

Republika ng Pilipinas  
(Republic of the Philippines)  
KAGAWARAN NG EDUKASYON AT KULTURA  
(DEPARTMENT OF EDUCATION AND CULTURE)  
Manila

April 19, 1977

DEPARTMENT MEMORANDUM  
No. 94, s. 1977

HIRING OF CONTRACTUAL PERSONNEL

To: Bureau Directors  
Regional Directors  
Chiefs of Services and Heads of Units  
Coordinator, State Colleges and Universities  
Schools Superintendents

1. Inclosed is a copy of a Joint EC-CSC Memorandum Circular No. 3 dated February 23, 1977 prescribing the guidelines in hiring personnel on contractual basis. Likewise inclosed is a copy of Memorandum Circular No. 5, s. 1977, of the acting Chairman, Civil Service Commission, prescribing additional guidelines to the said joint EC-CSC Memorandum Circular.

2. Conformably thereto no personnel hired on contractual basis should be given a remuneration of more than twenty per cent (20%), including allowances and other benefits, above the minimum salary rate of regular employees occupying the same positions or performing substantially the same duties and responsibilities and that contracts of such employment should be coursed through the Office of Compensation and Position Classification (OCPC) before these are submitted to the Civil Service Commission.

3. Strict observance and compliance of the said guidelines are desired.

(SGD.) JUAN L. MANUEL  
Secretary of Education and Culture

Incls.:  
As stated

Reference:  
None

Allotment: 1-2-3--(D.C. 1-76)

To be indicated in the Perpetual Index  
under the following subjects:

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT  
BUREAUS & OFFICES  
EMPLOYEES  
RULES & REGULATIONS  
SALARY

TANGGAPAN NG PANGULO NG PILIPINAS  
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

JOINT BC-CSC MEMORANDUM CIRCULAR NO. 3

TO : All Heads of Executive Departments, Bureaus, Offices  
and Agencies of the National Government

SUBJECT : Hiring of Contractual Personnel

WHEREAS, it is the primary responsibility of an office to render the most efficient service to the government and to its clientele;

WHEREAS, in some instances, this desired efficiency of service could not be availed of in regular employment either because of lack of technical expertise in a particular field among regular employees, the immediacy and urgency of the task to be accomplished, ~~unattractive~~ remuneration, or the temporary nature of the service to be rendered.

WHEREAS, under any of the aforementioned circumstances or a combination thereof, the agency has no logical recourse but to resort to contractual employment.

In view of the above and in order to give the heads of organizations authority commensurate with this inherent responsibility, the following guidelines in hiring personnel on a contractual basis are herein set forth:

- 1.0 The hiring of personnel services on a contractual basis, when unavoidably necessary, is authorized under the following or similar situations:
  - 1.1 where the desired expertise is unavailable among the regular staff
  - 1.2 where, because of ~~unattractive~~ pay or other factors, recruitment on a regular employment status, is next to impossible
  - 1.3 where the service to be rendered is of short duration and the service has to be terminated thereafter
  - 1.4 where the work to be accomplished is very urgent but in utilizing the regular staff, other functions of the agency will be unduly prejudiced
- 2.0 Due to the non-permanent status of employment, the high quality of expertise desired, the difficulty of recruitment under certain situations, or the time constraint in the completion of the assigned tasks, personnel hired on a contrac-

tual basis may be paid not more than twenty per cent (20%) above minimum remuneration given to regular employees occupying similar positions or performing substantially the same duties and responsibilities.

- 3.0 Consistent with the provision of Letter of Implementation No. 29, the determination of the similarity of positions or the equivalent level of responsibility shall be undertaken by the Office of Compensation and Position Classification of the Budget Commission. For this purpose, at least two copies of a duly accomplished Position Description Form prescribed in Joint BC-CSC Memorandum Circular No. 2, dated June 25, 1976, shall be forwarded to OCPC before the employment contract is finalized. A certification stating the reason for resorting to contractual employment shall also be inclosed.
- 4.0 The agency head shall be personally liable for any overpayment of salaries of contractual personnel.
- 5.0 This Memorandum Circular shall take effect immediately.

(SGD.) JACOBO C. CLAVE  
Acting Chairman  
Civil Service Commission

(SGD.) JAIME C. LAYA  
Acting Commissioner  
Budget Commission

February 23, 1977

A true copy

Republika ng Pilipinas  
KOMISYON NG SERBISYO SIBIL  
(CIVIL SERVICE COMMISSION)  
Lungsod ng Quezon

MC# 5, s. 1977

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS, BUREAUS, AND AGENCIES  
OF THE NATIONAL AND LOCAL GOVERNMENTS INCLUDING  
GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS

SUBJECT : Additional Guidelines for the Hiring of Contractual  
Personnel

Attention is hereby invited to the provisions of Joint BC-CSC  
Memorandum Circular dated February 23, 1977, prescribing guidelines  
in hiring personnel on contractual basis, particularly the following:

- 2.0 Due to the non-permanent status of employment, the high quality of expertise desired, the difficulty of recruitment under certain situations, or the time constraint in the completion of the assigned tasks, personnel hired on a contractual basis may be paid not more than twenty per cent (20%) above minimum remuneration given to regular employees occupying similar positions or performing substantially the same duties and responsibilities.
- 3.0 Consistent with the provision of Letter of Implementation No. 29, the determination of the similarity of positions or the equivalent level of responsibility shall be undertaken by the Office of Compensation and Position Classification of the Budget Commission. For this purpose, at least two copies of a duly accomplished Position Description Form prescribed in Joint BC-CSC Memorandum Circular No. 2, dated June 25, 1976, shall be forwarded to OCPC before the employment contract is finalized. A certification stating the reason for resorting to contractual employment shall also be inclosed.

These provisions allow appointing authorities to pay personnel on contractual basis a remuneration of not more than twenty per cent (20%), including allowances and other benefits, above the minimum salary rate of regular employees occupying the same positions or performing substantially the same duties and responsibilities, to be determined by the Office of Compensation and Position Classification of the Budget Commission.

In line with these requirements, it is therefore directed that all contracts of employment shall be coursed through the Office of Compensation and Position Classification of the Budget Commission for purposes of fixing salary ceiling, before these are submitted to the Civil Service Commission for appropriate action in accordance with existing Civil Service Law and Rules.

Henceforth, no contracts of employment will be approved unless certified by the Office of Compensation and Position Classification as in accordance with the joint Budget Commission-Civil Service Commission Circular.

Contractual appointments already acted upon by this Commission shall likewise be subject to the prescribed salary ceiling, starting February 23, 1977, the date of effectivity of the Memorandum Circular. Steps should therefore be taken to reduce salaries that are not in accordance therewith.

This Memorandum Circular shall take effect immediately.

(SGD.) JACOBO C. CLAVE  
Acting Chairman

March 4, 1977

COPY FURNISHED:

The Honorable  
The Acting Chairman  
Commission on Audit  
Quezon City

A true copy