission
28 shall promulgate jointly the implementing rules and regulations (IRR) as may be necessary to
29 implement the intent and purposes of this Act. Said IRR shall be published in the Official
30 Gazette or in two (2) newspapers of general circulation.
31

32 **SEC. 23. Repealing Clause.** - Article IV, Part III of the Integrated Reorganization
33 Plan as approved under Presidential Decree No.1, as amended, is hereby repealed. All
34 provisions of Executive Order No. 292, or the Revised Administrative Code of 1987 and
35 Executive Order No. 891, series of 2010 that are inconsistent with this Act are hereby
36 repealed. All other laws, rules and regulations or parts thereof that are inconsistent with the
37 provisions of this Act are hereby repealed or modified accordingly.
38

39 **SEC. 24. Separability Clause.** - If any part, section or provision of this Act is held
40 invalid or unconstitutional, no other part, section or provision shall be affected by the
41 invalidity or unconstitutionality thereof.
42

43 **SEC. 25. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
44 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,