



**Tanggapan ng Kalihim**  
Office of the Secretary

JAN 12 2005

DepED MEMORANDUM  
No. **10**, s. 2005

DISSEMINATION OF THE RULES AND PROCEDURES GOVERNING  
THE DEACTIVATION AND REACTIVATION OF CAREER  
EXECUTIVE SERVICE (CES) RANKS

To: Undersecretaries  
Assistant Secretaries  
Bureau Directors  
Regional Directors  
Directors of Services/Centers and Heads of Units  
Schools Division/City Superintendents

1. For the information and guidance of all concerned, enclosed is a copy of Career Executive Service Board (CESB) Resolution No. 554 dated June 15, 2004, entitled "The Rules and Procedures Governing the Deactivation and Reactivation of Career Executive Service (CES) Ranks".
2. Immediate dissemination of this Memorandum is desired.

*R. C. Bacani*  
RAMON C. BACANI  
Undersecretary  
Officer-in-Charge

Reference: None  
Allotment: 1—(D.O. 50-97)  
To be indicated in the Perpetual Index  
under the following subjects:

OFFICIALS  
RULES and REGULATIONS

Reformatted by: Sally-(CES)  
January 6, 2005  
mamjo



Republic of the Philippines  
**CAREER EXECUTIVE SERVICE BOARD**  
No. 3 Marcelino Street, Holy Spirit Drive, Diliman, Quezon City 1127  
Tel. Nos. 951-4981 to 85 (Trunkline) / 951-3300 (Fax)  
website: www.cesboard.gov.ph

**THE RULES AND PROCEDURES GOVERNING  
THE DEACTIVATION AND REACTIVATION  
OF CAREER EXECUTIVE SERVICE (CES)  
RANKS**

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**Resolution No. 554**

**WHEREAS**, Presidential Decree No. 1, as amended, mandates the creation of a Career Executive Service that shall provide Government "with a pool of well-selected and development-oriented career administrators who shall provide competent and faithful service";

**WHEREAS**, PD No. 1 created the Career Executive Service Board to serve as the governing body of the Career Executive Service and mandated it to promulgate rules, standards, and procedures in the selection, classification, compensation, and career development of members of the Career Executive Service.

**WHEREAS**, a CESO refers to one who is conferred CES Eligibility by the Board, appointed to a CES position, and appointed to a CES rank by the President upon recommendation by the Board;

**WHEREAS**, a CESO who leaves government service may no longer avail of the benefits of his or her rank;

**WHEREAS**, the Board has provided for a system through which the CESO may be able to enjoy the benefits of his/her rank upon re-entry in government service;

**WHEREAS**, CESB Resolution No. 181 s. 1998 provides for the restoration of rank of a CESO who re-enters government service through a written application which shall undergo proper evaluation by the Board;

**WHEREAS**, the Board recognized the need to modify the current policy to reflect the fact that CESOs who leave government service do not actually lose their CES ranks but are merely unable to access the benefits and privileges thereof;

**WHEREAS**, the separation of a CESO from the Career Executive Service (CES) through any of the modes of separation under the law merely results in the deactivation of his/her rank;

**WHEREAS**, a CESO whose rank has been deactivated may request for the reactivation of his/her rank in the CES upon re-entry in the government and appointment to a CES position;

**WHEREAS**, the deactivation and reactivation of the status of CESOs is within the powers of the Board, pursuant to the provisions of PD No. 1 stating that the Board shall prescribe the classification of members of the career executive service;

**WHEREFORE**, the abovementioned premises considered, the Board **RESOLVES**, as it is hereby **RESOLVED**, to adopt the Rules and Procedures Governing the Deactivation and Reactivation of Career Executive Service (CES) Ranks, stated herein as follows:

## **RULE I**

### **TITLE AND COVERAGE**

**Section 1. Title of the Rules.** These rules shall be known and cited as "The Rules and Procedures Governing the Deactivation and Reactivation of Career Executive Service (CES) Ranks."

**Section 2. Coverage.** Except as otherwise provided by law, these rules shall apply to all Career Executive Service Officers (CESOs) in all departments and agencies of the government covered by the CES.

**Section 3. Purpose.** These rules are promulgated to implement Article IV, Part III of the Integrated Reorganization Plan, as approved by Presidential Decree No. 1, as amended, dated September 24, 1972.

## **RULE II**

### **DEFINITION OF TERMS**

**Section 1. Definition of Terms.** For purposes of these rules, the following words and phrases shall have the following meaning:

1. **Career Executive Service Officer (CESO)** - refers to one who is conferred CES Eligibility by the Board, assigned to a CES position, and appointed by the President to a CES rank upon recommendation by the Board;
2. **Agency** - refers to any bureau, office, commission, council, administration, board, institute, government-owned or controlled corporation with original charter, including Constitutional offices;
3. **Board** - refers to the Career Executive Service Board.

4. **Department** - refers to any department in the executive branch of the government or any entity having the category of a department.
5. **CES Occupancy Report** - is a monthly report submitted by a duly designated CES Coordinator of the department or agency covered by the CES to the Board purposely to monitor the movement of CESOs in the CES.
6. **CESO in Active Status** - is one who is appointed by the President to a CES rank upon recommendation of the Board and assigned to any CES position by the appropriate appointing authority, regardless of the CES rank level to which he/she has been appointed.

He/she may also be a CESO whose CES rank has been reactivated by the Board in accordance with this resolution following his/her re-entry in the CES.

7. **CESO in Inactive Status** - is a CESO who no longer occupies a position in the CES as a result of any of the modes of separation from the government service, provided that such separation is not due to dismissal from the service for cause.
8. **Deactivation of CES Rank** - refers to the process by which a CESO, upon separation from the CES, is classified by the Board as being in an inactive status pursuant to the rules and procedures laid down in this resolution, provided that such separation is not due to dismissal from the service for cause.
9. **Reactivation of CES rank** - refers to a process by which a CESO in an inactive status is placed by the Board in an active status after his/her appointment to a CES position and upon compliance with the requirements of the Board.

A CESO who has retired upon reaching the mandatory retirement age of sixty-five (65) shall no longer apply for reactivation of his/her rank in case he/she is re-employed in government.

10. **Separation from the CES** - refers to an instance where a CESO ceases to hold any position in the Career Executive Service.

### **RULE III**

#### **CESOs in ACTIVE AND INACTIVE STATUS**

- Section 1. Classification of a CESO.** There are two (2) classes of CESOs in the CES. These are 1) CESOs in active status and 2) CESOs in inactive status. The

CESOs in active status are further sub-classified into Presidential and Non-presidential appointees.

**Section 2. Roster of CESOs.** The Board shall maintain a roster of CESOs categorized under either active or inactive status.

The name of a CISO who no longer occupies a CES position shall be transferred from the roster of CESOs in an active status to the roster of CESOs in an inactive status, provided that the termination of occupancy is not due to dismissal from the service for cause.

#### **RULE IV**

##### **DEACTIVATION OF CES RANK BY THE BOARD**

**Section 1. Modes of Deactivating a CES Rank.** There are three (3) modes by which the CES rank of a CISO may be deactivated from the CES:

1. Acceptance of a position by virtue of an appointment outside the coverage of the CES;
2. Dropping from the rolls of government officials and employees; and
3. Other modes of separation from the CES, provided that separation from the CES resulting from dismissal from the service for cause and after due process shall result in the loss of CES rank and shall not be considered as a mode of deactivation.

The CES rank of a CISO shall not be considered to have been deactivated in any of the following circumstances:

1. Those who are appointed to a CES position and designated as Officer-in-Charge (OIC) or in an acting capacity to a non-CES position;
2. Those who are seconded or detailed to another position, regardless of whether it is in a CES or non-CES position in a department or agency covered by the CES;
3. Those who are placed in the CISO pool.

**Section 2. Effect of Deactivation of CES Rank.** A CISO whose CES rank has been deactivated by the Board loses all the rights and privileges accorded to him/her by law on account of his/her CES rank.

**Section 3. Responsibility of the Board.** The Board shall cause the transfer of the name of a CISO whose CES rank has been deactivated from the CES from

the roster of CESOs in an active status to the roster of CESOs in an inactive status.

## **RULE V**

### **REACTIVATION OF CES RANK BY THE BOARD**

**Section 1. Application for Reactivation of CES Rank.** Upon re-entry in the CES, a CESO, who is appointed to a CES position, may submit a written application to the Board for the reactivation of his/her CES rank after six (6) months reckoned from the date of his/her appointment to a CES position.

A written request for the reactivation of CES rank shall contain a narration of facts and circumstances behind the official's separation from and re-entry in the CES. In support of his/her written request, a CESO applying for the reactivation of his/her CES rank shall likewise submit to the Board the following documentary requirements:

1. Appointment paper after re-employment to a CES position, duly certified by a Personnel Officer/Administrative Officer;
2. Service Record, duly certified by a Personnel Officer/Administrative Officer; and
3. Updated CES Personal Data Form (PDF).

**Section 2. Basis for Reactivation of CES Rank.** The reactivation by the Board of a CES rank shall be based on three (3) major criteria, to wit:

1. **Broad Levels of Responsibility.** The level of managerial responsibility shall be considered as one of the criteria for the reactivation of the CES rank. This shall be reckoned in terms of the general duties and responsibilities that the CESO performs or exercises.

He/she must be assigned to any of the following CES positions, namely: Undersecretary, Assistant Secretary, Bureau Director, Assistant Bureau Director, Regional Director, Assistant Regional Director, Chief of Department Service and other equivalent officers;

2. **Personal Qualification.** A CESO applying for CES rank reactivation shall be required to possess the minimum personal qualifications of the CES rank which he/she formerly held, as laid down under the Revised Policy on Original and Promotional Appointment to CES Ranks (CESB Res. No. 453 s. 2002);

**3. Demonstrated Competence.** A CESO requesting for the reactivation of his/her CES rank must obtain a CESPES rating of at least "Very Satisfactory" for a period of six (6) months reckoned from the time of his/her re-entry in the CES.

**Section 3. Additional Requirements.** In addition to the three (3) major criteria, a CESO applying for CES rank reactivation shall be required to submit to the Board the following documentary requirements:

- 1.) Clearances from the following offices:
  - a.) Department or agency of the official concerned;
  - b.) Civil Service Commission;
  - c.) Sandiganbayan.
  - d.) Presidential Anti-Graft Commission;
- 2.) Self-certification under oath issued by the CESO stating that he/she has no pending administrative or criminal case;
- 3.) Endorsement of a Department Secretary or Agency Head;

**Section 4. Endorsement of a Department Secretary or Agency Head.** Six (6) months after his/her re-entry in the CES, a CESO applying for the reactivation of his/her CES rank shall request for an endorsement from his/her Department Secretary or Agency Head.

In case the Department Secretary or Agency Head fails to act on the CESO's request within thirty (30) days, he/she may request the Board's assistance in obtaining the endorsement. The Board shall write the Department Secretary or Agency Head, inform him/her of the CESO's application for CES rank reactivation, and require action on the CESO's request for endorsement within thirty (30) days.

Failure of the Department Secretary or Agency Head to act within thirty (30) days shall constrain the Board to consider the CESPES rating obtained by the CESO applying for the reactivation of his/her CES rank during the six (6) month period from his/her re-entry in the CES in lieu of the formal endorsement of the Department Secretary or Agency Head, provided the same is at least "Very Satisfactory."

The Board shall not reactivate the CES rank of a CESO who receives a negative endorsement from the Department Secretary or Agency Head.

A Department Secretary or Agency Head may not endorse to the Board the reactivation of the CES rank of a CESO within six (6) months prior to

the end of the CESO's term or tenure, provided, however, that an endorsement made by a Department Secretary or Head of Agency within six (6) months to one (1) year prior to his/her death, disability, unforeseen resignation, removal, abolition of office, or any other similar act shall be considered valid

**Section 5. Board Evaluation of Application.** Upon receipt of the application of the CESO for the reactivation of his/her CES rank, the Board Secretariat shall make the necessary evaluation of the written application. The Board Secretariat shall submit a report to the Board after conducting an investigation into the circumstances behind the CESO's separation and subsequent re-entry in the CES.

In addition, the report to be submitted shall contain the nature and date of the CESO's separation from the CES, CES positions occupied prior to his/her separation and upon re-entry in the CES, and the findings and recommendations of the Board Secretariat.

**Section 6. Reactivation of CES Rank.** After the proper evaluation of the merits of the application, the Board, if warranted, shall reactivate the CES rank of the CESO concerned. The CES rank to be reactivated shall be the same rank prior to the separation from the government service, regardless of the CES position to which the CESO is presently appointed.

**Section 7. CES Occupancy Report.** Each department or agency of the government covered by the CES shall be required to submit a Career Executive Service Occupancy Report to the Board. The report submitted shall include CESOs whose CES ranks have been deactivated and subsequently reactivated in the CES.

**Section 8. Denial of Application for Reactivation of CES Rank.** The Board, subject to the rules laid down under this resolution, shall deny an application for the CES rank reactivation of a CESO based on the following grounds:

1. He/she has been dismissed for cause and after due process; and,
2. Failure to meet the requirements for reactivation of CES rank established by the Board under this resolution.

**Section 9. Filing of Motion for Reconsideration.** A CESO, whose application for reactivation of CES rank has been denied by the Board, may file a motion for reconsideration within fifteen (15) days from receipt of the Board decision denying his/her application. Only one motion for reconsideration shall be allowed.

The denial of the motion for reconsideration or the lapse of the period for filing such motion without a motion for reconsideration being filed renders the decision final.



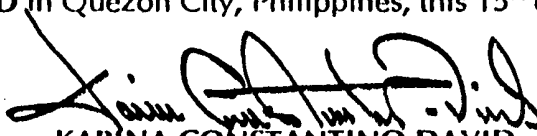
**RULE VI**  
**FINAL PROVISIONS**

**Section 1. Separability Clause.** If any section or part of this resolution shall be held to be invalid, the remaining provisions shall be given full force and effect as if part held invalid had not been included therein.

**Section 2. Repealing Clause.** All existing CES rules and regulations, circulars and memoranda inconsistent with this resolution are hereby repealed or amended accordingly.

**Section 3. Effectivity.** This resolution shall take effect after fifteen (15) days from publication in the Official Gazette or in a newspaper of general circulation.

APPROVED in Quezon City, Philippines, this 15<sup>th</sup> day of June, 2004.

  
KARINA CONSTANTINO-DAVID

Chair

  
RAMON F. NIEVA  
Vice Chair

ABSENT  
MA. CONCEPCION P. ALFILER  
Member

  
GODOFREDO C. DE GUZMAN  
Member

  
EDUARDO T. GONZALES  
Member

O.B.  
FERDINAND B. CUI  
Member

ABSENT  
BOBBY V. Dumlao  
Member

ABSENT  
CARINA S. VALERA  
Member

Attested by:

  
BETTINA MARGARITA LAYUGAN

Acting Board Secretary

CESB/PPS/X.3/RESOLUTIONS/DEACTIVATION-REACTIVATION-14JUL04