

Republika ng Pilipinas
(Republic of the Philippines)
MINISTRI NG EDUKASYON AT KULTURA
(MINISTRY OF EDUCATION AND CULTURE)
Maynila

August 20, 1979

MEC O R D E R
No. 54, s. 1979

GUIDELINES ON CONTRACTUAL APPOINTMENTS

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

1. For the information and guidance of the field, inclosed is a copy of Memorandum Circular No. 11, s. 1979, of the Civil Service Commission regarding requirements and policies on contractual or consultant appointments.
2. Please be guided accordingly.

(SGD.) ONOFRE D. CORPUZ
Minister of Education and Culture

Incl.:

As stated

Reference:

N o n e

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

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

~~APPOINTMENT, EMPLOYMENT,~~
~~REAPPOINTMENT~~
~~APPROPRIATIONS~~

~~RULES & REGULATIONS~~
~~SERVICE~~

(Inclosure to MEC Order No. 54, s. 1979)

REPUBLIKA NG PILIPINAS
KOMISYON NG SERBISYO SIBIL
(Civil Service Commission)
Lungsod ng Maynila

MC No. 11, s. 1979

MEMORANDUM CIRCULAR

ALL HEADS OF MINISTRIES, BUREAUS AND AGENCIES OF
THE NATIONAL AND LOCAL GOVERNMENTS INCLUDING
GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS

SUBJECT : Guidelines on Contractual Appointments

To insure uniform compliance with the requirements prescribed for contractual appointments in conformity with Section 6 (4) of P.D. 807, as amended by the Administrative Code of 1978 (P.D. 1587 approved on June 11, 1978), and Letters of Instructions Nos. 806 and 828, and to facilitate action thereon, the following guidelines on the issuance of contracts of services are hereby prescribed:

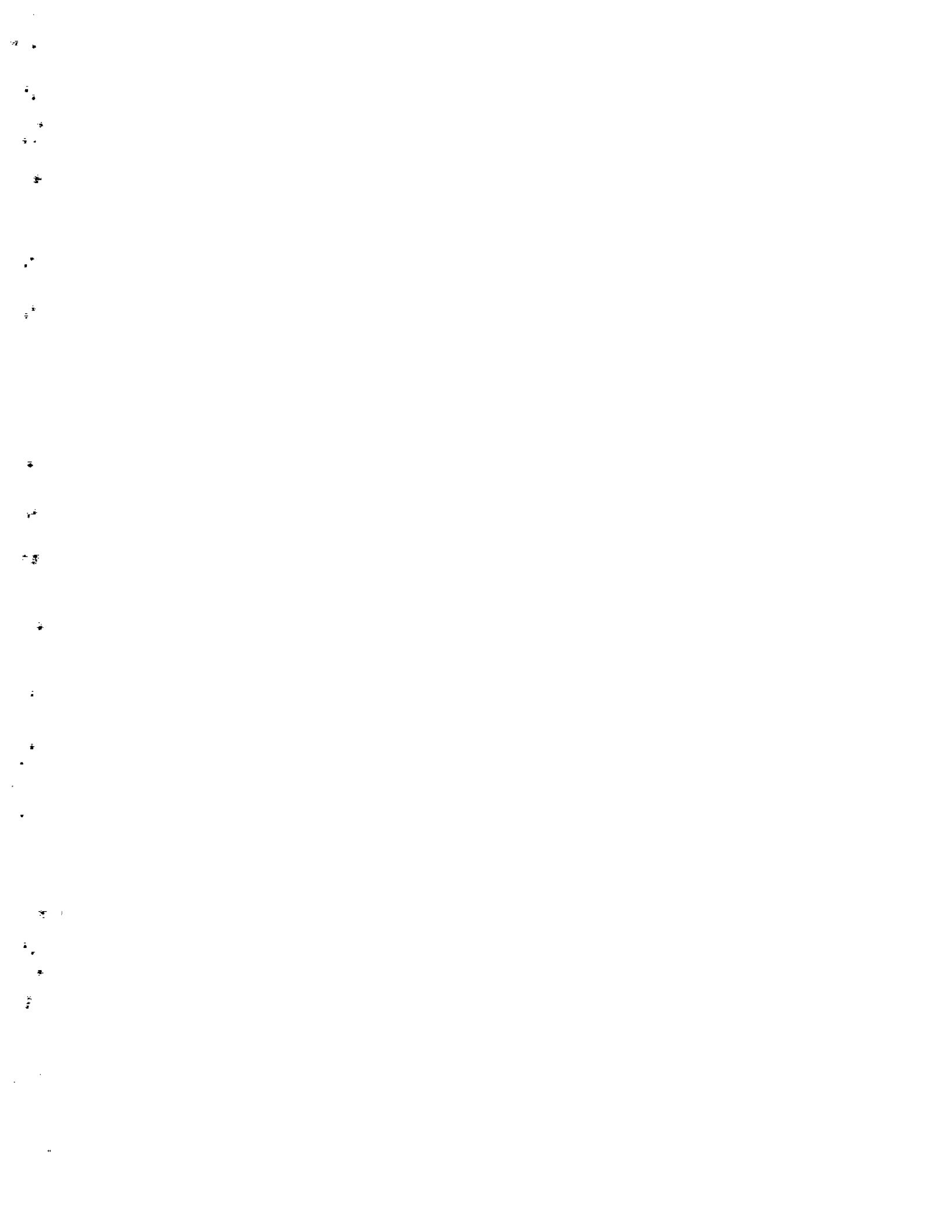
I. Requirements for Original Contractual/Consultant Appointments or Contracts of Services:

1. Contractual/Consultant appointments or contracts of services shall be prepared in four copies and must be duly notarized.
2. Four copies of Civil Service Form No. 212, Revised 1973 (Personal Data Sheet) duly accomplished and notarized (All pertinent data on experience and education shall be indicated and all such entries shall be certified by the personnel officer of the contracting agency).
3. Three copies of EC-CSC Form No. 1 (Position Description Form) duly accomplished and signed by the contractual appointee and the head of agency.
4. NISA clearance is required and shall be attached to the contracts of services (See CSC MC No. 1, series of 1978).
5. Justification for the hiring of personnel on contractual basis within the context and meaning of Section 6 (4) of PD No. 807, including a brief description of the project job or work to be accomplished and its specific duration.

6. A certified true copy of the approval of the Ministry of the Budget relative to the funding or appropriation for the project, job or work to be undertaken for a specific duration.
7. Where contracts of services are issued to retired or overaged (57 years old and above) personnel, authority to appoint as an exception to Memorandum Circular No. 163, series of 1968, of the Office of the President should first be secured from the Chairman, Civil Service Commission, pursuant to Letter of Implementation No. 47 of the President dated August 18, 1968, except scientific and other technical personnel as defined in the provisions of Section 1, P.D. 1502. A certified true copy of the said exemption shall be attached to the contract of services.
8. Where contracts of services are issued to persons who are employed in private firms, authority from the Office of the President pursuant to Memorandum Circular No. 1025 of the aforesaid Office must first be secured and a certified true copy of such authority shall be attached to the contract of services.
9. Period of services in the contract shall be stipulated to take effect not earlier than the date of execution or signing of the contract by both parties concerned; the duration of services shall in no case exceed one year.

II. Requirements for Contractual/Consultant Appointments for Renewal of Services

1. Contracts of services shall be prepared in at least four copies and duly notarized.
2. Four copies of CS Form No. 212, revised 1973, duly accomplished and notarized; the previous position and salary must be indicated in the personal data sheet including the CSC Resolution number approving or disapproving the previous contract.
3. Contracts of services shall be notarized as early as possible to avoid delay in the submission of such documents to this Commission or the Office of Compensation and Position Classification within the 30-day



reglementary period of submission as provided for in Section 9 (h) of PD No. 807 and MC No. 7, series of 1979, of this Commission.

4. Brief statement as to why the contracts are being renewed, how many times said contracts were renewed (total number of years contractual services previously approved) and the duration of said contracts, duly certified by the personnel officer of the contracting agency.

III. Policies Affecting Contractual Appointments or Contracts of Services

1. Contracts of services shall be issued only to highly skilled scientific and technical personnel whose expertise or technical skills are not available in the employing agency. In all cases, there has to be a project or specific job or work to be accomplished for a specific period. The contract of services, shall, however, be limited to a period not exceeding one (1) year.
2. In no case shall contractual appointments or contracts of services be issued to non-technical personnel or those whose duties and functions are clerical or administrative in nature or those who will hold positions in the labor or trades and crafts groups. If such services are needed in support of the job or project, the regular staff or personnel may be augmented by hiring on casual or emergency basis involving the issuance of appointments.
3. For purposes of determining the effectivity of contracts of services, the date of execution or signing between the two parties shall be the controlling date or in its absence, the date of notarization thereof. It is, therefore, important that the date of execution or signing of the contracts should be duly indicated therein.
4. Contracts of services submitted to this Commission or the Office of Compensation and Position Classification, which have already lapsed beyond the 30-day grace period of submission under the law, shall be considered ineffective and shall be returned

without action (See CSC MC No. 7, series of 1979), unless delay in the submission is due to valid and justifiable reasons.

5. Contracts of services shall first be forwarded to the Office of Compensation and Position Classification before they are sent to this Commission, for appropriate action pursuant to Letter of Implementation No. 29 of the President but not later than thirty (30) days from the date of execution or signing of the contracts. This does not apply to contracts of services in the local governments, or those for renewal of services provided there is no change in the rate of salary, position and duties or functions.
6. Consultants may be allowed not more than two part-time contracts with two government agencies at one time. In no case should they be designated OIC(s) or Executive Directors or the like wherein they exercise control or supervision over career personnel in the hiring agency.
7. Attention in this connection is invited to Section 5, Article XV, of the Constitution and Section 46, Article X, of P.D. 807 prohibiting the payment of additional or double compensation to elective or appointive public officers or employees unless specifically authorized by law.

THIS MEMORANDUM CIRCULAR SHALL TAKE EFFECT IMMEDIATELY AND ALL PROVISIONS OF EARLIER MEMORANDUM CIRCULARS INCONSISTENT HERETO SHALL BE CONSIDERED MODIFIED.

(SGD.) JACOBO C. CLAVE
Acting Chairman

May 31, 1979

A true copy

