

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'16 JUL 20 A9:33

SENATE  
S. No. 641

REGISTERED BY:

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Introduced by Sen. Antonio "Sonny" F. Trillanes IV

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**AN ACT  
ESTABLISHING THE PHILIPPINE CIVIL SERVICE REFORM CODE AND  
FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

At present, the pieces of legislation governing the Philippine Civil Service remain scattered in different laws, decrees, and letters of instructions and executive orders. The absence of a comprehensive civil service law has sometimes caused confusion among civil servants, to say the least. Many laws overlap and some have become obsolete.

This bill seeks to codify all laws and relevant issuances governing the civil service into a single, comprehensive statute. The goal is to finally have an ultimate legal authority on the Philippine Civil Service System. There is an urgent need to update and gather all civil service and related laws to address the ever changing needs of the times.

This proposed Civil Service Code seek to address deeply rooted problems besetting the public service such as graft and corruption, red-tape, violations of government employee rights and the merit system, among other things specifically the right to security of tenure and the right to due process of law; violations of the merit and fitness principle; partisan political activities; inadequate benefits and privileges of employees; organization ineffectiveness and the unnecessary delays in frontline services delivery.

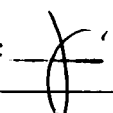
In view of the foregoing, approval of this measure is earnestly sought.

**ANTONIO "SONNY" F. TRILLANES IV**  
*Senator*

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

**BOOK 1. GENERAL PRINCIPLES**

**Title I – Policies**

**Chapter 1. Declaration of Policy**

**Sec. 1. Short Title.** – This Act shall be known as the “Philippine Civil Service Reform Code of 2014”.

**Sec. 2. Declaration of Policy.** – The State recognizes the primary, important and enduring role of the civil service in implementing the laws, providing stability, continuity and efficiency in government operations, managing public affairs and ensuring the continuous delivery of public services in pursuit of the national development goals of peace, human security and sustainable human development.

The State shall afford a system that will develop, promote and sustain meritocracy, accountability, integrity, and excellence in the government service and provide an enabling environment towards the attainment of the ideals of good governance, transparency and accountability in government that will transform each government official and employee into competent, high-performing, ethical, credible and world-class servant-heroes.

**Chapter 2. Definition of Terms**

**Sec. 3. Definition of Terms.** –

a) **Administrative Control** – refers to the authority to act directly whenever a specific function is entrusted by law or regulation to a subordinate; direct the performance of duty; restrain the commission of acts; review, approve, reverse or modify acts and decisions of subordinate officials or units; determine priorities in the execution of plans and programs; and prescribe standards, guidelines, plans and programs.

1 b) **Administrative Supervision** – refers to the authority (of the department or its  
2 equivalent) to generally oversee the operations and to ensure that they are managed  
3 effectively, efficiently and economically; or to take such action as may be necessary for  
4 the proper performance of official functions, including rectification of violations, abuses  
5 and other forms of maladministration.

6 c) **Agency** – refers to any department, bureau, office, commission, administration,  
7 board, committee, institute, government-owned or controlled corporation created under  
8 special law, state/local university and college, local government unit, including the  
9 judiciary, executive and legislative branches of government.

10  
11 d) **Appointing Authority** – refers to the person or body duly authorized (by law) to  
12 issue appointments in the civil service system.

13  
14 e) **Appointment** – refers to the authorization issued by the appointing authority in the  
15 prescribed form allowing an appointee to occupy the position stated therein and to  
16 perform the functions appurtenant thereto and receive the corresponding compensation.

17  
18 f) **Career Executive System** – refers to the system designed to professionalize and  
19 promote career development among the executive and managerial component of the third  
20 level in the career service.

21  
22 g) **Career Executive Service (CES)** – refers to positions above division chief level  
23 which involves executive/managerial functions in the Executive Branch of the  
24 Government, regardless of the appointing authority.

25  
26 h) **Career Executive Service Board (CESB)** – (hereinafter referred to as the Board) –  
27 refers to the policy-making body responsible for the development, maintenance and  
28 administration of the Career Executive System under the supervision of the Civil Service  
29 Commission as provided herein.

30  
31 i) **Career Executive Service Eligible (CESE)** – refers to a person who passed the  
32 qualifying examination process set by the CESB but has not yet appointed to a  
33 apposition in the CES.

34  
35 j) **Career Executive Service Officer (CESO)** – refers to a Career Executive Service  
36 Eligible who is conferred a CES rank and appointed to a position covered by the CES.

37  
38 k) **Chairperson** – refers to the Chairperson of the Civil Service Commission.

39  
40 l) **Civil Service** – refers to the totality of persons employed to carry out public  
41 services in all branches, agencies, subdivisions and instrumentalities of government,  
42 including government-owned or controlled corporations with original charters or created  
43 under special laws, local government units and state/local universities and colleges.

44  
45 m) **Civil Service Eligibility** – refers to the qualification acquired by an individual after  
46 passing a civil service examination or granted by special laws or by the Commission, for  
47 entrance into and promotion in the civil service.

48  
49 n) **Civil Service Eligible** – refers to a person whose name has been entered in the  
50 registry of eligibles as one who passed a civil service examination or is granted civil

1 service eligibility by law or by the Commission. (Passers or Board/Bar examinations are  
2 automatically considered civil service eligibles pursuant to R.A. No. 1080).  
3

4 o) **Civil Service Examination** – refers to the test conducted by the Commission or any  
5 agency authorized by law with or without assistance of the Commission, or in  
6 coordination or jointly with it for the purpose of determining merit and fitness for  
7 appointment in the civil service.  
8

9 p) **Class** – refers to all positions in the civil service system that are sufficiently similar  
10 as to the duties and responsibilities and require similar qualifications that can be given  
11 the same title and salary and, for all administrative and compensation purposes, be  
12 treated alike.  
13

14 q) **Commission** – refers to the Civil Service Commission.  
15

16 r) **Commissioner** – refers to either of the two (2) other members of the Commission.  
17

18 s) **Conciliation** – refers to the process whereby a third party (conciliator) brings the  
19 disputing parties together, encourages them to discuss their differences and assists them  
20 in developing their own proposed solutions.  
21

22 t) **Confederation of Employees Organizations** – refers to alliances of employees'  
23 organizations from national government agencies, state/local universities and colleges,  
24 local government units, subdivisions and instrumentalities including government-owned  
25 or controlled corporations with original charter with national scope of operations and  
26 interests.  
27

28 u) **Consultant** – refers to a person engaged under a consultancy contract by reason of  
29 expertise not readily available from the career officials and employees, to perform highly  
30 specialized functions for a limited duration with a definite output, having no employer-  
31 employee relations with the contracting agency.  
32

33 v) **Consulting Services** – refers to a professional practice that gives expert advice to  
34 government agencies on civil service matters.  
35

36 w) **Contract of Service** – refers to employment under a service contract covering lump  
37 sum work or intermittent job of short duration not exceeding six (6) months such as but  
38 not limited to janitorial, security or consultancy services where no employer-employee  
39 relationship exists between the contracting agency and the employee who does not enjoy  
40 the benefits enjoyed by government officials and employees. Contract of service, which  
41 includes job order and consultancy contracts, is not covered by Civil Service Law, rules  
42 and regulations but by COA rules.  
43

44 x) **Department** – refers to any of the department in the Executive Branch.  
45

46 y) **Disciplining Authority** – refers to the person or body authorized by law to  
47 discipline public officers and employees in the Civil Service (system).  
48

49 z) **Employee** – refers to any person employed in the Civil Service (system) of  
50 whatever category or class up to division chief level.

1 aa) **Employee Organization** – refers to any organization, union, or association of  
2 employees, attached agencies and their regional offices, state/local universities and  
3 colleges, government- owned or controlled corporations with original charters and local  
4 government units, which exists in whole or in part for the purpose of collective  
5 negotiation or for mutual aid, interest, cooperation and protection.  
6

7 bb) **Federation** – is a grouping of organic employees' organizations from different  
8 regional offices, attached bureaus, institutions, subdivisions and instrumentalities of a  
9 given agency.  
10

11 cc) **Grievance** – refers to work-related issues giving rise to employee dissatisfaction.  
12

13 dd) **Grievance procedure** – refers to the process of resolving employee grievances.  
14

15 ee) **Highly Technical Position** – refers to a position which requires the occupant to  
16 possess skill or training in a supreme or superior degree, as determined by the  
17 Commission or with its approval.  
18

19 ff) **Human Resource** – refers to the people, including their qualifications,  
20 competencies, talents and potentials, in the Philippine Civil Service including  
21 management, development and utilization of the people in the Philippine Civil Service  
22 towards the excellent and ethical achievement of vision of the organization.  
23

24 gg) **Human Resource (personnel) Actions** – refers to any movement of officials and  
25 employees in the civil service.  
26

27 hh) **Human Resource Development (HRD)** – is the strategic framework that enhances  
28 the value of the human resource by bridging competency gaps, maximizing existing  
29 capacities and discovering and cultivating potentials through appropriate interventions.  
30

31 ii) **Human Resource Management (HRM)** – is the application of principles, systems  
32 and processes in accordance with Civil Service Law and rules that facilitate the  
33 engagement of human resource towards organizational integrity and excellence.  
34

35 jj) **Learning and Development** – refers to the process of acquiring and developing  
36 knowledge, skills, capabilities, behaviors and attitudes through experience, events and  
37 programs provided by the organization, guidance and coaching provided by line  
38 managers and others, and self-directed or self-managed learning activities.  
39

40 kk) **Merit System** – refers to an organized mechanism by which the selection,  
41 utilization, compensation, reward and incentive, developmental intervention and  
42 retention of officials and employees in the service are governed by comparative merit  
43 and achievement.  
44

45 ll) **Mobility** – refers to a movement of a Career Executive Officer from one position to  
46 another without reduction in rank or salary.  
47

48 mm) **Non-training** – refers to interventions that are basically conducted for purposes  
49 of sharing, discussing or disseminating ideas and information in particular fields of

1 interests, and or for general understanding of certain issues which are intended to build  
2 knowledge, attitude and skills.

3  
4 nn) **Party Adversely Affected** – refers to the respondent against whom a decision in an  
5 administrative case has been rendered or to the disciplining authority in an appeal from a  
6 decision reversing or modifying the original decision.

7  
8 oo) **Organization Development (OD)** – refers to the deliberately planned,  
9 organization-wide effort, to increase an organization's effectiveness and/or efficiency  
10 such as but not limited to strategic planning, organization design, leadership  
11 development, and change management that align strategy, structure, systems, business  
12 processes, and behavior into an effective organizational culture.

13  
14 pp) **Organizational Unit** – refers to an identifiable government unit, such as those in  
15 the constitutional bodies and their regional offices; the executive department including  
16 services and staff bureaus; line bureaus; attached agencies; the legislature; the judiciary;  
17 state/local universities and colleges, subdivisions and instrumentalities of government  
18 including government-owned or controlled corporations with original charters;  
19 provinces, cities and municipalities; regional offices (composed of provincial, district,  
20 local offices) of a department/agency, office, or government-owned or controlled  
21 corporations; and, as may be considered by the Commission.

22  
23 qq) **Policy-determining Position** – refers to a position which vests in the occupant the  
24 power to prescribe (formulate) policies for the government or any of its agencies,  
25 subdivisions or instrumentalities.

26  
27 rr) **Position** – refers to a job (title) with a defined set of duties and responsibilities to be  
28 performed (by an individual) either on full-time or part-time basis, with corresponding  
29 pay scale/salary grade.

30  
31 ss) **Primarily Confidential Position** – refers to a position where the occupant enjoys  
32 much more than the ordinary confidence of the appointing power but bears such close  
33 intimacy which ensures freedom of intercourse without embarrassment which relieves  
34 the latter from misgivings of betrayal of personal trust on confidential matters.

35  
36 tt) **Prohibited Concerted Mass Action** – refers to any collective activity undertaken  
37 by officials or employees, by themselves or through their employees' organizations, with  
38 the intent of affecting work stoppage or service disruption in order to realize their  
39 demands or force concessions, economic or otherwise, from their respective agencies or  
40 the government. It shall include mass leaves, walk-outs, pickets and acts of similar  
41 nature.

42  
43 uu) **Public Official/Officer** – as distinguished from an employee, refers to an individual  
44 whose functions are (essentially) managerial or executive in nature, above the division  
45 chief level (and invested by law with a portion of the sovereignty of the state).

46  
47 vv) **Qualification Standards** – refers to the minimum requirements for a class of  
48 position expressed in terms of education, training, experience, civil service eligibility,  
49 physical fitness and other qualities and competencies required by the job.

1 ww) **Rank** – refers to the index of classification of Career Executive Service Officers  
2 (CESO) to which a Career Executive Service Eligible (CESE) may be appointed by the  
3 President in accordance with the requirements prescribed by the Board.  
4

5 xx) **Rank-and-file** – refers to employees occupying positions in the first and second  
6 levels up to division chief level.  
7

8 yy) **Reorganization** – refers to the process of restructuring an agency's organizational  
9 and functional set up, whether total or partial, with the end view of making it more  
10 economical, effective, efficient and responsive to the needs of the service.  
11

12 zz) **Scholarship** – refers to the free formal education or training/learning and  
13 development opportunities granted to government human resource by the government.

14 aaa) **Solo Parent** – refers to any individual who falls under any of the categories as  
15 enumerated in R.A. No. 8972, otherwise known as the Solo Parents Welfare Act of 2000.  
16

17 bbb) **Teacher** – refers to a person engaged in classroom teaching, in any level of  
18 instruction, on full time basis, including a guidance counselor, school librarian, industrial  
19 arts or vocational arts instructor and any other person performing supervisory and/or  
20 administrative functions in any school, college or university operated by the government  
21 or its political subdivision, but shall not include a school nurse, school physician, school  
22 dentist and other school employees.  
23

24 ccc) **Technical Assistance** – refers to the timely provision of specialized advice and  
25 customized support by CSC to resolve specific problems and increase client's capacity  
26 on Civil Service matters.  
27

28 ddd) **Third Level** – Refers to the highest level in the career service of the Civil Service  
29 System which includes positions higher than the chief of division and performing  
30 executive and managerial functions in all branches of government, including  
31 constitutional offices, based on the position classification system of the Department of  
32 Budget and Management and the Civil Service Commission.  
33

34 eee) **Training** – refers to a short term instructor led and content based learning  
35 intervention intended to build on individual knowledge, skills and attitude leading to  
36 desired changes in behavior to meet present and future work requirements.  
37

### 38 **Chapter 3. Rights and Obligations of Public Officials and Employees** 39 **in the Civil Service System** 40

41 **Sec. 4. Rights.** – Public officials and employees in the civil service system shall  
42 have the right to:  
43

44 (a) Security of Tenure;  
45

46 (b) Exercise the authority attendant to their positions;  
47

48 (c) Enjoy leave, welfare, retirement and other benefits and service;

- 1 (d) Self-organization or to form and join unions, associations, federations,  
2 confederations, societies, or alliances for purposes not contrary to law;  
3  
4 (e) For rank-and-file employees of accredited organizations, to collectively negotiate  
5 for terms and conditions of employment in accordance with existing laws; and  
6  
7 (f) Enjoy such other rights provided by law.  
8

9 **Sec. 5. *Obligations.*** – Public officials and employees in the Civil Service shall:  
10

- 11 (a) Uphold and defend the Constitution and laws of the Republic of the Philippines;  
12  
13 (b) Maintain allegiance to the State and the Constitution at all times;  
14  
15 (c) Take and subscribe to an oath before assumption of office;  
16  
17 (d) Be accountable at all times to the people, and serve them with utmost responsibility,  
18 integrity, loyalty and efficiency, act with patriotism and justice and lead modest lives;  
19  
20 (e) Discharge their duties faithfully and maintain the required level of productivity of  
21 their positions for the benefit of the public;  
22  
23 (f) Submit upon assumption to duty and as often as may be prescribed by law, a sworn  
24 Statement of Assets, Liabilities and Net Worth (SALN) and disclosure of business  
25 interests and financial transactions;  
26  
27 (g) Identify and disclose, to the best of their knowledge, their relatives in government,  
28 in the manner and frequency as may be prescribed by law, rules and regulations;  
29  
30 (h) Undertake programs of self-development to improve their performance and levels of  
31 service; and  
32  
33 (i) Perform such other obligations as may be provided by law.  
34

## 35 **Title II – Scope of the Civil Service System**

### 36 **Chapter 1. Positions in the Civil Service**

37  
38  
39 **Sec. 6. *Coverage.*** – The civil service embraces all civilian personnel serving in,  
40 branches, agencies, subdivisions and instrumentalities of government, state/local  
41 universities and colleges, government-owned or controlled corporations with original  
42 charters or created under special laws, and local government units.  
43

44 **Sec. 7. *Administration of the Civil Service.*** – As the central (personnel agency)  
45 human resource institution of the government, the Commission shall establish a career  
46 service, administer the civil service system, adopt measures to promote morale,  
47 efficiency, competency, integrity, honesty, responsiveness, progressiveness, non-  
48 partisanship, courtesy and gender-sensitivity in the civil service, strengthen the merit and  
49 rewards system, integrate all human resource development programs for all levels and



1 ranks therein and institutionalize a management climate conducive to public  
2 accountability.

3  
4 **Sec. 8. *Categories of Positions.*** – Positions in the Civil Service System shall be  
5 categorized as career and non-career.

6  
7 **Sec. 9. *The Career Service.*** – The career service shall be characterized by (a)  
8 entrance based on merit and fitness to be determined, as far as practicable, by  
9 competitive examinations or on highly technical qualifications; (b) opportunity for  
10 advancement to higher career position; and (c) performance-based security of tenure,  
11 subject to the rules to be promulgated by the Commission.

12  
13 **Sec. 10. *Positions Included in the Career Service.*** – Positions in the career service  
14 include the following:

15  
16 (a) Open career positions – appointment to any level in the career service which  
17 requires qualification in an appropriate examination or other modes in accordance with  
18 law;

19  
20 (b) Closed career position – positions that are scientific or highly technical in nature  
21 which shall establish and maintain their own merit systems, such as the following:

22  
23 (1) Faculty and academic staff of state/local universities and colleges;

24  
25 (2) Highly technical positions in scientific positions in the scientific or research  
26 institutions;

27  
28 (3) Uniformed and commissioned personnel of the Philippine National Police; or

29  
30 (4) Other career officers such as the Foreign Service Officers in the Department of  
31 Foreign Affairs and the judges and justices in the judiciary; and

32  
33 (c) Permanent laborer, whether skilled, semi-skilled, or unskilled.

34  
35 **Sec. 11. *Classes of Positions in the Career Service.*** – Positions in the career service  
36 shall be grouped as follows:

37  
38 (a) First level – includes clerical, trades, crafts and custodial positions whether in a non-  
39 supervisory or supervisory capacity not requiring a baccalaureate degree;

40  
41 (b) Second Level – includes professional, highly technical or scientific positions in a  
42 supervisory or non-supervisory capacity requiring at least a baccalaureate degree or its  
43 equivalent as determined by the Commission; and

44  
45 (c) Third Level – includes all the executive and managerial positions in the career  
46 service regardless of the appointing authority.

47  
48 Except as otherwise provided in this Code, entrance to the first two levels shall be  
49 through competitive or special examinations to be given by the Commission. Entrance  
50 to the third level shall be based on qualification requirements prescribed by the

1 Commission. Entrance to a higher level does not require previous qualification in the  
2 lower level.

3  
4 **Sec. 12. *The Non-Career Service.*** – The non-career service shall be characterized  
5 either by (a) merit and fitness to be determined by modes other than those of the usual  
6 tests utilized for the career service; (b) tenure which is limited to a period specified by  
7 law; or which is co-terminus with that of the appointing authority; or subject to his/her  
8 pleasure; or which is limited to the duration of a specific project for which purpose  
9 employment was made; or (c) the primarily confidential nature of the position.

10  
11 **Sec. 13. *Positions Included in the Non-Career Service.*** – The non-career service  
12 shall include the following:

- 13  
14 (a) Elective officials and their personal and primarily confidential staff;  
15  
16 (b) Department Heads and other officials of Cabinet rank who hold their positions at the  
17 pleasure of the President and their personal and primarily confidential staff;  
18  
19 (c) Chairmen and members of constitutional commissions and other commissions,  
20 boards and other bodies with fixed terms of office and their personal and primarily  
21 confidential staff;  
22  
23 (d) Non-career undersecretaries and non-career assistant secretaries and their personal  
24 and primarily confidential staff;  
25  
26 (e) Contractual employees whose appointment/employment is in accordance with a  
27 special contract) for a maximum period of one year engaged to undertake a specific work  
28 or job which requires special knowledge and/or technical skills not available in the  
29 employing agency;  
30  
31 (f) Emergency, casual and seasonal (personnel) employees; and  
32  
33 (g) Those whose positions may be declared as primarily confidential by the  
34 Commission.  
35  
36

### 37 **Title III – The Civil Service Commission**

#### 38 **Chapter 1. Composition, Duties and Functions**

39  
40  
41 **Sec. 14. *Composition.*** – The Commission shall be composed of a Chairperson and  
42 two Commissioners. As far as practicable, at least one of them must be a lawyer and of a  
43 different gender.  
44  
45

46 **Sec. 15. *Qualifications of the Chairperson and Commissioners.*** – The Chairperson and  
47 Commissioners shall be natural-born citizens of the Philippines, and at the time of their  
48 appointment are at least thirty-five (35) years of age with proven capacity for public  
49 administration and must not have been candidates for any elective position in the  
50 elections immediately preceding their appointment.

1           **Sec. 16. Terms of Office.** – The Chairperson and Commissioners shall be appointed  
2 by the President subject to confirmation by the Commission on Appointments for a term  
3 of seven (7) years without reappointment. In no case shall any member be appointed or  
4 designated in a temporary or acting capacity. Appointment to any vacancy shall be only  
5 for the unexpired term of the predecessor.  
6

7           **Sec. 17. Compensation.** – The salaries of the Chairperson and the Commissioners  
8 shall be fixed by law and shall not be decreased during their tenure.  
9

10           **Sec. 18. Prohibition.** – No Member of the Commission shall, during his/her tenure,  
11 hold any other office or employment. Neither shall he/she engage in the practice of any  
12 profession or in the active management or control of any business which in any way may  
13 be affected by the functions of his/her office, nor shall he/she be financially interested,  
14 directly or indirectly, in any contract with, or in any franchise or privilege granted by the  
15 government, any of its subdivisions, agencies, or instrumentalities, including  
16 government-owned or controlled corporations with original charters or their subsidiaries.  
17

18           **Sec. 19. Powers and Functions of the Commission.** – The Commission shall have  
19 the following powers and functions:  
20

21           (a) Administer and enforce the constitutional and statutory provisions on the merit  
22 system for all levels and ranks in the civil service system;  
23

24           (b) Prescribe, enforce and amend rules and regulations for carrying into effect the  
25 provisions of this Code and other pertinent laws;  
26

27           (c) Promulgate rules concerning pleadings and practice before it and other government  
28 offices with quasi-judicial and administrative disciplinary functions, which shall not  
29 diminish, increase or modify substantive rights;  
30

31           (d) Promulgate policies, standards and guidelines for the civil service system and adopt  
32 plans and programs to promote ethical, economical, efficient and effective personnel  
33 administration in the government including innovative systems and mechanisms to  
34 ensure feedback from the public;  
35

36           (e) Formulate policies and regulations for the administration, maintenance and  
37 implementation of position classification and set standards for the establishment,  
38 allocation and reallocation of positions;  
39

40           (f) Render decisions, orders or rulings on civil service matters which shall be binding on  
41 heads of departments and agencies and immediately executory and may be brought only  
42 to the Supreme Court on certiorari;  
43

44           (g) Impose administrative penalties on any appointive member of the career or non-  
45 career service regardless of appointing authority, save those whose appointments are  
46 subject to confirmation by the Commission on Appointments and/or removable by  
47 impeachment, for cause and after due process.  
48

49           (h) Control, supervise and coordinate Civil Service Examinations. Any government  
50 agency or public official may be called upon by the Commission to assist in the

1 preparation and conduct of the said examinations. Such assistance includes, but is not  
2 limited to, the provision of personnel and security, the use of buildings and facilities, as  
3 well as the transportation of examination materials which shall be exempt from  
4 inspection regulations;

5  
6 (i) Grant civil service eligibility to qualified applicants based on law, Civil Service  
7 examination results, performance, training, education, qualifications and other similar  
8 standards, subject to the guidelines it may prescribe;

9  
10 (j) Prescribe all forms for Civil Service Examinations, appointments, reports and such  
11 other forms as may be required by law, rules and regulations of the Commission;

12  
13 (k) Have exclusive jurisdiction over cases involving examination irregularities  
14 committed by government officials and employees, elective or appointive, and regardless  
15 of agencies they are connected with, except impeachable officials. Private individuals  
16 may likewise be proceeded against by the Commission for the purpose of perpetual  
17 disqualification to take Civil Service Examinations and from being employed in any  
18 agency of government;

19  
20 (l) Direct any government official, employee or agency to provide assistance and  
21 information necessary in the effective discharge of its responsibilities;

22  
23 (m) Declare, when appropriate, positions in the Civil Service System as primarily  
24 confidential, highly technical or policy-determining;

25  
26 (n) Provide leadership, standards and policies in the development, administration, and  
27 evaluation of programs relative to the selection and recruitment, learning and  
28 development, and retention of qualified and competent work force in the civil service;

29  
30 (o) Administer service-wide scholarship, foreign and local, and retirement programs;

31  
32 (p) Integrate bureaucracy-wide human resource development programs which include  
33 learning and development, performance management, and incentives and awards;

34  
35 (q) Hear and decide administrative cases and other Civil Service matters brought before  
36 it directly or on appeal, including disciplinary matters, contested appointments or human  
37 resource actions. The decisions, orders or rulings of the Commission may be brought by  
38 the aggrieved party to the Supreme Court on certiorari;

39  
40 (r) Issue *subpoena ad testificandum* and/or *subpoena duces tecum* for the production of  
41 documents and records pertinent to investigation and inquiries conducted by it in  
42 accordance with its authority conferred by the Constitution and pertinent laws;

43  
44 (s) Issue a writ of preliminary injunction or Temporary Restraining Order (TRO) for a  
45 period to be set by the Commission when, on the basis of the allegations in the petition,  
46 the Commission determines that the acts complained of or petitioned for, involving or  
47 arising from any human resource actions or civil service matters, if not restrained or  
48 performed immediately, may cause grave or irreparable injury to any party or render  
49 ineffectual any decision of the Commission on matters brought before it;

1 (t) Deputize officials and/or employees of the Commission and/or of other departments  
2 and agencies to investigate and hear cases and to submit their findings and  
3 recommendations to the Commission. For this purpose, officials and/or employees so  
4 deputized may issue *subpoena ad testificandum* and/or *subpoena duces tecum*;

5  
6 (u) Punish for contempt, direct and indirect, officials, employees and other persons for  
7 refusal or failure to comply with the decisions, orders, rulings or processes and  
8 proceedings of the Commission;

9  
10 (v) Delegate any power or function of the Commission to its regional or field offices;

11  
12 (w) Review and modify or reverse decisions and actions of its offices;

13  
14 (x) Enforce and execute its decisions, orders and rulings, and for this purpose, deputize  
15 any national or local law-enforcement agency or instrumentality of the government  
16 which shall act under the direct and immediate supervision of the Commission;

17  
18 (y) Advise the President on all matters involving human resource management in the  
19 civil service and submit to the President an annual report on human resource programs;

20  
21 (z) Approve, disapprove, or otherwise act on all appointments, except appointments  
22 subject to the confirmation of the Commission on Appointments, and other human  
23 resource matters in the civil service;

24  
25 (aa) Inspect and audit the human resource actions and programs of the departments,  
26 agencies, bureaus, offices, and other instrumentalities of the government, including  
27 government-owned or controlled corporations with original charters and agencies  
28 created under special laws, local government units, state/local universities and colleges;  
29 conduct periodic review of the decisions and actions of offices or officials to which  
30 authority has been delegated by the Commission and apply appropriate sanctions  
31 whenever necessary;

32  
33 (bb) Prescribe and enforce rules and regulations to promote and ensure safe, healthy and  
34 proper working conditions for officials and employees;

35  
36 (cc) Keep and maintain human resource records, extend and accredit government service  
37 of public officials and employees;

38  
39 (dd) Delegate authority for the performance of any of its functions to other departments  
40 and agencies where such functions can be effectively performed;

41  
42 (ee) Appoint and discipline its officials and employees in accordance with law and  
43 exercise control and supervision over the activities of the Commission;

44  
45 (ff) Administer programs that will foster an honest and graft-free public service,  
46 including but not limited to the encouragement and protection of persons who report to  
47 proper government authorities anomalies and irregularities in government operations;

1 (gg) Reorganize or effect changes in its organization within the limits of its  
2 appropriations, including the creation, merger or consolidation, splitting or division and  
3 abolition of offices and positions; and  
4

5 (hh) Exercise all powers and perform the functions properly belonging to a central  
6 Human Resource institution.  
7

8 **Sec. 20. Duties and Responsibilities of the Chairperson and the Commissioners. –**

9 The Chairperson and the two Commissioners shall be responsible for the effective  
10 exercise of the rule-making, policy-formulation and adjudicative functions of the  
11 Commission. They shall decide by a majority vote on any case or matter brought before  
12 the Commission within sixty (60) days from the date of its submission for decision or  
13 resolution.  
14

15 (a) The Chairperson shall be the chief executive officer and shall perform the following  
16 functions:

17 1. Execute and administer the internal policies, decisions, orders, and resolutions  
18 approved by the Commission;  
19

20 2. Direct and supervise the operations and internal administration of the Commission;  
21

22 3. Sign appointments of subordinate officers and employees made by the Commission  
23 and enforce decisions on administrative discipline involving them;  
24

25 4. Submit the annual budget of the Commission to Congress for its review, revision  
26 and approval;  
27

28 5. Transmit to the President, rules and regulations adopted by the Commission which  
29 require presidential attention including annual and other reports;  
30

31 6. Delegate authority, in whole or in part, to other officials and employees of the  
32 Commission, in accordance with the rules and regulations of the Commission; and  
33

34 7. Perform such other functions as may be provided by law.  
35

36 (b) The Chairperson shall be an ex-officio member of the board of directors and  
37 governing body of government entities whose functions affect the competencies, career  
38 development, employment status, rights, privileges and welfare of public officials and  
39 employees, as determined by the Commission, such as the Government Service  
40 Insurance System (GSIS), Foreign Service Institute (FSI), Board of Foreign Service  
41 Examinations (BFSE), Foreign Trade Service Board (FTSB), Board for Professional  
42 Teachers (BPT), Scientific Career Council (SCC), Development Academy of the  
43 Philippines (DAP), Home Development Mutual Fund (HDMF), Philippine Health  
44 Insurance Corporation (PhilHealth) and other similar boards as may be created by law.  
45 He/She shall be Co-Chair of the Board of Foreign Service Examinations (BFSE), the  
46 Scientific Career Council (SCC). The Chairperson may delegate any of these

1 responsibilities to any of the Commissioners and other ranking officials of the  
2 Commission.

3 (c) The Commissioners may perform such functions as may be delegated by the  
4 Commission. In the absence of the Chairperson owing to illness or incapacity, the senior  
5 Commissioner shall act as, and perform the functions of the Chairperson.

6 **Sec. 21. *Commission Proceedings.*** – The proceedings of the Commission shall be in  
7 accordance with such rules as it may adopt.  
8

## 9 **Chapter 2. Organization and Structure**

10  
11 **Sec. 22. *Offices in the Commission.*** – The Commission shall have the following  
12 offices:  
13

- 14 a) Office of the Assistant Commissioners
- 15 b) Office for Legal Affairs
- 16 c) Examination, Recruitment and Placement Office
- 17 d) Human Resource Policies and Standards Office
- 18 e) The Civil Service Institute
- 19 f) Public Assistance and Information Office
- 20 g) Employee-Management Relations Office
- 21 h) Integrated Records Management Office
- 22 i) Office for Strategy Management
- 23 j) Office for Financial and Assets Management
- 24 k) Office for Human Resource Management and Development
- 25 l) Internal Audit Service
- 26 m) Commission Secretariat and Liaison Office
- 27 n) Regional/Provincial/Field Offices

28 **Sec. 23. *The Office of the Assistant Commissioners (OAC).*** – The Office of the  
29 Assistant Commissioners (OACs) shall provide managerial and technical support to the  
30 Commission in the areas of research, policy review and program development. This  
31 office shall also handle special projects and maintain external linkages as may be  
32 deemed necessary by the Commission. There shall be no more than five (5) Assistant  
33 Commissioners at any given time.  
34

35 **Sec. 24. *Office for Legal Affairs (OLA).*** – The OLA shall provide the Commission  
36 with legal advice and assistance; render counselling services; undertake legal studies and

1 researches; prepare opinions and rulings in the interpretation and application of the Civil  
2 Service Law, rules and regulations including the provisions of this Code, prosecute  
3 violations of such law, rules and regulations and represent the Commission before any  
4 court or tribunal. The Office for Legal Affairs shall be headed by an Assistant  
5 Commissioner who shall be assisted by two Directors III.

6  
7 **Sec. 25. Examination, Recruitment and Placement Office (ERPO).** – The ERPO  
8 shall take charge of developing, enhancing, controlling, supervising and coordinating  
9 pertinent schemes in the granting of civil service eligibility such as but not limited to  
10 administration of Civil Service examinations. It shall also take charge of formulating  
11 programs, policies, standards and guidelines in the certification and placement of civil  
12 service eligibles.

13  
14 **Sec. 26. Human Resource Policies and Standards Office (HRPSO).** – The HRPSO  
15 office shall take charge of the formulation and periodic review of qualification, selection,  
16 performance and promotion standards, including employee incentive, benefits and  
17 awards system, within the context of the merit and rewards policies of the various closed  
18 and open career systems.

19  
20 The office shall develop policies and regulations with respect to the administration,  
21 maintenance and implementation of position classification and compensation as well as  
22 standards for the establishment, allocation and reallocation of pay scales, classes and  
23 positions.

24  
25 The HRPSO shall also develop policies, programs and regulations relative to  
26 performance management, as well as the inspection and audit of personnel mechanisms  
27 in the government agencies.

28  
29 **Sec. 27. Civil Service Institute (CSI).** – The CSI shall be the learning and  
30 development arm of the Commission and shall be responsible for the planning,  
31 implementation, and administration of programs for building and enhancing competence,  
32 ethics, and accountability of public servants.

33  
34 It shall formulate policies, programs, and standards and provide leadership for the  
35 development of competency-based training and other HROD interventions for the  
36 bureaucracy; integrate all human resource development programs for all levels and  
37 ranks; and administer service-wide local and foreign scholarship programs. The office  
38 shall be headed by an Executive Director.

39  
40 **Sec. 28. Public Assistance and Information Office (PAIO).** – The PAIO shall  
41 manage an effective information exchange system between the Commission and its  
42 internal and external publics. Its functions include maintaining strong linkages with  
43 media institutions/practitioners as well as undertaking special projects, such as **but not**  
44 **limited to**, the CSC anniversary celebration and the Honor Awards Program, necessary  
45 in carrying-out its dual role of information dissemination and feedback generation  
46 relative to the operations, programs and thrusts of the Commission.

47  
48 **Sec. 29. Employee-Management Relations Office (EMRO).** – The EMRO shall  
49 take charge of all inter- and intra-public sector union concerns such as employee  
50 relations standards, conciliation, registration and accreditation of employees'



1 organizations and registration of CNA's, including advocacy work. It shall also serve as  
2 the secretariat of the Public Sector Labor-Management Council (PSLMC) and the  
3 coordinating office of the National Worker's Congress. It shall conduct research and  
4 training on public sector unionism, as well as design and develop public sector  
5 employee-management education programs. The office shall also promote social  
6 dialogues between and among employees' organizations and other national and  
7 international organizations to enhance government services.  
8

9 **Sec. 30. *Integrated Records Management Office (IRMO)*.** – The IRMO shall  
10 formulate and implement policies, standards and regulations pertaining to the storage,  
11 maintenance, security control, and disposal of government personnel records and other  
12 related civil service documents. Management of such records includes maintenance of  
13 the resource center for computer-based information, the library, the archives, and the  
14 museum of the Commission.  
15

16 IRMO shall also be responsible for the management of incoming and outgoing  
17 communications of the Commission.  
18

19 **Sec. 31. *Office for Strategy Management (OSM)*.** – The OSM shall formulate  
20 development plans, programs and projects of the Commission as well as administer  
21 management improvement programs. It shall also undertake research and studies on the  
22 effectiveness of strategies adopted by the Commission in attaining its Vision and  
23 Mission and proposed measures to further improve the same.  
24

25 **Sec. 32. *Office for Financial and Assets Management (OFAM)*.** – The OFAM  
26 shall take charge of ensuring sound fiscal and asset management consonant with the  
27 annual, supplemental and special budget of the Commission as contained in the General  
28 Appropriations Act.  
29

30 **Sec. 33. *Office for Human Resource Management and Development (OHRMD)*.** –  
31 The OHRMD shall take charge of formulating the human resource management and  
32 development plan of the Commission, which includes development of sound policies on  
33 human resource management in the areas of recruitment and selection, employee welfare  
34 and discipline, career development programs as well as position classification and pay  
35 plan of the Commission.  
36

37 **Sec. 34. *Internal Audit Service (IAS)*.** – The IAS shall oversee the periodic  
38 evaluation of existing methods and procedures, including financial systems, in the  
39 Commission and on the basis of such, formulate plans and programs relative to fiscal  
40 discipline and management improvement and productivity of the Commission.  
41

42 **Sec. 35. *Commission Secretariat and Liaison Office (CSLO)*.** – The CSLO shall  
43 take charge of programming and coordinating regular and special meetings of the  
44 Commission. Its function includes efficient information management and maintenance of  
45 all records, decisions, policies, pronouncements and issuances of the Commission.  
46

47 The CSLO shall also be the main liaison with Congress and local and international  
48 institutions with which the Commission has commitments.  
49



1 a period of thirty (30) days from receipt of written notice thereof: *Provided, further,* That  
2 if the Commission does not act within the said period, the subject policy of the Board  
3 shall be deemed as presumptively approved by the Commission  
4

5 **SEC. 41. *Office of the Career Executive Service (OCES).*** – The Office of the  
6 Career Executive Service (OCES) shall serve as the Board's secretariat with its own  
7 administrative and financial components. It shall be responsible for the implementation  
8 of the policies, rules, regulations, decisions, directives and instructions pertaining to the  
9 System. It shall be headed by an Executive Director, who shall be appointed by the  
10 President, assisted by two (2) Deputy Executive Directors, both of whom shall be  
11 appointed by the President  
12

## 13 **Chapter II. Policies and Standards in the Career Executive System**

14

15 **SEC. 42. *Membership in the Career Executive System.*** – A person who meets the  
16 academic, leadership, experience and other requirements and passes the required  
17 examination prescribed by the Board shall be included in the register of CESEs and,  
18 upon appointment to an appropriate rank in the CES, shall become an active member of  
19 the CES. A CESE who is appointed to a position in the CES shall be recommended for  
20 original appointment to CESO rank by the Board. This process completes his/her  
21 membership in the CES. Recruitment into the System shall be conducted government-  
22 wide with provisions to allow qualified or outstanding persons from the nongovernment  
23 or private sector to enter the CES.  
24

25 **SEC. 43. *Security of Tenure.*** – A CES incumbent shall enjoy security of tenure in  
26 the CES based on eligibility, and shall not be suspended nor dismissed except for cause  
27 and with due process of law.  
28

29 **SEC. 44. *Composition.*** – A CESO shall be compensated according to rank and  
30 performance. In case a CESO occupies a position whose salary grade is higher than that  
31 of the rank the CESO is holding, the CESO shall receive the difference between the  
32 salary grade of the position and the rank. The Board, in coordination with the  
33 Commission and the DBM, shall develop and periodically review a compensation plan  
34 for CESOs. The employing agency shall provide the funds to pay the salary, fringe  
35 benefits and allowances of a CESO.  
36

37 **SEC. 45. *Rank System in the Career Executive System.*** – A CESO shall be  
38 appointed in accordance with a rank system which shall be established and determined  
39 by the Board. Rank classification shall be based on proven competence and  
40 qualifications such as appropriate academic and professional background, broad levels of  
41 responsibility and other relevant considerations as may be prescribed by the Board.  
42

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

49 **SEC. 47. *Mobility in the Career Executive System.*** – A CESO may be assigned to  
50 any position in the System without diminution in rank and salary. The tour of duty of

1 each CESO shall be for a period of three (3) years. During this period, the CESO shall  
2 not be transferred to another office or position without consent. In filling a vacancy, the  
3 head of agency shall give preference and priority to those who have been appointed to  
4 rank or conferred CES eligibility. The Board shall provide information on vacancies, an  
5 updated list of available qualified persons who may be assigned, and such other  
6 mechanisms to assist the head of agency in the process of selection.  
7

8 **SEC. 48. *Appointment to Positions in the Career Executive System.*** – A CESO  
9 and CESE shall be given priority in appointments to vacant positions in the System. In  
10 exceptional cases, a non-CESO and non-CESE may be appointed to a position in the  
11 System on a temporary status but may be replaced once a CESO or CESE becomes  
12 available. Career undersecretaries, assistant secretaries and other officials of similar rank  
13 in the System shall preferably come from the roster of CESOs and CESEs. The  
14 appointing authority shall choose from a list of at least three (3) eligibles who are  
15 qualified, available and willing to be appointed to the vacant position. The number of  
16 career undersecretaries, assistant secretaries and other officials of similar rank appointed  
17 to positions in the government shall conform to the number set by law. The Commission  
18 shall establish a mechanism to ensure that assignments to positions in the System  
19 conform to the standards prescribed under this Act.  
20

21 **SEC. 49. *Discipline.*** – Investigation and adjudication of administrative complaints  
22 against occupants of positions in the CES appointed by the President shall be vested with  
23 the President. In the case of non-presidential appointees, the same shall be vested  
24 concurrently with the head of the agency and the Civil Service Commission.  
25

26 **SEC. 50. *Training and Career Development.*** – The Board shall establish a  
27 continuing program of training and career development of CESOs and CESEs.  
28

29 **SEC. 51. *Performance Management.*** – The Board shall develop a system for  
30 periodic evaluation of the performance of occupants of positions in the CES, taking into  
31 account their accomplishments and managerial capability. This periodic evaluation  
32 system shall be the basis for the grant of incentives and awards, as well as for sanctions  
33 for poor performance.  
34

35 **SEC. 52. *Review and Evaluation of the CESB System.*** – After the first three (3)  
36 years of implementation of this Act and every three (3) years thereafter, the Civil Service  
37 Commission shall convene an evaluation body that will conduct the evaluation of the  
38 Board and the OCES in order to assess the effectiveness of the CESB in managing the  
39 System. The body shall be composed of no less than three (3) heads of public and private  
40 institutions whose work is related to executive development within the framework of  
41 developing countries like the Philippines. At least two (2) of them should come from  
42 non-government organizations (NGOs).  
43

44 The evaluation body shall conduct public consultations and indicate its evaluation  
45 reports and recommendations which portions have been the result of the said public  
46 consultations.  
47

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

1  
2 **BOOK II. HUMAN RESOURCE POLICIES AND STANDARDS**  
3

4 **Title I. Recruitment, Examination and Eligibility**  
5

6 **Sec. 53. Policy.** – Recruitment in the civil service system shall be made on the basis  
7 of merit and fitness, which shall be determined, as far as practicable, by competitive  
8 examination, except for positions which are policy determining, primarily confidential,  
9 or highly technical.  
10

11 Every natural-born Filipino citizen, who is at least 18 years of age, shall have equal  
12 access to, or opportunities for public service regardless of, among others, religious belief,  
13 color, gender, regional origin, or ethnic affiliation. Measures shall be adopted to include  
14 qualified members of indigenous cultural communities and other minority groups and  
15 persons with disabilities for recruitment and selection.  
16

17 Those who have more than one citizenship shall subscribe and swear to an oath of  
18 allegiance to the Republic of the Philippines and its duly constituted authorities, and  
19 shall renounce their oath of allegiance to any other country before assumption to office.  
20

21 **Sec. 54. Civil Service Examinations.** – The Commission shall administer  
22 competitive examinations for all levels in the career service.  
23

24 The Commission shall determine the type, mode and frequency of the examination,  
25 depending on the purpose for which the examination is given.  
26

27 As the exigency of the service requires, the Commission may conduct specialized civil  
28 service examinations upon request of a particular department or agency, subject to its  
29 rules and regulations.  
30

31 **Sec. 55. Qualifications of Applicants to Civil Service Examinations.** – Admission  
32 to civil service examinations shall be limited to citizens of the Philippines, at least 18  
33 years of age at the time of filing and who meet the requirements prescribed by the  
34 Commission or by law, as the case may be.  
35

36 **Sec. 56. Invalidation of Civil Service Examination and/or Test Results.** – The  
37 Commission shall have the authority to invalidate civil service examinations and/or test  
38 results based on reasonable grounds as may be determined by law or by the Commission.  
39

40 **Sec. 57. Withholding of Test Results.** – The Commission shall have the authority  
41 to withhold test results in civil service examinations based on statistical improbability  
42 and such reasonable grounds as may be determined by the Commission. Those whose  
43 results are withheld shall undergo a validating examination.  
44

45 **Sec. 58. Disqualification of Examinees with Withheld Test Results.** – The  
46 examinees whose test results are withheld shall be disqualified to file an application for  
47 any civil service examination until such time that the result of validating examination has  
48 been released or as may be determined by the Commission.

1           **Sec. 59. Assistance from Government and Private Partners in the Conduct of**  
2 **Examinations.** – Government and private partners shall provide assistance as the  
3 Commission may require in the preparation and conduct of civil service examinations.  
4

5           **Sec. 60. Printing, Storage, Transportation and Distribution of Examination**  
6 **Materials.** – The printing, storage, transportation and distribution of examination  
7 materials shall be under the exclusive supervision and control of the Commission. The  
8 Commission shall determine and provide the necessary security measures for this  
9 purpose.  
10

11 The procurement of security printing for the printing of Examination Materials shall be  
12 exempt from the usual process provided under procurement law/s.  
13

14 Examination materials shall be exempt from inspection regulations during transportation.  
15

16           **Sec. 61. Examining Committees, Test Administrators, Members of the Logistics**  
17 **and Technical Teams, and Special Examiners.** – The Commission may deputize  
18 persons to act as members of examining committees, test administrators, members of the  
19 logistics and technical teams, and special examiners to perform such duties as the  
20 Commission may require. In the performance of such duties, they shall be under the  
21 exclusive control and supervision of the Commission. The individuals so deputized may  
22 be given allowances and per diem for their services to be paid out of funds allocated for  
23 the particular examination and at a rate to be determined by the Commission. Expenses  
24 for specialized examinations shall be borne by the requesting department or agency.  
25

26           **Sec. 62. Conferment, Grant and Revocation of Eligibility.** – The Commission shall  
27 have the power to confer the corresponding eligibility to successful examinees of civil  
28 service examinations and grant civil service eligibility as may be so provided by law or  
29 as the Commission may deem appropriate. The Commission shall also have the power  
30 to revoke the eligibility based on reasonable grounds as may be determined by the  
31 Commission.  
32

33           **Sec. 63. Register of Civil Service Eligibles.** – The Commission shall maintain a  
34 register of eligibles as basis for certification and appointment in the civil service.  
35

36           **Sec. 64. Passing of Bar or Board Examination as Civil Service Eligibility.** –  
37 Successful examinees of bar or board examinations as well as those registered under the  
38 particular boards to practice the corresponding profession without examination, shall be  
39 considered civil service eligibles.  
40

41 The Supreme Court and the Professional Regulation Commission (PRC) shall furnish the  
42 Commission with the official list of successful examinees within thirty (30) days from  
43 the release of the test results.  
44

45           **Sec. 65. Imprescriptibility of Civil Service Eligibility.** – Civil service eligibilities  
46 shall not prescribe.



1 which is beyond the power of an OIC, unless the designation issued by the proper  
2 appointing authority expressly includes the power to issue appointment.  
3

4 The designation in an Acting capacity entails not only the exercise of the ministerial  
5 functions attached to the position but also the exercise of discretion, because the person  
6 designated is deemed to be the incumbent of the position.  
7

8 The Caretaker shall ensure the continuity in the operations of the office in the meantime  
9 that the chief or head of office is temporarily absent.  
10

11 For appointments to career positions, the appointing authority shall be guided by the  
12 SB's comprehensive evaluation report of candidates screened for appointment and in the  
13 exercise of sound discretion, select from among the top five (5) ranking applicants  
14 deemed most qualified for appointment to the vacant position.  
15

16 **Sec. 70. *Qualifications for Appointment.*** – Appointment in the civil service system  
17 shall be limited to Filipino citizens who are not at the same time citizens of another  
18 country; have no pending application for immigrant status, and are at least eighteen (18)  
19 years of age who meet the qualifications and none of the disqualifications prescribed for  
20 the position.  
21

22 An individual with dual citizenship shall renounce his/her foreign citizenship to be  
23 considered for appointment in the civil service.  
24

25 **Sec. 71. *Effectivity of Appointment.*** – An appointment shall take effect immediately  
26 upon its issuance by the appointing authority. If the appointee has assumed the duties of  
27 the position, he/she shall be entitled to receive salary at once without awaiting the  
28 approval/validation of his/her appointment by the Commission. Such appointment cannot  
29 be withdrawn or cancelled by the appointing authority and shall remain in full force and  
30 effect unless finally disapproved/invalidated by the Commission. However, an  
31 appointment issued through fraudulent means shall be void from the beginning. The  
32 official or employee who caused the issuance of a void appointment shall be personally  
33 liable for the salary of the appointee and shall be held administratively liable therefor.  
34

35 No official or employee in the government shall allow a person to render service without  
36 an appointment issued by the appointing authority. Those who violate this Rule shall be  
37 personally liable for the salaries of the person concerned. Moreover, the services  
38 rendered by the said person shall not be accredited as government service.  
39

40 If the appointee does not assume office within thirty (30) calendar days from receipt of  
41 the appointment, the same may be cancelled by the appointing authority and reported to  
42 the Commission for record purposes. The position is automatically deemed vacant upon  
43 cancellation of appointment by the appointing authority, without the need for an  
44 approval or declaration by the Commission.  
45

46 An appointment may be cancelled by the appointing authority in cases when the  
47 appointee has failed to communicate with the agency for at least 30 calendar days from  
48 receipt of the appointment or the proposed date of assumption shall be beyond two (2)  
49 months therefrom and other analogous cases. Officials or employees who are on official  
50 leave of absence shall be exempt from this provision.



1 If the appointee is not allowed to assume office by the appointing officer or other  
2 officials concerned despite his/her receipt of the appointment, or submission thereof to  
3 the Commission for approval, the official/s or employee/s who caused the non-  
4 assumption of the appointee shall be held administratively liable therefor.  
5

6 **Sec. 72. Appointment Form.** – All appointments shall be issued in the form  
7 prescribed by the Commission, except those issued by the President of the Philippines.  
8

9 **Sec. 73. Submission of Appointments and Oaths of Office.** – All appointments in  
10 the civil service system, except those issued by the President, shall be submitted to the  
11 Commission for approval not later than sixty (60) days from the date of issuance thereof,  
12 otherwise the same shall be considered lapsed and ineffective. Such approval shall be  
13 indicated below the signature of the appointing authority, otherwise, it shall be made  
14 effective thirty (30) days prior to the date of submission to the Commission.  
15

16 **Sec. 74. Merit Promotion Plan.** – Each agency shall establish a Merit Promotion  
17 Plan (MPP) in accordance with the standards prescribed by the Commission.  
18

19 The MPP shall be submitted to the Commission for approval within thirty (30) calendar  
20 days from the approval by the agency head. The same rule shall be applied to any  
21 amendments to the MPP.  
22

23 **Sec. 75. Appropriate Civil Service Eligibility.** – Appropriate civil service eligibility  
24 shall be required for permanent appointment to positions in the career service in  
25 accordance with the standards set by law or by the Commission. Whenever there is a  
26 qualified civil service eligible willing and actually available for appointment, no  
27 appointment shall be issued to a person who is not an eligible, even under temporary  
28 status.  
29

30 A person with a civil service eligibility acquired by passing an appropriate examination  
31 may be qualified for a position requiring a lower level eligibility, provided he/she  
32 possesses the other requirements for appointment to such position.  
33

34 **Sec. 76. Qualification Standards.** – The qualification standards are the minimum  
35 and basic requirements for the positions in the government, which shall include  
36 education, experience, training, civil service eligibility, competencies and, if necessary,  
37 physical characteristics and personality traits. These shall be used: (a) as a basis for civil  
38 service examinations for positions in the career service; (b) as a guide in appointment  
39 and other human resource actions; (c) in the adjudication of contests on appointment; (d)  
40 in determining training needs; and, (e) as an aid in inspection and audit of the agencies'  
41 human resource work programs.  
42

43 The establishment, administration and maintenance of qualification standards shall be  
44 the responsibility of the agency concerned consistent with the guidelines promulgated by  
45 the Commission. The agency shall establish qualification standards for its unique  
46 positions, subject to the approval of the Commission.  
47

48 The Commission shall adopt qualification standards for service-wide positions in the  
49 first, second and the third levels and shall review and update the same, whenever  
50 necessary. An agency may prescribe higher and specific qualification standards for

1 service-wide positions, subject to the approval of the Commission. Once approved, the  
2 agency shall uniformly and consistently adopt the higher qualification standards in the  
3 selection and appointment of officials and employees. The approved qualification  
4 standards shall be adopted by the Commission in the attestation of appointments of the  
5 agency concerned.  
6

7 Agencies which are authorized by their charters to establish their own qualification  
8 standards shall do so in accordance with the Commission's guidelines. Their  
9 Qualification Standards shall be submitted to the Commission for confirmation.  
10

## 11 **Chapter 2. Status of Appointment**

12 **Sec. 77. *Appointment Status.*** – The status of an appointment shall be:  
13

14 (a) Permanent – an appointment issued to a person who meets all the qualification  
15 requirements of the position.  
16

17 In no case shall a person who meets all the requirements for permanent appointment be  
18 issued temporary appointment except for occupational groups of positions requiring  
19 additional or special qualifications as provided by law or determined by the Commission  
20 and other proper authorities.  
21

22 (b) Temporary – an appointment issued to a person who does not meet any one of the  
23 qualification requirements of the position except education; *Provided*, That despite the  
24 publication and posting of the vacant position, no qualified eligible willing and actually  
25 available for appointment applied for the position.  
26

27 The temporary appointment shall not exceed twelve (12) months reckoned from the date  
28 of the issuance of the appointment. However, it may be terminated sooner when a  
29 qualified eligible is available. No renewal of temporary appointment shall be allowed if  
30 there is a qualified eligible, willing and actually available for appointment.  
31

32 (c) Provisional – an appointment issued to an elementary or secondary school teacher  
33 who meets all the requirements of the position except the eligibility. It shall be effective  
34 not beyond the school year during which it was issued.  
35

36 (d) Substitute – an appointment issued to a person who meets all the qualifications of the  
37 position when the incumbent holding a permanent appointment is temporarily unable to  
38 perform the duties of the position for at least two (2) months except in the case of  
39 teachers who may be substituted for a shorter period. This appointment is effective until  
40 the return of the incumbent.  
41

42 A person who is issued a substitute appointment shall be entitled to the salaries and  
43 benefits attached to the position except for those benefits requiring longer period of  
44 service for the availment thereof.  
45

46 (e) Coterminous – an appointment issued to a person whose entrance and continuity in  
47 the service is based on any of the following consideration:  
48  
49

- 1 i. trust and confidence of the appointing authority or of the head of the organizational  
2 unit where he/she is assigned;  
3  
4 ii. duration of the project; or  
5  
6 iii. life span of the agency or office created  
7  
8 (f) Fixed term – an appointment issued to a person with a specified term of office,  
9 subject to reappointment as provided by law, such as Chairperson and members of  
10 commissions and boards, and SUC President.  
11  
12 (g) Contractual – an appointment issued to a person for services to be rendered in  
13 accordance with a special contract for a specific work requiring special or technical skills  
14 not available in the employing agency. The contractual appointment shall be for a  
15 period not exceeding one (1) year. The renewal of contractual appointment shall be  
16 allowed for a maximum of 12 months.  
17  
18 (h) Casual – an appointment issued for essential and necessary services where there is  
19 not enough regular staff to meet the demands of the service. A casual appointment shall  
20 be for a period not exceeding twelve (12) months. The renewal of casual appointment  
21 shall be allowed for a maximum of 12 months.  
22

23 **Sec. 78. Job Orders/Contract of Services and Consultancy.** – The appointing  
24 authority may enter into service contracts such as job orders/contracts of services and  
25 consultancies with individuals and institutions to cover lump sum work or services for  
26 short duration wherein no employer-employee relationship exists. The rights and  
27 obligations of the parties shall be governed by the contract and the Civil Code.  
28  
29

### 30 **Chapter 3. Nature of Appointments and Human Resource Actions** 31

32 **Sec. 79. Human Resource Action.** – Human Resource action denotes the movement  
33 of officials or employees within the civil service system which may or may not involve  
34 the issuance of an appointment.  
35

36 **Sec. 80. Human Resource Actions Involving the Issuance of Appointments.** – The  
37 issuance of an appointment is needed in the following human resource actions:  
38

- 39 (a) original appointment;  
40  
41 (b) promotion;  
42  
43 (c) transfer;  
44  
45 (d) reemployment;  
46  
47 (e) reappointment;  
48  
49 (f) renewal;

- 1 (g) demotion;
- 2
- 3 (h) reclassification; and
- 4
- 5 (i) reinstatement (to comparable position)
- 6

7 **Sec. 81. Original Appointment** – refers to the initial entry into the career service or  
8 non-career service.

9  
10 The appointee to a position under permanent status shall undergo a probationary period  
11 of six (6) months, except as otherwise provided by law, during which he/she shall  
12 undergo a thorough assessment of his/her performance and character. The services of  
13 the appointee can be terminated anytime during said period for unsatisfactory conduct or  
14 want of capacity. The appointee shall be issued a notice of termination within fifteen  
15 (15) calendar days after it was proven that he/she demonstrated unsatisfactory conduct or  
16 want of capacity.

17  
18 The notice of termination is executory after fifteen (15) days from receipt of the  
19 appointee concerned. The same may be appealed to the Commission within fifteen (15)  
20 days from receipt of notice but shall be executory pending appeal.

21  
22 The appointee who is initially issued an appointment under temporary status and  
23 eventually reappointed to the same position under permanent status shall not be required  
24 to undergo probationary period: *Provided*, That he/she obtains a performance rating of at  
25 least Very Satisfactory (VS).

26  
27 **Sec. 82. Promotion** – is the advancement of an employee from one position to  
28 another with an increase in duties and responsibilities as authorized by law, and usually  
29 accompanied by an increase in salary. Promotion may be from one department or  
30 agency to another or from one organizational unit to another within the same department  
31 or agency.

32  
33 The pendency of an administrative case against any public official or employee shall not  
34 be a bar to promotion.

35  
36 **Sec. 83. Transfer** – is the movement of employee from one position to another  
37 which is of equivalent rank, level or salary without gap in the service involving the  
38 issuance of an appointment.

39  
40 The transfer may be from one agency to another or from one organizational unit to  
41 another in the same agency: *Provided, however*, That any movement from the non-career  
42 service to the career service and vice versa shall not be considered as a transfer but  
43 reappointment.

44  
45 An employee who seeks to transfer to another agency shall no longer be required to  
46 secure permission from the head of the agency where he/she is employed but shall be  
47 required to comply with the minimum thirty (30)-day notice to the agency head prior to  
48 the effectivity date of his/her transfer.

1 If, for whatever reason, the employee fails to transfer on the specified date, he/she shall  
2 be considered resigned and his/her reemployment in his/her former agency shall be at the  
3 discretion of its head.  
4

5 **Sec. 84. Reinstatement** – is the restoration of a person to a career position from  
6 which he/she was illegally separated with back salaries including allowances and  
7 benefits. The employee is deemed not to have left the service and therefore there is no  
8 gap in service.  
9

10 If the decision reinstating an employee specifies restoration to his/her previous position,  
11 the issuance of an appointment shall not be necessary. However, if the previous  
12 position is no longer available due to abolition of position, rationalization, or  
13 reorganization, the separated employee shall be issued an appointment to a comparable  
14 position, in which case the nature of appointment shall be reappointment.  
15

16 **Sec. 85. Reemployment** – is the appointment of a person who has been previously  
17 appointed to a position in the government service after separation therefrom as a result of  
18 reduction in force, reorganization, retirement, voluntary resignation or of any non-  
19 disciplinary case. Reemployment presupposes gap in the service.  
20

21 No prior authority from the Commission shall be required for the reemployment of a  
22 person who has been previously retired or resigned and who has not reached the  
23 compulsory retirement age of sixty-five (65).  
24

25 **Sec. 86. Reappointment** – is the issuance of an appointment during reorganization,  
26 reclassification, devolution, reinstatement, re-categorization, rationalization, salary  
27 standardization, re-nationalization or other analogous cases. Reappointment presupposes  
28 no gap in the service.  
29

30 The issuance of appointment from temporary to permanent, non-career to another non-  
31 career, or non-career to career, all of which entails no gap in the service, shall be  
32 considered as reappointment.  
33

34 **Sec. 87. Renewal** – is the subsequent appointment issued immediately upon the  
35 expiration of a contractual/casual appointment, including temporary appointment if a  
36 qualified eligible is not actually available, as certified by the Civil Service Commission  
37 Regional Director or Provincial/Field Director.  
38

39 **Sec. 88. Demotion** – is the movement from one position to another within the same  
40 agency involving the issuance of an appointment with diminution in duties,  
41 responsibilities and status or rank which may or may not involve reduction in salary and  
42 is not disciplinary in nature.  
43

44 In case where the demotion is non-disciplinary in nature, the employee shall be allowed  
45 to retain the step of the salary grade of the lower position.  
46

47 In case where the demotion is voluntary or at the instance of the employee, or as a result  
48 of disciplinary action, the employee shall be allowed only the hiring rate (Step 1) for the  
49 lower position. A written consent shall be secured from the demoted employee and a  
50 certification from the agency head that the demotion is not disciplinary in nature.

1 However, in case where the demotion is disciplinary in nature, the penalty of demotion  
2 shall entail appointment to the next lower position to which respondent is qualified or  
3 diminution of salary to next lower grade if there is no such position available.  
4

5 **Sec. 89. *Reclassification*** – is a form of staffing modification and/or position  
6 classification action applied only when there is a substantial change in the regular duties  
7 and responsibilities of the position. This may result in a change in any or all of the  
8 position attributes: position title, level and/or salary grade. It generally involves a  
9 change in the position title and may be accompanied by an upward or downward change  
10 in salary. Reclassification is the generic term for changes in staff/position classification  
11 which includes upgrading, re-categorization, renationalization, or similar events.  
12

13 Reclassification of position requires the issuance of an appointment but the same is  
14 ministerial on the part of the appointing authority.  
15

16 The appointment of an incumbent (permanent employee) whose position was reclassified  
17 shall be approved, regardless of whether he/she meets the qualification requirements of  
18 the position involved. The incumbent of reclassified position has a vested right to the  
19 reclassified position. However, he/she shall no longer be promoted to the next higher  
20 position unless he/she meets the qualification requirements of the position involved.  
21

22 As a general rule, positions cannot be reclassified if not vacant, except for teachers and  
23 in cases of re-categorization, devolution or renationalization.  
24

25 **Sec. 90. *Human Resource Actions Not Involving the Issuance of Appointments.*** –  
26 The issuance of an appointment is not needed in human resource actions involving no  
27 change in position title, rank or status if the existing appointment does not specify the  
28 work station. Such action may include the following:  
29

- 30 (a) reassignment;  
31  
32 (b) detail;  
33  
34 (c) designation;  
35  
36 (d) secondment;  
37  
38 (e) salary adjustment;  
39  
40 (f) step-increment; and  
41  
42 (g) reinstatement (to the same position).  
43

44 **Sec. 91. *Reassignment*** – is the movement of an official or employee across the  
45 organizational structure within the same agency, which does not involve diminution in  
46 rank, status or salary.  
47

48 Reassignment shall be allowed only for a maximum period of one (1) year.  
49 Reassignment without the consent of the official or employee may be appealed to the

1 Commission. Pending appeal, the reassignment shall be held in abeyance, unless  
2 otherwise ordered by the Commission.  
3

4 **Sec. 92. Detail** – is the temporary movement of an official or employee from one  
5 department or agency to another without the issuance of an appointment but with the  
6 consent of both the mother and receiving agencies and shall be allowed only for a  
7 maximum period of one (1) year, otherwise, the consent of the official or employee  
8 concerned shall be necessary.  
9

10 Detail shall not result in reduction in rank, status or salary.  
11

12 Detail which results in demotion in rank, status or salary or which exceeds one year  
13 without the consent of the official or employee may be appealed to the Commission.  
14 Pending appeal, the detail shall be held in abeyance, unless otherwise ordered by the  
15 Commission.  
16

17 **Sec. 93. Job Rotation** – is the sequential movement of an official or employee from  
18 one office to another or from one division to another within the same agency as a means  
19 for developing and enhancing the potentials of people in an organization by exposing  
20 them to the other work functions of the agency. It shall be allowed only for a maximum  
21 period of one (1) year. However, job rotation exceeding one (1) year may be allowed  
22 with the written consent of the official or employee.  
23

24 Job rotation exceeding one (1) year and without the consent of the official or employee  
25 may be appealed to the Commission. Pending appeal, the job rotation shall be held in  
26 abeyance, unless otherwise ordered by the Commission.  
27

28 A job rotation which results in the diminution in rank, status or salary shall not be  
29 allowed  
30

31 **Sec. 94. Secondment** – is the movement of an official or employee from one  
32 department or agency to another upon mutual concurrence between the mother agency,  
33 the receiving agency and the official/employee concerned which should be covered by a  
34 Memorandum of Agreement (MOA) in accordance with the guidelines that the  
35 Commission may promulgate. It is temporary in nature which may involve the same,  
36 reduction or increase in compensation and may or may not require the issuance of an  
37 appointment. It shall be subject to the approval of the Commission.  
38

39 The period on secondment shall not affect the continuity of the employment of the  
40 seconded employee with the mother agency. The seconded employee shall be on leave  
41 without pay from the mother agency and shall be entitled to the compensation of the  
42 position to which he/she was seconded in the receiving agency unless otherwise  
43 specified in the MOA. The receiving agency shall shoulder all the benefits and  
44 emoluments of the seconded employee.  
45

46 **Sec. 95. Designation** – is the imposition of additional duties to be performed by an  
47 official or employee which is temporary in nature and may be terminated anytime by the  
48 appointing authority.

1                   **Chapter 4. Contests on Appointments and Other Non-Disciplinary Cases**  
2

3                   **Sec. 96. *Who May Contest An Appointment.*** – Any person may contest an  
4 appointment made in favor of one who is not qualified or whose appointment is issued in  
5 violation of Civil Service Law, rules and regulations.  
6

7                   **Sec. 97. *Adjudication of Contests on Appointments and Other Human Resource***  
8 ***Actions.*** – All cases involving appointments and non-disciplinary human resource  
9 actions shall be adjudicated initially by the appointing authority, in accordance with the  
10 procedures prescribed by the Commission.  
11

12                   **Sec. 98. *Appeals on Contests of Appointments, Human Resource Actions, and***  
13 ***Non-Disciplinary Cases.*** – The decisions of heads of agencies on contests of  
14 appointments, human resource actions and non-disciplinary cases are appealable to the  
15 Commission.  
16

17 All contests shall be lodged with the Commission.  
18  
19

20                   **Title III. Human Resource Benefits and Privileges**  
21

22                   **Sec. 99. *Policy.*** – The health, welfare, safety and security of every human resource  
23 in the civil service system shall be the concern of the government. To this end, a  
24 comprehensive occupational health program including medical, dental and other health  
25 services shall be established, maintained, and made accessible for all personnel in the  
26 civil service system. Each department or agency shall make provisions out of their  
27 existing budgets for personnel health, welfare, medical and counseling services and leave  
28 benefits and promote and develop occupational safety, sports and recreation programs  
29 and similar services.  
30

31                   **Chapter 1. Human Resource Welfare**  
32

33                   **Sec. 100. *Comprehensive Occupational Health and Wellness Program.*** – Each  
34 agency shall adopt a comprehensive occupational health program including medical,  
35 dental and health services for its human resource as well as sports, recreational, cultural  
36 and other similar activities/programs.  
37

38 Each agency shall have a private, clean, sanitary, and well-ventilated lactation station<sup>1</sup>.  
39 Employees who are nursing shall be granted compensated break intervals in addition to  
40 the regular time-off for meals to breastfeed or express milk.  
41

42                   **Sec. 101. *Safety and Accident Prevention.*** – Each agency shall develop and  
43 maintain a continuing occupational safety and accident prevention program for its human  
44 resource.  
45

46                   **Sec. 102. *Human Resource Development Interventions.*** – Each agency shall  
47 provide its human resource counseling services, including pre-retirement counseling.

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<sup>1</sup> RA 10028





1           **Sec. 109. Accumulation and Commutation of Leave.** – Vacation and sick leave shall be  
2 cumulative and commutative. Except for officials or employees covered by special laws,  
3 commutation of leave credits shall be exclusive of Saturdays, Sundays and holidays.  
4

5 Under this Code, commutation shall refer to conversion of unused leave credits to its  
6 corresponding money value; while cumulation refers to incremental acquisition of  
7 unused leave credits by an official or employee.  
8

9 Officials and employees whose off-days do not fall on a Saturday or a Sunday shall have  
10 their leaves of absence computed exclusive of their off-days.  
11

12           **Sec. 110. Additional Non-cumulative and Non-commutative Sick Leave.** – Public officials  
13 and employees shall be entitled to a 15-day non-cumulative and non-commutative sick  
14 leave annually with full pay and exclusive of Saturdays, Sundays and holidays.  
15 *Provided, however,* That this additional benefit shall only be availed of upon exhaustion  
16 of the regular 30-day sick leave and 30-day vacation leave entitlement for the year.  
17

18           **Sec. 111. Rehabilitation Leave**  
19

20 (1) Nature. – Officials and employees, regardless of the status of appointment, for the  
21 duration of their employment with the agency and in accordance with this law, are  
22 entitled to rehabilitation leave in the following cases:  
23

24 (a) When the concerned official or employee sustains wounds and/or injuries resulting  
25 from accidents incurred while in the actual performance of duties; or  
26

27 (b) When such official or employee is diagnosed with illnesses which are job-related or  
28 which resulted from or was aggravated by the working environment.  
29

30 For purposes of availment of rehabilitation leave, actual performance of duty means  
31 situations wherein the official or employee was already at work or engaged in official  
32 functions/activities, including being on official business outside of his/her work station;  
33 official travel; authorized overtime; detail order; special assignment orders. However,  
34 injuries from accidents that occurred while the official or employee was in transit going  
35 to or coming from work are not job-related injuries.  
36

37 Job-related illnesses are those illnesses or diseases in which the employee contracts a  
38 disease or illness as a result of work and/or aggravated by the work environment.  
39

40 (2) Duration. – Rehabilitation leave shall not exceed an aggregate period of six (6)  
41 months per injury/illness per year. Except for representation and transportation  
42 allowances and other similar benefits which are given based on the actual performance  
43 of duties, the privilege shall be with full pay and benefits inclusive of the salaries, 13th  
44 month pay, and cash gift mandated by law, and shall not be charged against the  
45 accumulated vacation or sick leave credits of the official or employee concerned.  
46

47 The cost of first aid medical expenses such as emergency/paramedic services and initial  
48 ambulance or transport services shall be borne by the agency of the public official or  
49 employee concerned.  
50

1 Substantive and long term medical expenses for therapeutic and rehabilitation purposes  
2 shall be borne by the Philippine Health Insurance Corporation (Philhealth); the  
3 Employee Compensation Commission (ECC) and the Government Service Insurance  
4 System (GSIS) as the case may be and whenever applicable.  
5

6 (3) Duties of the Agency Heads. – Agency heads shall determine whether the accident was  
7 work-related; and with the assistance of appropriate government agency, determine  
8 whether the illness is job-related or one which resulted from or was aggravated by the  
9 work environment.  
10

11 Heads of agencies shall also decide on the validity of the claims, and monitor the  
12 progress of the rehabilitation efforts, subject to the rules or guidelines to be promulgated  
13 by the Commission.  
14

15 **Sec. 112. Teachers' Leave.** – The availment of teachers' leave shall be based on the  
16 leave benefits as provided under special laws for teachers.  
17

18 Teachers shall not be entitled to the usual vacation and sick leave credits but to  
19 proportionate vacation pay (PVP) of 70 days of summer vacation plus 14 days of  
20 Christmas vacation. A teacher who has rendered continuous service in a school year  
21 without incurring absences without pay of not more than 1 ½ days is entitled to 84 days  
22 proportionate vacation pay.  
23

24 Teachers shall also be entitled to annual seven (7) days sick leave, which shall be non-  
25 cumulative and non-commutative.  
26

27 **Sec. 113. Leave Credits of Public Officials and Employees Covered by Special**  
28 **Leave Laws.** – The leave credits of the following officials and employees are covered by  
29 special laws:  
30

31 (a) Justices of the Supreme Court, Court of Appeals and Sandiganbayan;  
32

33 (b) Judges of Regional Trial Courts (RTC), Metropolitan Trial Courts (MeTC),  
34 Metropolitan Trial Courts in Cities (MTCC), Municipal Trial Courts (MTC), Municipal  
35 Circuit Trial Court (MCTC), Court of Tax Appeals, Shari'a Circuit Courts and Shari'a  
36 District Courts;  
37

38 (c) The Chairperson and Commissioners of the Constitutional Commissions;  
39

40 (d) Filipino officials and employees in the Foreign Service;  
41

42 (e) Faculty of Higher Education Institutions; and  
43

44 (f) Other officials and employees covered by special laws.  
45

1           **Sec. 114. *Maternity Leave.*** – Women in the government service, of whatever civil and  
2 employment status and regardless of length of service shall, in addition to the vacation  
3 and sick leave granted them, be entitled to maternity leave of sixty (60) calendar days for  
4 normal delivery or miscarriages and seventy-eight (78) calendar days for delivery by  
5 caesarian section with full pay, subject to guidelines issued by the Commission.  
6

7           **Sec. 115. *Paternity Leave.*** – A married man in the government service shall be entitled  
8 to paternity leave of fifteen (15) working days for the first four (4) deliveries or  
9 miscarriages of his legitimate spouse with whom he is cohabiting.  
10

11 Paternity leave shall be non-cumulative and non-commutative.  
12

13 The same may be enjoyed either in a continuous or in an intermittent manner by the  
14 employee on the days immediately before, during or after the child birth or miscarriage  
15 of his legitimate spouse.  
16

17 In the case of Muslims who are married to several legitimate spouses, the paternity leave  
18 of fifteen (15) working days shall apply only to the first four deliveries irrespective of  
19 which legitimate wife gave birth.  
20

21           **Sec. 116. *Child Adoption Leave.*** – Officials and employees, married or unmarried, who  
22 legally adopt a child below seven (7) years of age as of the date the child is placed with  
23 them, which shall not be earlier than the date of the decree of adoption, shall be entitled  
24 to child adoption leave of thirty (30) calendar days for the adoptive parent.  
25

26 Child adoption leave shall be non-cumulative and non-commutative.  
27

28           **Sec. 117. *Parental Leave for Solo Parents.*** – In addition to leave privileges under  
29 existing laws, parental leave of not more than seven (7) working days every year until  
30 the child reaches the age of eighteen (18) years shall be granted to officers and  
31 employees who are solo parents.  
32

33 Parental leave shall be non-cumulative and non-commutative.  
34

35           **Sec. 118. *Special Protection Leave.*** – A woman in the government service, regardless  
36 of civil and employment status, who is herself, or whose child or children are victims of  
37 violence shall be entitled to special protection leave not exceeding ten (10) days subject  
38 to guidelines issued by the Commission.  
39

40 Special protection leave shall be non-cumulative and non-commutative.  
41

42           **Sec. 119. *Study Leave.*** – Qualified officials and employees may be granted study  
43 leave for a period not exceeding six (6) months, subject to the rules and regulations  
44 issued by the Commission.  
45

46           **Sec. 120. *Monetization of Leave Credits.*** – Accumulated leave credits can be  
47 monetized subject to the rules and regulations issued by the Commission.  
48

49 Each agency shall provide for the monetization of leave credits in its budget.  
50

1           **Sec. 121. *Effect of Reemployment on Commuted Leave.*** – When a person whose leave  
2 has been commuted following his/her separation from the service is reemployed in the  
3 government before the expiration of the leave commuted, he/she shall no longer refund  
4 the money value of the unexpired portion of the said leave. Insofar as his/her leave  
5 credits are concerned, he/she shall start from zero balance.  
6

7           **Sec. 122. *Transfer of Leave Credits of Appointive Officials and Employees and***  
8 ***Elective Officials.*** – When an official or employee transfers from one agency to another,  
9 he/she can either have his/her accumulated vacation and sick leave commuted or  
10 transferred to his/her new agency.  
11

12           The option to transfer accumulated leave credits can be exercised within one (1) year  
13 only from the effective date of transfer of the appointive personnel to their new office, or  
14 to the assumption of the elective officers in their new post.  
15

16           This provision is not applicable to members of the armed forces who will transfer to the  
17 civil service or vice versa.  
18

19           **Sec. 123. *Leave Without Pay.*** – Leave without pay not exceeding one (1) year may be  
20 granted in addition to the vacation and/or sick leave earned. Leave without pay in excess  
21 of one (1) month shall require the clearance of the proper head of agency.  
22

23           **Sec. 124. *Terminal Leave.*** – Terminal leave refers to the total accumulated leave  
24 credits of officials or employees, the money value of which shall be based on the highest  
25 salary rate received at any time during the period of employment in the government  
26 service.  
27

28           Terminal leave is applied for by a government official or employee who intends to sever  
29 his/her employment with the agency. The filing of application for terminal leave  
30 requires, as a condition, the resignation, retirement or separation from the service of the  
31 government official or employee.  
32

33           Request for payment of terminal leave shall be brought within ten (10) years from the  
34 time of the separation of the government official or employee.  
35

36           In case the government official or employee is meted the penalty dismissal from the  
37 service, the monetary value of the terminal leave shall not be forfeited.  
38

### 39           **Chapter 3. Human Resource Records Information System** 40

41           **Sec. 125. *Policy.*** – An IT-based government-wide human resource records system  
42 shall be established, administered, and maintained by the Commission.  
43

44           Each agency shall establish, manage and maintain human resource records, and as far as  
45 practicable, a computerized database and statistics of all its officials and employees.  
46

47           **Sec. 126. *Records of Employment.*** – The Commission shall keep and maintain official  
48 records of all its officials and employees whether elective or appointive, regardless of  
49 their employment status and appointing authority. The Commission shall, likewise,  
50 maintain statistics on their employment, accession, retention and separation.

1           **Sec. 127. Observance of Work Days and Hours and Other Office Rules.** – Heads of  
2 agencies shall require all their officials and employees to strictly observe the prescribed  
3 work days and office hours, taking into account the religious persuasion and beliefs of  
4 the employees.  
5

6 Agency heads shall also require all personnel to wear proper attire or uniforms,  
7 identification cards, nameplates or the like bearing clearly and legibly their respective  
8 names and positions when dealing directly with the public in the performance of their  
9 respective duties or whenever they are within the premises of the office. Proper office  
10 attire is subject to the rules and regulations promulgated by the Commission.  
11

12 When the head of agency allows government officials and employees to leave the office  
13 during office hours and not for official business or official time, the same shall be  
14 reflected in their daily time records and charged to their vacation leave credits if there be  
15 any, otherwise, the same shall be deducted from the salary of the government official or  
16 employee.  
17

18           **Sec. 128. Forty-Hour Workweek Requirement.** – Officials and employees of all  
19 agencies, except those covered by special laws, shall render not less than forty (40) hours  
20 of work a week, exclusive of time for lunch. As a general rule, such hours shall be from  
21 eight (8) o' clock in the morning to twelve (12) o'clock noon and from one (1) o'clock to  
22 five (5) o'clock in the afternoon, all days except Saturdays, Sundays, and holidays.  
23

24 However, heads of agencies, particularly those with frontline services, shall adopt  
25 measures to ensure that continuous service is available even during the 12:00 noon to  
26 1:00 p.m. period.  
27

28 In the exigency of the service, or when necessary by the nature of the work of a  
29 particular agency and, the rescheduling or shifting of work schedule of a particular  
30 agency for a number of working days less than the required five (5) days may be allowed  
31 by the head of agency: *Provided*, That government render a total of forty (40) hours a  
32 week; and *Provided, further*, That the public is assured of continuous delivery of service  
33 from eight (8) o'clock in the morning until five (5) o'clock in the afternoon for the  
34 duration of the entire workweek.  
35

36           **Sec. 129. Non-regular Working Hours.** – A work schedule that deviates from that  
37 which is provided in Section 128 hereof or that which extends well into the night may  
38 also be allowed upon the discretion of the head of office, the need of the service, or the  
39 health and welfare of the officials and employees concerned: *Provided*, That the forty  
40 (40) hours workweek exclusive of meal time, will not be reduced.  
41

42           **Sec. 130. Daily Record of Attendance.** – Each head of agency shall require a daily  
43 record of attendance of all its officials and employees including those serving in the field  
44 or on board a vessel, to be kept in the proper form and, whenever possible, registered in  
45 the Bundy clock or any mechanical, or electronic device.  
46

47           **Sec. 131. Persons in the Teaching Service.** – All government officials and  
48 employees in the teaching service, primary and secondary levels, shall be covered by the  
49 forty (40) hours workweek requirement: *Provided*, That they render not more than six (6)  
50 hours of actual classroom teaching every school day.

1           **Sec. 132. Compensation for Authorized Work Beyond Forty Hours.** – When the interest  
2 of public service so requires, the daily hours of work for officials and employees may be  
3 extended by the head of the agency concerned, which extension shall be fixed in  
4 accordance with the nature of the work: *Provided*, That work in excess of forty (40)  
5 hours a week must be properly compensated by payment of overtime whenever funds are  
6 available for the purpose, or through the grant of compensatory time or day/s-off. For  
7 this purpose, a written authority to render overtime shall be issued by the head of agency.  
8

9           **Sec. 133. Performance of Duties in Excess of Forty Hours of Those in Special**  
10 **Occupational Groups.** – When the nature of duties to be performed or the interest of the  
11 public service so requires, the head of agency may require any or all of its officers and  
12 employees to work in excess of the forty (40) hours, on Saturdays, Sundays and public  
13 holidays, with either additional compensation or compensatory time/days-off. For this  
14 purpose, a written authority to render overtime shall be issued by the head of agency.  
15

16           **Sec. 134. Night Shift Differential Pay.** – Public officers and employees shall be paid a  
17 night shift differential of ten percent (10%) of his regular wage for each hour of work  
18 performed between ten o'clock in the evening and six o'clock in the morning, subject to  
19 the rules and regulations prescribed by the DBM.  
20

21           **Sec. 135. Flexible Work Hours (Flexi-Time).** – Flexible work hours (Flexi-Time) may  
22 be implemented subject to the discretion of the head of agency. In no case shall the  
23 weekly 40-work hours be reduced in the event the agency adopts the flexi-time schedule.  
24 In the adoption of flexi-time, core work hours shall be prescribed taking into  
25 consideration the needs of the service.  
26

27 As used in this Code, flexi-time schedule refers to a scheme where the agency is  
28 authorized to allow its officials and employees a 'flexible working hours arrangement'  
29 particularly of the time of coming to work and leaving work, subject to the requirement  
30 of the forty hours of work a week. The core hours refer to the period within the  
31 authorized working hours when the officer or employee must be at the workplace.  
32

33           **Sec. 136. Compensatory Time or Day/s Off.** – Grant of compensatory time or day/s off  
34 may be allowed for overtime services rendered, subject to the rules issued by the  
35 Commission.  
36

37           **Sec. 137. Flexible Working Place.** – Officials and employees may be allowed to work  
38 away from their official work stations subject to the discretion of the head of agency and  
39 the nature of the functions of their positions. The Commission shall issue the rules and  
40 regulations to govern the adoption of a flexi-work place. In no case shall the adoption  
41 thereof affect the availability and the accessibility of government services.  
42

43           **Sec. 138. Liabilities.** – Falsification or irregularities in the keeping of daily time  
44 records shall render the officials and employees concerned administratively liable  
45 without prejudice to criminal prosecution as the circumstances warrant.

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## Title IV. Employee-Management Relations

**Sec. 139. Declaration of Policy.** – The state recognizes and guarantees government employees' right to self-organization, collective negotiation and peaceful concerted activities.

The Commission shall provide leadership and assistance in developing human resource relations programs in the Civil Service System in consultation with public officials and employees and/or their organizations with their respective agencies.

The head of agency, in cooperation with employees' organization, shall be responsible for an effective human resource relations programs in the agency and shall take all proper steps toward the creation of an atmosphere conducive to harmonious management and rank-and-file employee relations and the improvement of employee morale towards quality public service.

The agency shall allocate at least one percent (1%) of its appropriation for the improvement of the working conditions.

**Sec. 140. Complaints and Grievances.** – Employees shall have the right to present their complaints or grievances to management and have them adjudicated as expeditiously as possible in the best interest of the agency, the government as a whole, and the employee/s concerned. Such complaints or grievances shall be resolved at the lowest possible level in the agency, and the employee/s shall have the right to appeal such decision to higher authorities.

**Sec. 141. Grievance Machinery.** – Each agency of the government in partnership or consultation with the employees' organizations, with the assistance and approval of the Commission shall establish and administer a grievance machinery to promote harmonious relationship among employees and between employees and management.

A grievance may be filed by aggrieved employees or by the employees' organization to which they belong in accordance with the guidelines issued by the Commission.

**Sec. 142. Finality of the Decision Rendered in the Grievance Machinery.** – Unless seasonably appealed, the decision of the concerned authorities shall immediately become final and executory.

**Sec. 143. Right to Organize.** – Employees may form, join or assist employees' organizations, employee-management committees, work councils and other forms of employees' participation schemes of their own choosing for the furtherance and protection of their interests.

Highly confidential, coterminous employees and uniformed members of the Philippine National Police (PNP), Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), Bureau of Correction (BuCor) and other uniformed employees who, by nature of their functions are authorized to carry firearms, shall not be eligible for membership in any employees' organizations of the rank-and-file employees but may form, join or assist separate employees' organization exclusively of their own for the furtherance and protection of their interest.



1 The third level employees and other employees whose functions are primarily  
2 managerial, policy-determining or confidential in nature, or those executives who receive  
3 from their employers information that is not only confidential but also not generally  
4 available to the public cannot form, join, or assist employees' organizations for purposes  
5 of collective negotiations.  
6

7 **Sec. 144. *Protection of the Right to Self-Organization.*** – Employees shall not be  
8 discriminated against by reason of their membership in employees' organizations or  
9 participation in the normal and legitimate activities of employees' organizations.  
10 Employment in the Civil Service System shall not be subject to the condition that the  
11 individual shall or shall not form, join or assist any employees' organizations.  
12

13 Management shall not interfere in any form in the establishment and administration of  
14 government employees' organizations.  
15

### 16 **Chapter 1. Employee Organization** 17

18 **Sec. 145. *Registration of Employees' Organizations.*** – Employees' organizations  
19 shall register with the Commission in accordance with the implementing guidelines  
20 issued by the latter.  
21

22 **Sec. 146. *Certificate of Registration.*** – Upon compliance with the requirements as  
23 prescribed by the Commission, a registration certificate shall be issued to the  
24 organization recognizing it as a legitimate employees' organization with the right to  
25 represent its members and undertake activities to further and defend its interests. The  
26 corresponding certificates of registration shall be issued by the Chairperson of the Civil  
27 Service Commission, or in his/her absence, any member of the Commission.  
28

29 **Sec. 147. *Sole and Exclusive Employees' Representatives.*** – The duly registered  
30 employees' organization in an agency that has the support of the majority of the total  
31 rank-and-file employees shall be accredited by the Commission as the sole and exclusive  
32 employees' representative.  
33

34 In cases when there are two (2) or more registered employees' organizations in an  
35 agency, the Commission, upon petition, shall conduct a certification election and shall  
36 certify the employees' organization who garnered the majority vote as the sole and  
37 exclusive representative of the rank-and-file employees in the said agency or the parties  
38 may agree to amicably settle the dispute among themselves with the concurrence of the  
39 Commission.  
40

41 The determination of the sole and exclusive collective negotiating agent shall be through  
42 accreditation by the Commission. If no opposition on the petition for accreditation is  
43 filed, the Commission shall cause the preparation of a certificate of accreditation.  
44

45 A duly registered employees' organization shall be accorded voluntary recognition upon  
46 a showing that no other employees' organization is registered or is seeking registration,  
47 based on records of the Commission, and that the said organization has the majority  
48 support of the rank-and-file employees in the said appropriate organizational unit.

1           **Sec. 148. Accreditation of Federation of Employees' Organizations Within an**  
2 **Agency.** – Registered employees organizations within an agency may federate among  
3 themselves and shall be accredited as the sole and exclusive negotiating representative of  
4 the employees; *Provided*, That its aggregate total membership constitutes the majority of  
5 the total rank-and-file employees in the agency.  
6

7           **Sec. 149. Accreditation of Confederation of Employees Organizations.** – For  
8 purposes of sectoral and national social dialogue on terms and conditions of employment  
9 in the public sector, whether across the civil service or specific sectors, national  
10 federations and confederations shall be recognized through accreditation in accordance  
11 with the implementing guidelines issued by the Commission.  
12

13           **Sec. 150. Collective Negotiations.** – Terms and conditions of employment in the  
14 government service not fixed by laws may be the subject of collective negotiations  
15 between accredited employees' organizations or federation and the appropriate  
16 organizational unit.  
17

18 Collective Negotiation Agreements shall be registered in accordance with the guidelines  
19 issued by the Commission.  
20

21 The Commission will not take cognizance of any issue/s arising from a non-registered  
22 Collective Negotiation Agreement, thus making the agreement unenforceable.  
23

24           **Sec. 151. Public Sector Labor-Management Council (PSLMC).** – The Public  
25 Sector Labor-Management Council, created under Executive Order No. 180 dated June  
26 1, 1987 shall be composed of:

- 27 a) Chairman, Civil Service Commission - Chairman;
- 28
- 29 b) Secretary, Department of Labor and Employment – Vice Chairman;
- 30
- 31 c) Secretary, Department of Justice – Member;
- 32
- 33 d) Secretary, Department of Finance - Member;
- 34
- 35 e) Secretary, Department of Budget and Management - Member; and
- 36
- 37 f) Chairman, Commission on Audit – Members
- 38
- 39 g) Two (2) Sectoral Representative for National Government Agencies (NGAs) –
- 40 Member
- 41
- 42 h) Two (2) Sectoral Representative for Government Owned and Controlled
- 43 Corporations (GOCCs) – Member
- 44
- 45 i) Two (2) Sectoral Representative for Local Government Units (LGUs) – Member
- 46
- 47 j) Two (2) Sectoral Representative for State Universities and Colleges (SUCs) –
- 48 Member

1 However, each Sector shall be allowed only one (1) vote in the council. Should there be  
2 two (2) Sectoral Representatives of a sector present in a council meeting, only one (1)  
3 vote shall be counted in its favor.  
4

5 The employee representatives shall be elected during the Workers' Congress and shall  
6 serve for a term of three (3) years or until their successors shall have been elected. In no  
7 case, however, shall anyone of them serve under hold-over capacity for more than one  
8 (1) year. However, the hold-over capacity shall not apply in case the sectoral  
9 representative is no longer the President of the employees' organization where he/she  
10 belongs or has already retired from the service.  
11

## 12 **Chapter 2. Right to Concerted Mass Action**

13

14 **Sec. 152. Right to Engage in Concerted Mass Action (CMA).** – The right of  
15 employees to concerted mass action, consistent with national interest and public service,  
16 shall be recognized and respected: *Provided*, That the employees shall ensure an  
17 effective workforce whose movement and services shall not be hampered or restricted as  
18 are necessary to guarantee the proper and adequate delivery of public service.  
19

20 CMA is only appropriate when despite employment of the agency's grievance  
21 mechanism and conciliation efforts undertaken by the Commission, the dispute remain  
22 unresolved.  
23

24 In view of the peculiar character of public service and considering that public office is a  
25 public trust, the right of employees to a CMA may be allowed only as a last resort,  
26 outside work hours or during break time, with no disruption or reduction of public  
27 services, without impeding the ingress into or egress from agency premises, and subject  
28 to the limitations herein provided or as prescribed by the Commission, to ensure that  
29 public services are not disrupted or diminished.  
30

31 **Sec. 153. Who Can Exercise the Right to Concerted Mass Action (CMA).** – Only  
32 employees in a particular agency may join the CMA subject to the provisions of this  
33 Code and all other rules issued by the Commission.  
34

35 **Sec. 154. Employees Who Are Prohibited in the Concerted Mass Action (CMA).** –  
36 The following are not allowed to exercise the right to CMA due to exigency in public  
37 service, public safety and national interest:  
38

39 (a) Defense and security services including the rank-and-file employees belonging to the  
40 non-uniformed personnel of the Armed Forces of the Philippines (AFP), police, fire  
41 protection, jail management and those engaged in the custody of prisoners and detainees;  
42

43 (b) Public utility services such as power and water supply, transportation, air traffic  
44 controllers, radar and radio controllers, lighthouse keepers and harbor pilots; and  
45

46 (c) Other analogous services to be determined by the Commission taking into  
47 consideration public service and national interest.  
48

49 **Sec. 155. Grounds for the Concerted Mass Action (CMA).** – A CMA may be  
50 declared where there is mismanagement of the agency or grave abuse of the management

1 in the exercise of its authority resulting to hamper or restrict the proper adequate delivery  
2 of public service, public safety or adversely affects national interest and such other  
3 analogous instances as may be determined by the Commission.  
4

5 **Sec. 156. Notice of Concerted Mass Action (CMA).** – The existence of a ground of  
6 an impending concerted mass action must first be brought to the Commission in the form  
7 of a notice of CMA. CMA can only be undertaken after the issue has passed through the  
8 agency's grievance machinery as evidenced by a Certification of Final Action on  
9 Grievance (CFAG). Within sixty (60) days from the filing of the notice of CMA, the  
10 Commission shall conciliate in aid of resolving the issue or dispute between the parties  
11 concerned.  
12

13 **Sec. 157. Conduct of Concerted Mass Action (CMA).** – In the event the issue is not  
14 settled after the sixty (60) day period prescribed in the preceding Section, the  
15 Commission may allow the conduct of a CMA subject to the rules and regulations  
16 prescribed by the Commission. If the CMA was conducted in a manner contrary to the  
17 prescribed rules and regulations, or if it adversely affects national interest or public  
18 service, or if it fails to resolve the issue or dispute, it shall immediately refer the matter  
19 to the Commission *en banc* for mandatory assumption of jurisdiction.  
20

21 The effect of the Commission *en banc*'s assumption of jurisdiction shall serve as a notice  
22 of stoppage of the conduct of CMA and a return to the *status quo ante bellum*.  
23

24 **Sec. 158. Prohibited Activities during Concerted Mass Action (CMA).** –  
25

26 a) No person engaged in the CMA shall commit any act of violence, coercion or  
27 intimidation or obstruct the free ingress to or egress from the agency's premises or  
28 obstruct public thoroughfares;  
29

30 b) No person shall obstruct, impede or interfere with, by force, violence, coercion or  
31 threats, or intimidation any peaceful CMA, or shall aid or abet such obstruction or  
32 interference;  
33

34 c) No employees' organization may go on CMA without ensuring and maintaining an  
35 effective skeletal force;  
36

37 d) No display of streamers/banners outside of the designated area; and  
38

39 e) No CMA shall be undertaken outside of the designated area.  
40

41 The Commission may revoke or cancel the registration and/or accreditation of an  
42 employees' organization, federation or confederation and its officers may be held  
43 administratively liable for the offense of conduct prejudicial to the best interest of the  
44 service and such other administrative offense if it is found to have engaged in an illegal  
45 CMA or have violated this Section.  
46

### 47 Chapter 3. Settlement of Disputes 48

49 **Sec. 159. Settlement of Disputes.** – Disputes involving members of an employees'  
50 organization shall be resolved through the employees' organization's grievance

1 machinery. Disputes between and among employees' organizations, and between  
2 employees' organizations and management including non-members of an employees'  
3 organization, shall be settled through the agency's grievance machinery.  
4

5 The Commission, upon petition, shall provide conciliation services. In case the dispute  
6 remains unresolved, the Commission shall resolve and settle it within the period of sixty  
7 (60) days from the termination of the conciliation proceeding.  
8

9 . **Sec. 160. *Original and Exclusive Jurisdiction of the Council.*** – The Council shall  
10 have original and exclusive jurisdiction over the following:

11 (a) Disputes involving conduct of election of officers;  
12

13 (b) Disputes involving interpretation or amendments of Constitution and By-Laws  
14 (CBL);  
15

16 (c) Disputes involving the audit of association's fund;  
17

18 (d) Disputes involving eligibility for employees' organization membership outside of  
19 certification election proceedings;  
20

21 (e) Inter- and intra-employees' organization disputes;  
22

23 (f) Disputes on issues resulting from the implementation of the grievance machinery;  
24

25 (g) Applications for registration/accreditation of employees' organizations, federations  
26 and confederations;  
27

28 (h) Disputes involving registration/accreditation of employees' organizations,  
29 federations and confederations;  
30

31 (i) Petitions for cancellation of registration/accreditation of employees' organizations,  
32 federations and confederations;  
33

34 (j) Petitions challenging accreditation;  
35

36 (k) Petitions for certification election;  
37

38 (l) Certification election protests;

1 (m) Disputes involving registration and interpretation of CNAs;

2  
3 (n) Disputes on issues resulting from the implementation of the provisions of Collective  
4 Negotiations Agreement or when there is a deadlock resulting therefrom;

5  
6 (o) Unfair employee or management practices;

7  
8 (p) Determination of whether a mass action amounts to a strike; and

9  
10 (q) Other analogous acts as may be determined by the Council.

11  
12 These cases may be referred to the Council by any of the parties to the dispute or the  
13 Council, *motu proprio*, take cognizance of the same whenever the interest of the service  
14 so demands.

15  
16 When the Council has already assumed jurisdiction over a particular case, no  
17 administrative or disciplinary action shall be instituted by the agency concerned against  
18 any employee involved therein until the final resolution of the case.

19  
20 **Chapter 4. Unfair Employee or Management Practices**

21  
22 **Sec. 161. Unfair Management Practice.** – The following shall constitute unfair  
23 management practice:

24  
25 (a) Interfering with, restraining or coercing employees in the exercise of their right to  
26 self-organization;

27  
28 (b) Requiring as a condition of employment that an employee shall not form, join or  
29 assist an employees' organization or shall withdraw from one to which he/she belongs;

30  
31 (c) Discriminating in regard to work schedules, places of assignment and other terms and  
32 conditions of employment in order to encourage or discourage membership in any  
33 employees' organization;

34  
35 (d) Terminating the services or discriminating against any employee for having signed or  
36 filed an affidavit, petition or complaint or given any information or testimony against the  
37 head of the agency or members of management;

38  
39 (e) Refusing to collectively negotiate in good faith with the accredited employees'  
40 organization;

41  
42 (f) Violating any of the provisions of the Collective Negotiation Agreement;

43  
44 (g) Refusing to comply with the provisions of the Conciliation Agreement signed with  
45 the registered and/or accredited employees' organization and attested by the Commission  
46 or other CSC authorized representative;

1 (h) Joining, participating, or taking part in any prohibited concerted activities or mass  
2 actions; and  
3

4 (i) Other analogous acts as may be determined by the Commission.  
5

6 The heads of offices and the other officers of the agency, who participate in or authorize  
7 an unfair management practice shall be held administratively liable for conduct  
8 prejudicial to the best interest of the service or such other administrative offenses as may  
9 be warranted for such participation or grant of authority.  
10

11 **Sec. 162. *Unfair Employee Practice.*** – The following shall constitute unfair  
12 employee practice:  
13

14 a) Restraining or coercing any employee to form, join or assist an employees'  
15 organization or its activities. Employees' organization shall have the right to prescribe its  
16 own rules on the acquisition or retention of membership;  
17

18 b) Causing or attempting to cause the agency head or other officers to discriminate  
19 against an employee who has not joined or has withdrawn membership from the  
20 employees' organization;  
21

22 c) Refusing to collectively negotiate in good faith with management;  
23

24 d) Violating any of the provisions of the Collective Negotiation Agreement;  
25

26 e) Refusing to comply with the provisions of the Conciliation Agreement signed with  
27 management and attested by the Commission or other CSC authorized representative;  
28

29 (f) Joining, participating or taking part in any prohibited concerted activities or mass  
30 actions; and  
31

32 (g) Other analogous acts as may be determined by the Commission.  
33

34 The officers and members of an employees' organization or any other government  
35 employees, who participate in or authorize an unfair employee practice shall be held  
36 administratively liable for conduct prejudicial to the best interest of the service or such  
37 other administrative offenses as may be warranted for such participation or grant of  
38 authority.  
39

## 40 41 **TITLE V– HUMAN RESOURCE DEVELOPMENT** 42

### 43 **Chapter 1. Policy** 44

45 **Sec. 163. *Policy.*** – There shall be an integrated program on human resource  
46 development for all levels and ranks in the Civil Service System that shall provide equal  
47 opportunities for career development.  
48

49 The Commission shall provide leadership in the integration of all human resource  
50 development programs. All departments and agencies shall develop and implement

1 human resource development plans and programs for their officials and employees to  
2 include among others, training and development, performance appraisal and incentives  
3 and awards in accordance with Commission policies and standards.  
4

## 5 **Chapter 2. Performance Evaluation**

6

7 **Sec. 164. Performance Management System.** – The Commission shall establish a  
8 Performance Management System for all appointive public officials and employees  
9 which shall be the basis for incentives, rewards and recognition, training and  
10 development, human resource actions, and administrative sanctions.  
11

12 **Sec. 165. Performance Management Plan.** – Each department or agency shall  
13 develop and use one or more appropriate Performance Management Plans (PMP) for the  
14 various groups of positions therein.  
15

16 All Performance Management Plans shall be submitted to the Commission for approval  
17 in accordance with its policies, standards and guidelines.  
18  
19  
20

## 21 **Chapter 3. Learning and Development**

22

23 **Sec. 166. Career and Employee Development.** – It shall be the policy of the  
24 government that a continuing program of employee learning and development in the  
25 rank-and-file, supervisory, managers and/or executives be established under the  
26 leadership of the Civil Service Commission.  
27

28 **Sec. 167. Learning and Development System.** – The Commission shall establish an  
29 Integrated Learning and Development (ILeAD) System for all levels and ranks as a  
30 framework to rationalize all human resource management practices and processes in  
31 each department or agency or local government unit. This shall include opportunities for  
32 training in competency enhancement, local and foreign scholarships, and other  
33 development opportunities. ILeAD shall be based from agencies' Integrated Human  
34 Resource Planning and Development System.  
35

36 **Sec. 168. Commission's Responsibilities for Training and Development.** – The  
37 Commission shall be responsible for the development, administration and evaluation of  
38 government-wide training programs on public human resource administration, and shall  
39 issue the appropriate rules and regulations for the said training and development  
40 programs.  
41

42 **Sec. 169. Responsibilities for Local and Foreign Scholarships.** – The Commission  
43 shall have the sole responsibility to administer service-wide local and foreign scholarship  
44 programs. It shall also develop policies, standards, procedures and guidelines for the  
45 effective, efficient and equitable distribution of all scholarship grants.  
46

47 In the administration of foreign scholarship grants which are part of the Overseas  
48 Development Assistance (ODA), the Commission shall consult concerned government  
49 agencies. For purposes of effective consultation, the Commission may create an inter-  
50 agency committee chaired by the Chairperson of the Commission, to advise and



1 recommend policies for efficient administration of the foreign scholarship grants under  
2 the ODA.  
3

4 **Sec. 170. Agency Responsibilities for Training and Development.** – Each  
5 department or agency shall be responsible for the development, implementation and  
6 evaluation of its training and development plan as well as its gender and development  
7 plan in accordance with the policies and standards promulgated by the Commission.  
8

9 To carry out these responsibilities, each agency shall establish its own Human Resource  
10 Development Committee pursuant to the rules and regulations promulgated by the  
11 Commission.  
12

13 **Sec. 171. Technical Assistance and Consulting Services.** – The Commission shall  
14 provide technical assistance and consulting services to all departments and agencies in  
15 the development, administration and evaluation of their human resource and organization  
16 development (HR/OD) programs.  
17

18 The Commission may also avail of advisory assistance from its accredited training  
19 institutions, public sector associations, federations, confederations, professional  
20 organizations, and non-government organizations (NGOs) in connection with its human  
21 resource and organization development (HR/OD) policies and programs.  
22

23 **Sec. 172. Training, Professional Fees and Honorarium.** – The cost of participation  
24 of government officials and employees for training and non-training activities sponsored  
25 or conducted by non-government organizations (NGOs) and private organizations (POs)  
26 shall be subject to the prevailing market price.  
27

28 **Sec. 173. Gender Balance in Learning and Development.** – The Commission shall  
29 ensure gender balance in all the learning and development opportunities in the  
30 bureaucracy subject to competency needs or performance gap of the participants. It shall  
31 also ensure that all its learning and development programs, designs, materials and  
32 language are gender sensitive.  
33

34 **Sec. 174. Funding.** – Each department or agency with individual budget shall  
35 allocate at least 8% of its annual budget to be spent for its learning and development  
36 programs and activities and submit periodic reports thereof to the Commission on Audit.  
37 Learning and Development shall include gender and development activities and cross-  
38 cutting themes such as poverty alleviation, human rights, and global partnership for  
39 development  
40

#### 41 **Chapter 4. Incentives and Awards** 42

43 **Sec. 175. Rewards System.** – The Commission shall establish a rewards system. It  
44 shall include incentives, commendations and awards. The rewards system shall be  
45 granted individually or in groups, for outstanding performance, exemplary conduct on  
46 the job, inventions, ideas or suggestions, superior accomplishments and other  
47 extraordinary acts or services in the interest of the public.  
48

49 The Commission shall develop, implement and evaluate the rewards system in all levels  
50 and ranks.



1 In the performance of these functions, the staff shall welcome and receive from the  
2 public any suggestions, observations and complaints pertaining to the conduct of public  
3 officials and employees.  
4

5 **Sec. 181. *Human Resource Management Assessment.*** – The Commission, through  
6 its Civil Service Field Offices, shall conduct periodic assessment of the implementation  
7 of the human resource management programs of each agency to:  
8

- 9 (a) determine compliance with Civil Service Law, rules and standards;  
10  
11 (b) review the exercise of delegated authority;  
12  
13 (c) evaluate the solutions made on problems encountered in the implementation of the  
14 merit system; and  
15  
16 (d) advise and provide assistance in the development of agency policies, standards,  
17 procedures and programs on human resource management.  
18

## 19 **Chapter 2. Agency Human Resource Management**

20  
21 **Sec. 182. *Responsibility for Human Resource Management.*** – The head of each  
22 agency shall be responsible for human resource management in his/her agency.  
23

24 Each agency, except as otherwise provided in this Code, shall establish a Human  
25 Resource Management Office to be headed by a Human Resource Management Officer  
26 (HRMO) or its equivalent who shall assist the head of agency in the effective  
27 implementation of human resource-related regulations, policies and programs.  
28

29 **Sec. 183. *Local Government Human Resource Management.*** – Except as  
30 otherwise provided by the Local Government Code, the chief executive of every Local  
31 Government Unit (LGU) shall be responsible for human resource management in the  
32 LGU and shall take all human resource actions in accordance with the constitutional  
33 provisions on civil service, pertinent laws, rules and regulations thereon, including such  
34 policies, guidelines and standards as the Commission may establish.  
35

36 **Sec. 184. *Human Resource Management Office and Human Resource***  
37 ***Management Positions in the LGUs.*** – Each provincial and city government, and first to  
38 third class municipalities shall create a Human Resource Management Office, headed by  
39 a Human Resource Management Officer (HRMO) with the rank of a department head.  
40 For fourth to sixth class municipalities, the office is optional but the Human Resource  
41 Management Officer position shall be mandatory and shall be created within three (3)  
42 years from the effectivity of the Code.  
43

44 The filling up of HRMO positions in the fourth to sixth class municipalities shall be  
45 exempted from the budget ceiling on personnel services.  
46

47 **Sec. 185. *Council of Human Resource Management Executives.*** – There shall be a  
48 Council of Human Resource Management Executives (CHRMEs) the composition of  
49 which shall be defined by the Commission, and which shall promulgate its internal rules  
50 and procedures.

1 The CHRMEs shall have the following functions:  
2

3 (a) Offer advice to the Commission in developing policies, standards, procedures, and  
4 programs as well as on matters relating to the improvement of human resource methods  
5 and to the solution of human resource problems confronting the various agencies of the  
6 government;

7  
8 (b) Promote among the agencies, through study and discussion, uniform and consistent  
9 interpretation and application of human resource policies; and

10  
11 (c) Serve as a clearing house of information and stimulate the use of methods of human  
12 resource management that will contribute most to good government.  
13

## 14 15 **TITLE VII Position Classification System** 16

17 **Sec. 186. *Position Classification and Compensation.*** – There shall be a Position  
18 Classification System which shall be prepared and administered by the Commission.  
19 The compensation to be allocated to the positions as classified by the Commission shall  
20 be determined by the Department of Budget and Management (DBM) and submitted to  
21 Congress for legislative action.  
22

23 **Sec. 187. *Position Classification System.*** – The Position Classification System shall  
24 consist of the following:  
25

26 (a) The occupational groups and classes to which positions are to be allocated or  
27 reallocated; and  
28

29 (b) The rules and regulations for implementation.  
30

31 **Sec. 188. *Basis for Position Classification.*** – The classification of positions in the  
32 civil service system shall be based on similarity of kind and level of work and the  
33 determination of the relative worth of these classes of positions.  
34

35 **Sec. 189. *Coverage of Position Classification.*** – The Position Classification shall  
36 apply to all positions in the civil service system whether career or non-career, on full or  
37 part time basis now existing or hereafter created.  
38

39 **Sec. 190. *Allocation of Positions.*** – All existing laws, decrees, executive orders,  
40 corporate charters, rules, regulations, circulars and other issuances, or parts thereof, that  
41 exempt any and all agencies, or specific types of employees from the coverage of  
42 Position Classification System prescribed under Presidential Decree No. 985, as  
43 amended; or that authorize and fix position classification, job classification, qualification  
44 standards of specified jobs, or groups of employees or of agencies; or that exempt the  
45 establishment and approval for position classification, job classification, qualification  
46 standards, of specified jobs, or groups of employees or of agencies, from the jurisdiction  
47 and authority of the Commission, shall allocate positions in accordance with the rules  
48 and regulations of the Commission. Such allocations shall be binding on the  
49 administrative and auditing offices of the government. Any change in the position  
50 classification shall be included in the annual appropriations or budget of the agency.  
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## BOOK III. DISCIPLINE

### Title I - Administrative Discipline

#### Chapter 1. General Provision

**Sec. 191. Policy.** – No official or employee in the Civil Service System shall be disciplined, except for cause provided for by law and after due process.

**Sec. 192. – *Disciplinary Action; Grounds***

- (a) Dishonesty;
- (b) Neglect of duty;
- (c) Misconduct;
- (d) Final conviction of a crime involving moral turpitude;
- (e) Falsification of official documents;
- (f) Cheating;
- (g) Sexual Harassment;
- (h) Engaging directly or indirectly in partisan political activities by one holding a non-political office;
- (i) Receiving for personal use of a fee, gift or other valuable thing in the course of official duties or in connection therewith when such fee, gift or other valuable thing is given by any person in the hope or expectation of receiving a favor or better treatment than that accorded to other persons;
- (j) Committing acts punishable under the anti-graft laws;
- (k) Fixing;
- (l) Contracting loans from persons with whom the office of the employee has business relations;
- (m) Nepotism;
- (n) Oppression;
- (o) Disgraceful or immoral conduct;
- (p) Inefficiency and incompetence in the performance of official duties;
- (q) Unauthorized absences;

- 1 (r) Tardiness;  
2  
3 (s) Loafing;  
4  
5 (t) Refusal to perform official duty or unjust refusal to render overtime service;  
6  
7 (u) Insubordination;  
8  
9 (v) Conduct prejudicial to the best interests of the service;  
10  
11 (w) Discourtesy in the course of official duties;  
12  
13 (x) Reporting to office drunk or consumption of any alcoholic beverage during office  
14 hours unless justified by circumstances as defined under applicable rules;  
15  
16 (y) Violation of reasonable office rules and regulations;  
17  
18 (z) Gambling prohibited by law;  
19  
20 (aa) Pursuit of private business, vocation or profession in violation of Civil Service  
21 Law, rules and regulations;  
22  
23 (bb) Promoting ticket sales which are not intended for charitable or public welfare  
24 purposes;  
25  
26 (cc) Improper or unauthorized solicitation of contributions;  
27  
28 (dd) Borrowing money by superior officers from subordinates or lending by subordinates  
29 to superior officers;  
30  
31 (ee) Unauthorized use of government resources and properties;  
32  
33 (ff) Unfair employee or management practice;  
34  
35 (gg) Engaging in illegal Concerted Mass Action (CMA);  
36  
37 (hh) Unjustifiable delays in the payment of employee benefits;  
38  
39 (ii) Directly or indirectly having financial and material interest in any transaction  
40 requiring the approval of their office. Financial and material interest is defined as a  
41 pecuniary interest by which a person will gain or lose something;  
42  
43 (jj) Owning, controlling, managing, or accepting employment as officer, employee,  
44 consultant, counsel, broker, agent, trustee, or nominee in any private enterprise  
45 regulated, supervised or licensed by his/her office, unless expressly allowed by law;  
46  
47 (kk) Engaging in the private practice of profession unless authorized by the Constitution,  
48 law or regulation, provided that such practice will not conflict or tend to conflict with  
49 his/her official functions;

1 (ll) Recommending any person to any position in a private enterprise which has a  
2 regular or pending official transaction with his / her office, unless such recommendation  
3 or referral is mandated by (1) law; or (2) international agreements, commitment and  
4 obligation, or as part of the functions of his/her office;

5  
6 (mm) Disclosing or misusing confidential or classified information officially known to  
7 him/her by reason of his/her office and not made available to the public, to further  
8 his/her private interests or give undue advantage to anyone or to prejudice the public  
9 interest;

10  
11 (nn) Soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment,  
12 loan or anything of monetary value in the course of his/her official duties or in  
13 connection with any operation being regulated by, or any transaction which may be  
14 affected by the functions of his/her office. Obtaining or using any statement filed in any  
15 government office for any purpose contrary to morals or public policy or any  
16 commercial purpose other than by news and communications media for dissemination to  
17 the general public;

18  
19 (oo) Unfair discrimination in rendering public service due to party affiliation or  
20 preference;

21  
22 (pp) Disloyalty to the Republic of the Philippines and to the Filipino people;

23  
24 (qq) Failure to act promptly on letters and requests within fifteen (15) working days  
25 from receipt, except as otherwise provided by law;

26  
27 (rr) Failure to process documents and complete action on documents and papers, or to  
28 provide the public access to official documents and information within a reasonable time  
29 from receipt of the request therefor, subject to confidentiality restrictions set by existing  
30 law or jurisprudence;

31  
32 (ss) Failure to attend to anyone who wants to avail himself/herself of the services of the  
33 office or to act promptly and expeditiously on public personal transactions;

34  
35 (tt) Failure to file on or before the end of April every year sworn statements of assets,  
36 liabilities and net worth, and disclosure of business interests and financial connections  
37 of the employee and his/her immediate family;

38  
39 (uu) Failure to resign from his/her position in the private business enterprise within thirty  
40 (30) days from assumption of public office when conflict of interest arises, and/or failure  
41 to divest himself/herself of his/her shareholdings or interests in private business  
42 enterprise within sixty (60) days from such assumption of public office when conflict of  
43 interest arises: *Provided, however,* That for those who are already in the service and a  
44 conflict of interest arises, the official or employee must either resign or divest  
45 himself/herself of said interests within the periods herein-above provided, reckoned from  
46 the date when the conflict of interest had arisen;

47  
48 (vv) Engaging in or supporting act of insurrection, rebellion, sedition, and other crimes  
49 against public and commission of crimes against national security and the law of nations;  
50 and

1 (ww) All other grounds for disciplinary action as may be provided for by law.  
2

3 **Sec. 193. Original Jurisdiction.** – The heads of agencies, or the proper disciplining  
4 authorities shall have original jurisdiction to investigate and decide disciplinary cases  
5 against their officials and employees.  
6

7 They shall also retain original jurisdiction over officials and employees who transferred  
8 to another government agency or are already separated from the service but who, while  
9 still in the service, committed an offense.  
10

11 However, if the administrative investigation commences only after the transfer of  
12 officials and employees, the original jurisdiction to conduct the said investigation and  
13 decide disciplinary cases shall be vested in the head of the new agency.  
14

15 **Sec. 194. Original Jurisdiction of Bureau or Department-wide, Regional Office**  
16 **Head.** – The heads of bureaus or department-wide regional offices shall have  
17 disciplinary jurisdiction over offenses committed by their officials and employees.  
18

19 **Sec. 195. Original Jurisdiction of the Commission.** – The Commission shall have  
20 exclusive administrative disciplinary jurisdiction over its officials and employees. It  
21 shall have concurrent original disciplinary jurisdiction over officials and employees of  
22 the departments, agencies, bureaus, state universities and colleges, government-owned or  
23 controlled corporations with original charters or agencies created under special laws, and  
24 local government units.  
25

26 In disciplinary cases where agencies have original and concurrent jurisdiction, the  
27 agency which first takes cognizance of the case shall exclude the others. The  
28 Commission may, upon petition by the proper party, take cognizance of cases pending  
29 before agencies if the same are not acted upon by the agency concerned.  
30

31 The Commission shall have exclusive original jurisdiction over a government official or  
32 employee or a private individual who engages in examination-related irregularities or  
33 acts that would undermine the integrity of Civil Service Examinations.  
34

35 The private individual involved may be held liable for the administrative offenses of  
36 Dishonesty, Grave Misconduct and Conduct Prejudicial to the Best Interest of the  
37 Service. If found guilty, he/she shall be imposed the penalty of dismissal from the  
38 service, which shall be deemed served.  
39

40 **Sec. 196. Procedure.** –  
41

42 **A. Commencement of Administrative Proceedings; Issuance of a Show-Cause**  
43 **Order.** – Administrative proceedings may be commenced by the proper disciplining  
44 authority or head of agency through the conduct of a preliminary investigation against  
45 the official or employee complained of. The preliminary investigation shall be  
46 undertaken through a show-cause order issued *motu proprio* by the proper disciplining  
47 authority or head of agency, or upon a sworn written complaint of any other person.



1 The purpose of a preliminary investigation is to determine whether a prima facie case  
2 exists against the official or employee complained of warranting the issuance of a formal  
3 charge; otherwise, the complaint shall be dismissed.  
4

5 **Sec. 197. Issuance of a Formal Charge.** – If a prima facie case is found to exist, the  
6 proper disciplining authority or head of agency shall issue a formal charge to the  
7 respondent which shall state the contents in accordance with the rules promulgated by  
8 the Commission.  
9

10 **Sec. 198. Formal Investigation.** – The formal investigation shall be conducted by  
11 the proper disciplining authority or head of agency or his/her duly authorized  
12 representative/s if the respondent in his/her answer, has elected a formal investigation of  
13 the charge/s.  
14

15 Notwithstanding the lack of request from the respondent, the proper disciplining  
16 authority or head of agency shall still direct the conduct of a formal investigation when,  
17 on the basis of the complaint and the answer thereto, the merits of the case cannot be  
18 decided judiciously without such investigation.  
19

20 **Sec. 199. Report of Investigation and Records of the Case.** – After the termination  
21 of the investigation, the hearing officer designated by the proper disciplining authority or  
22 head of agency shall submit a report of investigation containing, among others, the  
23 findings and recommendations.  
24

25 **Sec. 200. Decision.** – The proper disciplining authority shall render a decision  
26 within the period and in the form and content as provided for in this Code.  
27

28 **Sec. 201. Preventive Suspension.** – Notwithstanding any provision of law to the  
29 contrary, the proper disciplining authority may preventively suspend a respondent  
30 formally charged with dishonesty, oppression, grave misconduct, gross neglect in the  
31 performance of duty, grave act of sexual harassment, if there are reasons to believe that  
32 respondent is guilty of the charges which would warrant removal from office and that  
33 there is a great probability that the continuance in office of the respondent could  
34 influence the witnesses or pose a threat to the safety and integrity of the records and  
35 other evidence. In no case shall preventive suspension exceed ninety (90) days or last  
36 for the duration of the investigation, whichever is shorter. This applies to officials and  
37 employees of both national government agencies and local government units.  
38

39 In lieu of preventive suspension, the proper disciplining authority or head of agency may  
40 reassign the respondent to another unit of the agency during the formal hearings which in  
41 no case shall exceed ninety (90) days.  
42

43 In no case shall the proper disciplining authority or head of agency impose the  
44 preventive suspension more than once for every offense that the respondent is  
45 administratively charged.  
46

47 **Sec. 202. Lifting of Preventive Suspension Pending Administrative Investigation.**  
48 – When the administrative case against the respondent under preventive suspension is  
49 not decided by the disciplining authority within the period of ninety (90) days after the  
date of suspension, the respondent shall be automatically reinstated in the service;

1 *Provided*, That when the delay in the disposition of the case is due to the fault,  
2 negligence or petition of the respondent, the period of delay shall not be included in  
3 computing the period of suspension herein provided.  
4

5 **Sec. 203. *When to Render Decision.*** – The proper disciplining authority exercising  
6 original jurisdiction and those exercising appellate jurisdiction shall render their  
7 decisions within sixty (60) days from the date of the submission of the case for decision,  
8 except as may be provided by special laws.  
9

10 **Sec. 204. *Form and Content of Decision.*** – The decision, properly designated as  
11 such and under the signature of the proper disciplining authority or head of agency, shall  
12 contain the charge, the name of the respondent, the position and office of the respondent,  
13 a brief statement of the material and relevant facts, findings, offense committed and the  
14 penalty imposed.  
15

16 **Sec. 205. *Service of Decision.*** –  
17

18 (a) A copy of the decision shall be served on the complainant and the respondent  
19 through their respective counsel, if any, within five (5) days from its promulgation.  
20 Should a party be not represented by a counsel, the copy of the decision shall be served  
21 on him or her at his or her address as appearing in the records of the case.  
22

23 (b) Disciplining authorities shall furnish their superiors with a copy of the decision  
24 within five (5) days from the date of its promulgation.  
25

26 **Sec. 206. *Finality of Decisions.*** –  
27

28 (a) Without prejudice to the power of review by the Commission, and its powers to  
29 decide cases on appeal as provided for in this Code, the decisions of the heads of  
30 departments, agencies, and instrumentalities of the national government and the  
31 disciplining authority of state universities and colleges, government-owned or controlled  
32 corporations with original charters or agencies created under special laws, local  
33 government units shall be final and executory, if the penalty imposed is suspension of  
34 not more than thirty (30) working days or a fine not exceeding the amount of thirty days'  
35 salary.  
36

37 (b) Without prejudice to the power of review by the Commission and its power to decide  
38 cases on appeal provided for in this Code, the decision of the head of the bureau or  
39 department-wide regional office shall be final and executory, if the penalty imposed is  
40 suspension of not more than thirty (30) working days or a fine not exceeding the amount  
41 of thirty days' salary.  
42

43 (c) Notwithstanding the immediately preceding provisions, a suspension of not more  
44 than thirty working days or a fine not exceeding the amount of thirty days' salary may  
45 still be the subject of a motion for reconsideration or an appeal where there is clear and  
46 palpable violation of the respondent's right to due process.

47 (d) The decision in a disciplinary case becomes final and executory upon expiration of  
48 the period within which to file a motion for reconsideration or an appeal and no such  
49 motion or appeal is filed.  
50

1           **Sec. 207. Execution of Decisions. –**  
2

3 a) Effect of Filing; Appeal. – Except for cases requiring confirmation of the  
4 Department Secretary concerned and case decided by the CSCROs, an appeal shall not  
5 stop the decision from being executed.  
6

7 b) Effect of Filing; Motion for Reconsideration. – The filing of a motion for  
8 reconsideration within the reglementary period of fifteen (15) days shall stay the  
9 execution of the decision sought to be reconsidered.  
10

11 c) Effect of Pendency of Petition for Review/Certiorari with the Court. – The filing  
12 and pendency of a petition for review with the Court of Appeals or certiorari with the  
13 Supreme stop the execution of the decision of the Commission unless the Court issues a  
14 restraining order or an injunction.  
15

16                                   **Chapter 4. Administrative Penalties**  
17

18           **Sec. 208. Penalties That May Be Imposed. –**  
19

20 The following penalties may be imposed:

- 21 (a) community service;  
22  
23 (b) fine or suspension without pay for not more than one (1) year;  
24  
25 (c) demotion in rank or pay; and  
26  
27 (d) dismissal from the service.  
28

29 The following are the main/principal penalties:

- 30 (a) community service;  
31  
32 (b) suspension; and  
33  
34 (c) dismissal  
35  
36

37 The following are the alternative penalties:

- 38 (a) fine;  
39  
40 (b) demotion; and  
41  
42 (c) forfeiture of retirement benefits, excluding terminal leave benefits and personal  
43 shares/ contributions to the GSIS.  
44

45           **Sec. 209. Imposition of Penalties. –**  
46

47 (a) In meting out punishment, the same penalties shall be imposed for similar offenses  
48 and not only (1) penalty shall be imposed in each case. In the imposition of these

1 penalties, the disciplining authority shall take into consideration the circumstances which  
2 may either mitigate or aggravate the offense.  
3

4 (b) In the imposition of the proper penalties, the administrative offenses or causes for  
5 disciplinary action mentioned in this Code shall be categorized into light, less grave, and  
6 grave.  
7

8 **Sec. 210. *Promulgation of Rules and Regulations.*** – The Commission shall  
9 promulgate rules and regulations pertaining to the investigation of pending  
10 administrative cases and on the classification of administrative offenses into light, less  
11 grave and grave and shall prescribe the corresponding principal and accessory penalties.  
12

13 **Sec. 211. *Effect of Administrative Penalties.*** – The penalty of dismissal shall result  
14 in the separation of the respondent from the service. Dismissal shall carry with it the  
15 cancellation of civil service eligibilities, forfeiture of retirement benefits, and  
16 disqualification from employment in the government whether appointive or elective and  
17 disqualification to run for any public office even if the case is pending on appeal.  
18 However, in case of forfeiture of retirement benefits, the GSIS shall return to the  
19 respondent his/her contribution and the employer's contribution to the agency concerned.  
20 Terminal leaves of the employee are not subject to forfeiture.  
21

22 During the pendency of the appeal, no permanent appointment shall be issued to replace  
23 the dismissed appellant. However, in the interest of the service, designation may be  
24 resorted to by the proper disciplining authority or head of agency until the case is  
25 resolved with finality.  
26

27 **Sec. 212. *Effect of Death on Pending Case.*** – The administrative case shall not be  
28 dismissed when the death of the respondent occurred when the formal investigation  
29 reached the stage where respondent is considered to have been afforded due process, as  
30 when the following concur: 1) respondent was notified of the charge against him/her as  
31 when he/she was issued the formal charge; and 2) when respondent has filed an answer  
32 to the formal charge or has waived his/her right to file the same.  
33

34 If the respondent dies before he/she could explain his/her side through an answer to the  
35 formal charge, the administrative case shall be dismissed on account of the death of the  
36 respondent as he/she cannot be deemed to have been accorded the opportunity to be  
37 heard which is a basic element of due process.  
38

39 In situations where the death occurred after respondent has perfected his/her appeal  
40 before the Commission, the appeal shall continue until its final determination. In the  
41 event the deceased respondent-appellant wins the appeal, material and/or pecuniary  
42 benefits arising from the case, if any, shall accrue to the legal heirs of the deceased  
43 respondent-appellant subject to the Law on Succession. In case the material benefit is  
44 covered by a special law (e.g. the GSIS Law) which specifies the one who is entitled to  
45 receive the benefit of the deceased, the same shall be applied.  
46

47 **Sec. 213. *Effects of Exoneration and Other Penalties.*** – Upon exoneration, the  
48 respondent shall be restored to his/her former position without loss of seniority and other  
49 rights or to a comparable or equivalent position in case of reorganization. He/She shall  
50 also be entitled to payment of back salaries and other benefits, including the period of

1 preventive suspension, if any, equivalent to a period of five (5) years reckoned from the  
2 time of illegal dismissal. However, back salaries shall not be also granted if the  
3 respondent is not exonerated, except where the penalty imposed is reprimand in which  
4 case, back salaries shall be awarded.

## 5 6 **Chapter 5. Administrative Remedies**

7  
8 **Sec. 214. Motion for Reconsideration.** – A motion for reconsideration may be filed  
9 within fifteen (15) days from receipt of the decision on the following grounds:

- 10  
11 a. New evidence has been discovered which materially affects the decision  
12 rendered; or  
13  
14 b. The decision is not supported by the evidence on record; or  
15  
16 c. Errors of law or irregularities have been committed prejudicial to the interest  
17 of the movant.

18  
19 Only one (1) motion for reconsideration shall be entertained.

20  
21 In case of denial, the movant shall have another period of fifteen (15) days to file an  
22 appeal.

23  
24 **Sec. 215. Petition for Review with the Commission.** – The Commission Proper  
25 may review decisions rendered by its Regional Offices, whether on the merits or  
26 dismissing a complaint for lack of prima facie case, through a petition for review.

27  
28 **Sec. 216. Petition for Review with the Court of Appeals.** – A party may elevate a  
29 decision of the Commission before the Court of Appeals by way of a petition for review  
30 under Rule 43 of the 1997 Rules of Court.

31  
32 **Sec. 217. Appeals.** – Decisions of heads of agencies imposing penalties exceeding  
33 thirty (30) days suspension or fine in an amount exceeding thirty (30) days salary may be  
34 brought on appeal to the Commission by the party adversely affected.

35  
36 In case the decision rendered by a bureau or department-wide regional office is  
37 appealable to the Commission, the same may be initially appealed to the department  
38 head and finally to the Commission and pending appeal, the same shall be executory  
39 except when the penalty is removal, in which case, the same shall be executory only after  
40 confirmation by the Secretary concerned. Otherwise, an appeal shall not stop the  
41 decision from being executory.

42  
43 **Sec. 218. Penalties for Contempt.** – Any person who fails or refuses to comply with  
44 the decisions, orders, rulings or processes of the Commission or any of its regional  
45 offices, shall be liable for Indirect Contempt of the Commission and may be suspended  
46 from office without pay for a period of not more than thirty (30) days, or imprisoned for  
47 the same period as the circumstances may warrant.

48  
49 A person who misbehaves in the presence of or so near the Commission as to obstruct or  
interrupt the proceedings before the same, including disrespect towards the Commission,

1 offensive conduct towards others, or refusal to be sworn or to answer as a witness, may  
2 be summarily adjudged in contempt by the Commission and penalized by suspension  
3 from office without pay for a period of not more than three (3) days, or imprisoned for  
4 the same period as the circumstances may warrant.

5  
6 The Commission may deputize law enforcement officers or seek the assistance of the  
7 pertinent government agencies to help or ensure the implementation of its decisions,  
8 orders, rulings or processes.

9  
10 **Sec. 219. Removal of Administrative Disabilities.** – The Commission may  
11 recommend to the President removal of administrative disabilities imposed upon public  
12 officials or employees in disciplinary cases, subject to such terms and conditions as the  
13 President may impose in the interest of the service.

## 14 15 Chapter 6. PROHIBITIONS

16  
17 **Sec. 220. Appointment of Elective Officials.** – No elective official shall be eligible  
18 for appointment or designation in any capacity, including contract of service/job order, to  
19 any public office or position during his/her tenure, unless otherwise allowed by law.

20  
21 **Sec. 221. Candidates Who Lost in an Election.** – No candidate who lost in any  
22 election, including barangay election shall, within one (1) year after such election, be  
23 appointed in any capacity to any office in the Government. Neither can they be engaged  
24 within the same period as consultants or under contract of services/job orders.

25  
26 **Sec. 222. Resignation Before Election.** – A person who resigned from the service  
27 within three (3) months before any election, and without being a candidate engaged in  
28 any political activity shall not be eligible for reemployment in the government during the  
29 six (6)-month period following such election.

30  
31 **Sec. 223. Prohibition Against Holding Another Offices or Employment.** – Unless  
32 otherwise allowed by law or by the primary functions of the position, no appointive  
33 official shall hold any other office or employment in any government agency, including  
34 subsidiaries of GOCCs.

35  
36 **SEC. 224. Prohibitions During Election Period.** – No appointment, or other human  
37 resource actions, regardless of status, except in the case of reinstatement, shall be issued  
38 forty-five (45) days before any national or local election except barangay and  
39 sangguniang kabataan elections and until the assumption of the newly-elected or  
40 reelected appointing officer official.

41 However, in the exigency of the service and subject to the authority by the Commission,  
42 the appointing authority may issue appointments after the election, provided the  
43 following concur:

44  
45 (a) A vacancy occurred during the prohibited period;

46  
47 (b) There is need to fill up the vacancy immediately in order not to prejudice public  
48 service and/or endanger public safety;

1 (c) The appointee is qualified;  
2

3 (d) The appointment has gone through the usual requirements like publication, regular  
4 screening by the Personnel Selection Board and concurrence by the Sanggunian, as the  
5 case may be.  
6

7 All appointments issued before the prohibited period shall take effect immediately,  
8 notwithstanding any provisions in the appointment to the contrary and the appointee  
9 shall assume the position within thirty (30) days from issuance thereof. Failure of the  
10 appointee to assume the position within said period shall make the appointment  
11 ineffective.  
12

13 **Sec. 225. Prohibition Against Appointments by an Outgoing Appointing**  
14 **Authority.** – No appointment in any agency shall be made by any outgoing appointing  
15 authority within three (3) months before the end of his/her term of office or retirement.  
16 This prohibition shall also apply to outgoing appointing authorities who have previously  
17 manifested their intention to resign from office. In which case, the prohibition shall  
18 commence from the date of formal manifestation to resign but shall not be more than  
19 three (3) months from the effective date of resignation.  
20

21 However, in the exigency of the service, and upon authority by the Commission, an  
22 outgoing appointing authority may issue appointments which shall not exceed three (3)  
23 months from the time the appointing official ceases to hold office.  
24

25 This prohibition shall embrace all appointments regardless of nature or status.  
26

27 **Sec. 226. Prohibition Against Appointment of a Person Who is a Permanent**  
28 **Resident or Immigrant of a Foreign Country or a Green Card Holder.** – No  
29 appointment in any agency shall be issued to a person who is a permanent resident or  
30 immigrant of a foreign country, unless it is shown by clear evidence that he/she has made  
31 an irrevocable waiver of his/her status as a permanent resident or immigrant of a foreign  
32 country before such appointment.  
33

34 **Sec. 227. Prohibition Against Supervision by Non-Career Employees.** – Subject to  
35 the rules to be issued by the Commission, no consultant, contractual or non-career  
36 employee shall be designated to any position exercising control and supervision over  
37 regular and career employee in the government.

38 **Sec. 228. Prohibition Against Contracting of Regular Functions.** – A person  
39 issued a contract of service shall not discharge duties pertaining to a career or non-career  
40 service position or/and neither shall an institution perform any of the regular functions of  
41 the contracting agency. *Provided, however,* That the agency may enter into a contract of  
42 service to undertake non-regular functions or support services for the government for a  
43 specific period where no employer-employee relationship exists between the individual  
44 or the institution and the government subject to the rules and regulations promulgated by  
45 the Commission.  
46

47 **Sec. 229. Prohibition Against Hiring of Ecclesiastic.** – No priest, preacher,  
48 minister, or other religious teacher or dignitary as such, shall be employed in the Civil  
49 Service System except when such priest, preacher, minister, or dignitary is assigned to

1 the Armed Forces of the Philippines, the Philippine National Police or to any penal or  
2 correctional institution, or any government orphanage or leprosarium.

3  
4 **Sec. 230. Nepotism.** – The act of issuing an appointment in the national  
5 government, or in any branch or instrumentality thereof, or in state universities and  
6 colleges, government-owned or controlled corporations with original charters or created  
7 under special laws, to a person who is related within the third (3<sup>rd</sup>) degree of  
8 consanguinity or affinity to the appointing or recommending authority, the chief of  
9 bureau or office, or of the person exercising immediate supervision over him/her is  
10 hereby prohibited, except otherwise provided by other laws.

11  
12 The following positions are exempt from the operation of the law and rules on  
13 nepotism:

- 14 (a) Primarily confidential;  
15  
16 (b) Highly technical;  
17  
18 (c) Policy-determining;  
19  
20 (d) Physician;  
21  
22 (e) Teacher and professorial staff;  
23  
24 (f) Members of the Armed Forces of the Philippines; and  
25  
26 (g) Other positions exempted by other laws.  
27  
28

29 The term “teacher” shall refer only to those actually performing classroom instruction  
30 in both public elementary and secondary schools. Professorial staff shall denote members  
31 of the faculty including instructors of state universities or colleges primarily engaged in  
32 academic activities such as teaching in the tertiary level, research and curriculum  
33 development, among others.  
34

35 The restrictions mentioned in this Section shall not be applicable to a member of any  
36 family, who, after appointment to any position in an office or bureau, contracts marriage  
37 with another employee in the same office or bureau, or those who were affected by  
38 reorganization in which event the employment or retention therein of both husband and  
39 wife may be allowed.

40 The prohibition shall not also apply to those devolved to local government units or  
41 who were affected by reorganization.  
42

43 **SEC. 231. Political Activity.** – No public officer or employee in the Civil Service  
44 System holding a non-political position shall engage in any electioneering or partisan  
45 political campaign or take part in any election except to vote, not shall use official  
46 authority or influence to coerce the political activity of any person or body. Nothing  
47 herein provided shall be understood to prevent any public officer or employee from  
48 expressing views on current political problems or issues, or from mentioning the names  
49 of candidates for public office whom he/she supports: *Provided*, That public officers and



1 employees holding political offices may take part in political and electoral activities but  
2 it shall be unlawful for them to solicit contributions from, or subject their subordinates to  
3 commit any of the prohibited acts under the Election Code.  
4

5 In this regard, membership in any political party shall be considered as engaging in  
6 partisan political activity.  
7

8 **SEC. 232. *Appointment of Military Personnel in the Civil Service System.*** – It  
9 shall be unlawful for any member of the AFP in the active service to be appointed or to  
10 be designated in any capacity to any civilian position in the government, state  
11 universities and colleges, government-owned or controlled corporations with original  
12 charters or agencies created under the special laws, or local government units.  
13

14 **SEC. 233. *Additional or Double Compensation.*** – No elective or appointive official  
15 or employee shall receive additional, double, or indirect compensation, unless  
16 specifically authorized by law, nor accept any present, emolument, office, or title of any  
17 kind from any foreign government unless allowed by law.  
18

19 Pensions, gratuities or honoraria shall not be considered as additional, double or indirect  
20 compensation.  
21

22 **SEC. 234. *Courtesy Resignation.*** – It shall be unlawful for any official, elective or  
23 appointive, to require officials and employees within his/her jurisdiction to submit  
24 courtesy resignation for whatever reason or purpose.  
25

26 **SEC. 235. *Appointment and/or Transfer of Officials and Employees of Oversight***  
27 ***Agencies.*** –Unless allowed by the Commission in meritorious cases, heads of oversight  
28 agencies and their staff are prohibited from transferring or being appointed to any  
29 position in the department/agency/office/local government unit which his/her unit is  
30 assigned or designated to directly oversee within one (1) year after termination of such  
31 assignment or designation.  
32

## 33 **BOOK IV. MISCELLANEOUS PROVISIONS**

### 34 **Title I - Termination of Employment**

#### 35 **Chapter 1. Modes of Termination**

36  
37  
38  
39  
40  
41 **SEC. 236. *Modes of Termination of Employment.*** – The following are modes of  
42 terminating employment in the government:  
43

44 a) Resignation - A public officer or employee shall be considered separated from  
45 the service effective on the date of effectivity as stated in the formal letter of resignation.  
46 In case the resignation letter has no date of effectivity, the resignation shall be effective  
47 after (30) days from the submission thereof

1 b) Candidacy - An appointive public official or employee shall be ipso facto  
2 separated from the service on the date of filing of the certificate of candidacy for an  
3 elective position.

4 c) Death - Upon proof of death, the public official or employee shall automatically  
5 be considered separated from the service.

6 d) Expiration of Period of Employment - The services of a public official or  
7 employee appointed for a fixed period, or for a specific project or whose appointment is  
8 coterminous with the appointing authority shall be terminated upon the expiration of the  
9 period of employment, completion of the project, or at the end of the term of the  
10 appointing officer, unless otherwise earlier validly separated.

11 e) Dropping from the Service - A public official or employee who goes on leave  
12 without proper authority or fails to return to duty after the expiration of the authorized  
13 leave, without valid reasons, or due to unsatisfactory or poor performance or physical or  
14 mental unfitness shall be dropped from the service in accordance with the regulations  
15 promulgated by the Commission.

16 However, the IRR should make reference to Section 32 (g) of RA 7277 also known as  
17 the Magna Carta for Disabled Persons:

18  
19 “Dismissing or terminating the services of a disabled employee by reason of his  
20 disability unless the employer can prove that he impairs the satisfactory performance of  
21 the work involve to the prejudice of the business entities: *Provided, however,* That the  
22 employer first sought provide reasonable accommodations for disabled persons.  
23

24 f) Conviction – The services of the public official and employee shall be  
25 considered terminated upon a finding of guilt in an administrative case where the penalty  
26 imposed is dismissal from the service or conviction by final judgment of a crime where  
27 the penalty of perpetual or temporary, absolute or special disqualification to hold public  
28 office. (Old Definition of “conviction” from previous CS Code version)

29 g) Retirement - Unless otherwise provided by a special law, the services of any  
30 public official or employee shall be automatically terminated on the day after his/her  
31 sixty-fifth birthday except when his/her services are extended by the Commission in  
32 accordance with its rules and regulations. Optional retirement pursuant to law likewise  
33 terminates official relations.

34 h) Expiration of Temporary Appointment - The services of a public official or  
35 employee with temporary appointment shall automatically be terminated upon the  
36 expiration of the appointment unless earlier terminated by the appointing authority.

37 i) Disapproval of Appointment - The services of a public official or employee are  
38 considered terminated upon the final disapproval of the appointment by the Commission.

39 **Sec. 237. Reduction in Force.** – The head of a department or agency may  
40 reorganize, reduce its staff due to lack of work or funds or due to a change in the scope  
41 or nature of an agency’s program, subject to law and the rules and regulations which the  
42 Commission shall prescribe.

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## Title II - Sanctions and Liabilities

### Chapter 1. Liabilities

**Sec. 238. *Liability of Appointing Authority.*** – No person employed in the Civil Service System in willful violation of this Code shall be entitled to receive pay from the government. The appointing authority responsible for such unlawful employment shall be personally liable for the pay that would have accrued had the employment been lawful.

**Sec. 239. *Criminal Liability.*** – Whoever makes any appointment or employs any person in willful violation of any provision of this Code or the rules and regulations issued thereunder; or whoever commits fraud, deceit or intentional misrepresentation of material facts concerning any civil service matter; or whoever violates, refuses or neglects to comply with any final decision or order of the Commission, shall, upon conviction, be punished by a fine not less than Fifty Thousand Pesos (P50,000.00) or by imprisonment of not less than three (3) years nor more than five (5) years or both at the discretion of the appropriate court.

The same penalty of fine or imprisonment or both as provided above and permanent disqualification from holding public office shall be imposed upon any appointing authority who willfully violates any of the provisions of this Code including failure to abide by the rules promulgated by the Commission or to implement a Commission order.

## Title III - Fees and Authority to Administer Oaths

### Chapter 1. Collection of Fees

**Sec. 240. *Authority to Collect Fees.*** – The Commission may collect and charge fees for Civil Service Examinations, certification of civil service ratings, service records, or appeals in disciplinary and non-disciplinary cases, training courses, seminars and workshops in human resource management, and for services rendered on other civil service matters. For this purpose, the Commission shall prescribe standard and reasonable rates. No fees shall be collected in examinations given for the selection of scholars.

### Chapter 2. Authority of Public Officials to Administer Oaths, Take Testimony

**Sec. 241. *Who May Administer Oaths or Take Testimony.*** – The Chairperson and Members of the Commission, public officials occupying third level positions and other public officials and employees of the Commission and other agencies designated in writing by the concerned heads of agencies, may administer oaths as may be necessary in a transaction of an official business and take a testimony in connection with any authorized investigation.

## Title IV- Fiscal Autonomy and Use of Appropriations and Income

### Chapter 1. Fiscal Autonomy

1           **Sec. 242. Fiscal Autonomy.** – The Commission shall enjoy fiscal autonomy. It shall  
2 determine the amount of its annual budget requirements for its human resource services,  
3 operating expenses and capital outlays which shall be submitted for the review, revision  
4 and/or approval of Congress as part of the proposed national budget without revision by  
5 the Department of Budget and Management. The Department of Budget and  
6 Management shall automatically release the approved budget of the Commission.  
7

8           **Sec. 243. Authority to Use Appropriations and Income.** – The Commission is  
9 hereby authorized to use such sums appropriated in the annual appropriations act,  
10 including all balances of existing certifications, to accounts payable of prior years, as are  
11 necessary to carry out the provisions of this Code. The Commission is also authorized to  
12 augment any item in its appropriations from savings actually released for any official  
13 purpose at its discretion.  
14

15 The Commission is further authorized to directly use its income derived from fees, cost  
16 for services it may assess and levy, and such other proceeds generated in the  
17 performance of its functions for its operating expenses, for human resource and  
18 organizational development as well as acquisition, repair and maintenance of office  
19 equipment, facilities and supplies.  
20

21           **Sec. 244. Vested Rights.** – Except as otherwise provided in this Code, rights vested  
22 or acquired under the provisions of the Civil Service Law, rules and regulations and any  
23 other Act prior to the effectivity of this Code shall be respected.  
24

#### 25                           **Title IV – Career Executive System Transitory Provisions**

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27           **Sec. 245** – The incumbent Chairperson of the Board of the current Career Executive  
28 Service Board, as well as the other incumbent Board members, shall continue to exercise  
29 their duties and functions until the new Board shall have been created pursuant to this  
30 Act. The Career Executive System Board (New Board) created under this Act shall then  
31 succeed and take over the functions of the Career Executive Service Board (Old Board)  
32 and the composition and members of the New Board, as enumerated under Section 6 of  
33 this Act, shall assume their respective posts: *Provided, That:*  
34

35           (a) All rights pertaining to the CESOs and CESEs which shall have accrued prior to the  
36 effectivity of this Act shall be respected;

37           (b) The personnel, assets, funds, grants and records of the current CESB secretariat are  
38 hereby transferred to the OCES; and  
39

40           (c) Incumbent officials and employees of the current CESB secretariat shall continue to  
41 exercise their respective functions, duties and responsibilities with the corresponding  
42 benefits and privileges and shall be deemed absorbed by the OCES.  
43

#### 44                           **Title V - Final Provisions**

45  
46           **Sec. 246. Implementing Rules and Regulations.** – The Commission shall  
47 promulgate rules and regulations and set guidelines and standards to implement the  
48 provisions of this Code.

1 For The Chapters of Career Executive Service the Commission and the Board shall set  
2 the guidelines and standards to implement the provisions on CES.

3  
4 These shall become effective fifteen (15) days after its publication in the Official Gazette  
5 or in a newspaper of general circulation.  
6

7 **Sec. 247. Repealing Clause.** – Republic Act No. 2260, Republic Act No. 6040,  
8 Presidential Decree No. 807, Presidential Decree No. 1, Presidential Decree No. 1409,  
9 Executive Order No. 135, series of 1987, Executive Order No. 180 and Book V, Title 1,  
10 Subtitle A on the Civil Service Commission of Executive Order No. 292, series of 1987,  
11 and Section 2 of RA 6758 are hereby repealed. Section 2, Rule IV, LOI, Section 42 of  
12 PD 205, Section 11 of PD 1752, Section 24 of RA 6770, Section 56, Title VIII and  
13 Section 46, Title VI of RA 7157, Sections 77,79 and 85 of RA 7160, Section 5 of RA  
14 7836, Section 18 (a) of RA 7875, Section 1 of RA 8190, Section 42 of RA 8291 and  
15 Section 21 of RA 8551 are hereby amended or modified accordingly; and all laws,  
16 decrees, orders, circulars, rules and regulations or any part thereof which are contrary to  
17 or inconsistent with any provision of this Code are hereby repealed or modified  
18 accordingly.  
19

20 **Sec. 248. Supplemental Applications.** – The Rules of Court shall have supplemental  
21 application to this Code.  
22

23 **Sec. 249. Separability Clause.** – If any provision of this Code or its application to  
24 any person or circumstances is declared invalid, such declaration shall not affect the  
25 other provisions of this Code.  
26

27 **Sec. 250. Effectivity Clause.** – This Code shall take effect thirty (15) days following  
28 its publication in the Official Gazette or in a national newspaper of general circulation in  
29 the Philippines.

*Approved,*