



FEB 05 2010

DepEd MEMORANDUM  
No. **46**, s. 2010

**INTERIM AUTHORITY TO FILL REGULAR/PERMANENT/ITEMIZED POSITIONS**

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

1. For the information and guidance of all concerned, enclosed is a copy of Department of Budget and Management (DBM) Circular Letter No. 2010-3 dated January 29, 2010, authorizing the filling up of regular/permanent/itemized positions that are necessary in the performance of vital/core functions.
2. This interim authority shall take effect immediately up to March 25, 2010.
3. All concerned must strictly follow the existing DepEd and Civil Service Commission (CSC) rules and regulations in the filling up of authorized vacant positions specified in the Circular.
4. Immediate dissemination of this Memorandum is desired.

**JESUS G. GALVAN**  
Assistant Secretary for Finance  
OIC, Office of the Undersecretary for Finance  
and Administration

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

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT  
BUREAUS & OFFICES  
EMPLOYEES  
LEGISLATIONS  
OFFICIALS  
RULES and REGULATIONS

Sheila, R-DM Interim Authority to Fill Positions  
February 5, 2010





REPUBLIC OF THE PHILIPPINES

**Department of Budget and Management**

Building I, General Solano Street, San Miguel, Manila



**CIRCULAR LETTER**

No. 2010 - 3  
January 29, 2010

**TO : HEADS OF DEPARTMENTS AND AGENCIES OF THE EXECUTIVE BRANCH, INCLUDING GOVERNMENT-OWNED AND/OR -CONTROLLED CORPORATIONS (GOCCs), GOVERNMENT FINANCIAL INSTITUTIONS (GFIs), AND ALL OTHERS CONCERNED**

**SUBJECT : INTERIM AUTHORITY OF DEPARTMENT SECRETARIES/ AGENCY/GOCC/GFI HEADS TO FILL REGULAR/ PERMANENT/ITEMIZED POSITIONS**

**1.0 Purpose**

This Circular Letter is being issued to provide authority to Secretaries/Heads of Agencies/GOCCs/GFIs to fill authorized regular/permanent/itemized positions that are necessary in the performance of their vital/core functions from the effectivity of this Circular Letter up to 25 March 2010.

**2.0 Guidelines**

**2.1 Positions Authorized to be Filled**

2.1.1 Department Secretaries/Heads of Agencies/GOCCs/GFIs are hereby authorized to fill the following regular/permanent/itemized positions which are in their existing authorized staffing pattern, either through original appointment, promotion or reemployment, from the date of the effectivity of this Circular Letter up to 25 March 2010 (the last day for said personnel actions under *Commission on Elections (COMELEC) Resolution No. 8646* dated 14 July 2009):

- a. Undersecretary and Assistant Secretary positions, including similar items, subject to Presidential action, but not to exceed the number of positions authorized under their latest respective legal basis;
- b. Positions which have been previously authorized to be filled by the Department of Budget and Management (DBM) but have been subsequently vacated;
- c. Teaching positions, medical and allied medical items in hospitals and other medical facilities servicing agency clients, provided these are within the existing standards set jointly by the Department concerned and the DBM;

- d. Uniformed positions in the Departments of National Defense, the Interior and Local Government, Transportation and Communications, and Environment and Natural Resources;
- e. In the case of secondary schools of the Department of Education, all Accountant, Cashier, Bookkeeper and Disbursing Officer items in support of the decentralization of the release of funds thereat; and
- f. Positions that serve as immediate support staff of key officials, subject to the following limitations:
  - f.1 The filling of the position/s shall not exceed the maximum number and level of positions allowable for key officials indicated hereunder:

| Position                                  | Salary Grade of Official | Maximum Allowable Number of Support Positions | Highest Executive Assistant Position | Highest Administrative Assistant Position  |
|---|--------------------------|---|--------------------------------------|--|
| Department Secretary/equivalent           | 31                       | 10  | Head Executive Assistant, SG 27      | Senior Administrative Assistant V, SG 18   |
| Department Undersecretary/equivalent      | 30                       | 6   | Executive Assistant IV, SG 22        | Senior Administrative Assistant III, SG 15 |
| Department Assistant Secretary/equivalent | 29                       | 4   | Executive Assistant III, SG 20       | Administrative Assistant V, SG 11          |

- f.2 There shall be no duplicity in the level of each type of position, except for Executive Assistant positions allocated to SG 17 and below, and administrative positions allocated to SG 9 and below, in order to preserve the hierarchy of positions; and
  - f.3 The appointment of immediate support staff who provide executive assistance, private secretarial and chauffeuring services shall be coterminus with the official being served.
- 2.1.2 The filling of said positions is being authorized, subject to pertinent budgetary, civil service, accounting and auditing rules and regulations, and the following conditions:
- a. Positions for filling are *funded* under the FY 2009 and the proposed FY 2010 budgets of the Department/Agency/GOCC/GFI;
  - b. The action would not entail additional budgetary release or the realignment of non-Personal Services (PS) funds to PS; and
  - c. The total number of filled positions in the Department/Agency/GOCC/GFI at the start of its rationalization efforts would not be exceeded, exclusive of teaching positions, medical and allied medical items in hospitals, and uniformed positions.
- 2.1.3 Provisions of **COMELEC Resolutions No. 8646** and **8732** dated 14 July 2009 and 23 December 2009, respectively, on prohibited acts during the election period shall likewise be adopted by the Department Secretaries/Heads of Agencies/GOCCs/GFIs in the filling of positions.

2.2 Positions in the Rationalization Plans Being Evaluated by DBM

2.2.1 Department Secretaries/Heads of Agencies/GOCCs/GFIs, whose submitted Plans are still being evaluated, by this Department, are likewise authorized to fill the following vacant positions which are in their existing authorized staffing pattern:

- a. Director positions, including similar items, subject to Presidential action;
- b. Immediate support staff of Director positions, subject to the following:
  - b.1 No Executive Assistant nor Private Secretary positions shall be filled;
  - b.2 The filling of the position/s shall not exceed the maximum number and level of positions allowable for the key officials indicated hereunder:

| Position   | Salary Grade of Official | Maximum Allowable Number of Support Positions | Highest Executive Assistant Position | Highest Administrative Assistant Position |
|--|--------------------------|---|--------------------------------------|---|
| Director IV, Head of a Bureau or organization equivalent to a Bureau, Department Regional Director, Department Service Chief | 28                       | 2   | -                                    | Administrative Assistant III, SG 9        |
| Director II, Head of a Bureau Regional Office or organization equivalent to a Bureau Regional Office                         | 26                       | 2   | -                                    | Administrative Assistant I, SG 7          |

b.3 The appointment of immediate support staff who provide chauffeuring services shall be coterminus with the official being served.

- c. One-of-its-kind positions in a specific unit and technical items that are essential in ensuring effective operations, provided there shall be no more than one (1) assistant division chief/supervising (SG 22) item that shall be filled per division; and
- d. Critical administrative/support items in the division concerned, except those providing services that could be outsourced, provided that the total administrative/support positions filled at any one time in a particular division shall not exceed 50% of its total administrative/support positions.

2.2.2 The filling of positions under Section 2.2.1 is being authorized provided they are **not affected** under the submitted Rationalization Plan, i.e., proposed to either be abolished, converted, reclassified or transferred to another unit, and the conditions set under Sections 2.1.2 and 2.1.3, shall be strictly followed.

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2.3 **Positions in Departments/Agencies/GOCCs/GFIs with Rationalization Plans which are Partially Submitted, Withdrawn, Returned without Action, or for Submission to DBM**

2.3.1 Departments/Agencies/GOCCs/GFIs with partial submissions, with Plans that have been withdrawn, returned without action, or still for submission to DBM shall continually be covered by the provisions of DBM Circular Letter 2009-13 (Reiteration/Clarification of Certain Guidelines Related to the Filling of Positions/Hiring of Personnel Under Executive Order 366) dated 18 December 2009 with regard to the moratorium on the filling of positions, except those positions indicated under Section 2.1.

2.4 **Other Positions Still Covered by the Moratorium on the Filling of Positions**

2.4.1 The following items shall continually be covered by the moratorium on the filling of positions:

- a. Medical and allied medical items, which primarily provide services to agency personnel, consistent with Section 2.1 of DBM Circular Letter 2009-13;
- b. Those positions providing administrative/support services (e.g., utility, building and grounds maintenance, messengerial, security and transportation/mobility) which should have been outsourced by the Department/Agency/GOCC/GFI; and
- c. Those items earlier declared as CTI and should have already been abolished.

2.5 The DBM shall give the Civil Service Commission for its reference the list of departments/agencies whose Rationalization Plans fall under various categories.

**3.0 Reporting Scheme**

The Department Secretary/Head of Agency/GOCC/GFI, the Head of the Change Management Team, and the Head of the Personnel/Human Resource Division/Unit shall submit a report to the Secretary of Budget and Management *on or before 15 April 2010* using the attached form on the list of positions that were filled using this authority, further attesting under oath that the actions taken are consistent with and not violative of the conditions provided under this Circular Letter.

**4.0 Responsibility Clause**


It shall be the joint responsibility of the Department Secretary/Head of the Agency/GOCC/GFI, the Head of the Change Management Team, and the Head of the Personnel/Human Resource Division/Unit to strictly enforce the provisions of this Circular Letter. In case of any violation of the same, the three (3) officials aforementioned shall be held jointly liable for any damage it may cause on the personnel so affected upon the implementation of the Department/Agency Rationalization Plan.

## **5.0 Repealing Clause**

Pertinent portions of DBM Circular Letter 2009-13 dated 18 December 2009 that are inconsistent with this Circular Letter are hereby repealed, amended or modified accordingly for the duration that this Circular Letter shall be in effect.

## **6.0 Effectivity**

This Circular Letter shall take effect upon its publication in a newspaper of general circulation up to 25 March 2010.

  
**ROLANDO G. ANDAYA, JR.**  
Secretary



