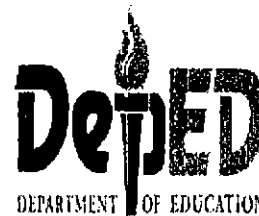




REPUBLIKA NG PILIPINAS
REPUBLIC OF THE PHILIPPINES
KAGAWARAN NG EDUKASYON
DEPARTMENT OF EDUCATION
DepEd Complex, Meralco Avenue, Pasig City



Tanggapan ng Kalihim
Office of the Secretary

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DepED MEMORANDUM
No. 9, s. 2003

JAN 12 2004

DISSEMINATION OF COMELEC RESOLUTION NO. 6456

To: Undersecretaries
Assistant Secretaries
Regional Directors
Bureau Directors
Schools Division/City Superintendents
District Supervisors
Heads, Public Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of Commission on Elections (COMELEC) Resolution No. 6456 dated December 10, 2003 entitled "Enforcement of the Prohibition Against Appointment or Hiring of New Employees; Creation or Filling-Up of New Positions; Giving Salary Increases; Transferring/Detailing Civil Service Employees; and Suspension of Elective Local Officials in Connection with the May 10, 2004 Synchronized National and Local Elections.

2. Immediate dissemination of this Memorandum is desired.


EDILBERTO C. DE JESUS
Secretary

Encl.:

As stated

Reference:

DepEd Memorandum: No. 461, s. 2003

Allotment: 1- -(D.O. 50-97)

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

APPOINTMENT/EMPLOYMENT/REAPPOINTMENT
EMPLOYEES
OFFICIALS
PROMOTION
TRANSFER
SALARY

three (3) days from the date of the appointment or hiring, the Commission through the respective Regional Election Directors offices, for field positions, or through the Personnel Department for central or main office positions shall be notified in writing, stating therein the exact date when the position sought to be filled became vacant, the cause of vacancy, reason/s for said appointment or hiring and all the necessary data or information regarding the same. Failure to give notice as herein required shall render the appointment null and void.

The need to fill up a vacant position by a new employee may be considered urgent if the position sought to be filled has been vacated either by the death, retirement, resignation, promotion or transfer of the regular incumbent within sixty (60) days from the issuance of the appointment and the same cannot be filled by promotion or transfer of insiders within the same period. Appointment to a position which has been vacant for more than sixty (60) days before the issuance of appointment shall not be considered urgent and must, therefore, require prior written authority from the Commission or the Regional Election Directors concerned.

SECTION 4. Total ban on promotion, salary increases, granting privileges – Promotion, or giving any increase of salary, remuneration, or privilege to any government official or employee including those in government-owned or controlled corporations, is strictly prohibited without exception whatsoever. Promotion as used in this provision shall mean a personnel movement involving the issuance of an appointment and not by mere designation.

SECTION 5. Injunction – The Civil Service Commission (CSC), including all its field offices, is hereby enjoined not to approve the appointment of new employees where no prior written approval of the Commission or its Regional Election Directors office is presented by the appointing authority concerned or proof that the required notice within the 3-day reglementary period as provided in section 3 hereof has been complied with.

The Department of Budget and Management (DBM) and the Commission on Audit (COA), including all their field offices, shall not release or authorize the release of any appropriation, or pass in audit payments or expenditures of public funds that may be directly or indirectly be used in violation of the foregoing prohibitions.

All field offices of the CSC, including its deputized agencies and citizens arms, are directed to submit immediately to the Commission a written report on any violation of said provisions of the Omnibus Election Code.

SECTION 6. Penalty – Any violation of the provisions of this Resolution shall, constitute an election offense and shall be punishable by imprisonment of not less than one (1) year but not more than six (6) years, among other penalties provided by law.

SECTION 7. Effectivity – This resolution shall take effect on the seventh day after its publication in two (2) newspapers of general circulation.

SECTION 8. Dissemination – The Education and Information Department shall cause the publication of this resolution in two (2) daily newspapers of general circulation, and shall furnish copies thereof to all Departments, Constitutional Commissions, Offices, Provincial Governors, City and Municipal Mayors and government agencies including government-owned or controlled corporations, and all field offices of the Commission.


BENJAMIN S. ABALOS, SR.
Chairman


LUZVIMINDA G. TANCANGCO
Commissioner


RUFINO S. D. JAVIER
Commissioner


RALPH C. LANTION
Commissioner


MEHUL K. SADAIN
Commissioner


RESURRECCION Z. BORRA
Commissioner


FLORENTINO A. TUASON JR.
Commissioner

Annexes:

1. Request for authority to transfer or detail employee.
2. Request for authority to hire new employees.
3. Report on appointment of new employees.
4. Report on Violation(s) of, transfer, detail, promotion, salary increase, etc.

Republic of the Philippines

(OFFICE/AGENCY)

REQUEST FOR AUTHORITY TO HIRE NEW EMPLOYEES

VACANT POSITION	ITEM NO.	SALARY	STATION	PROPOSED EMPLOYEE	INTENDED DATE OF ISSUANCE	EFFECTIVITY	REASON FOR HIRING

I hereby certify that the foregoing intended personnel action is in accordance with law and is not intended to influence the conduct and/or outcome of the May 10, 2004 Synchronized Elections.

DATE _____ SIGNATURE OVER PRINTED NAME OF APPOINTING AUTHORITY _____

Enclosure to DepED Memorandum No. 9, s. 2004)

Republic of the Philippines
Civil Service Commission

REPORT ON VIOLATIONS OF COMELEC RESOLUTION NO. _____, DATED _____

APPOINTING AUTHORITY	GOVERNMENT OFFICE	ALLEGED/OBSERVED VIOLATIONS			APPOINTEE	POSITION	STATION
		PROMOTION	TRANSFER	NEW APPT.			

DATE _____

SIGNATURE OVER PRINTED NAME OF CSC OFFICIAL _____

Republic of the Philippines

(OFFICE/AGENCY)

REPORT ON URGENT HIRING OF NEW EMPLOYEES

NEW EMPLOYEES	POSITION	ANNUAL SALARY	STATION	REASON FOR VACANCY OF POSITION	EFFECTIVITY OF VACANCY	DATE OF ISSUANCE OF APPOINTMENT	REASON FOR APPOINTMENT

I hereby certify that the hiring of the abovementioned personnel is urgent as justified by the reasons therefor and that the same is in accordance with the provisions of Comelec Resolution No. _____, dated _____.

DATE _____

SIGNATURE OVER PRINTED NAME OF APPOINTING AUTHORITY