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(MINISTRY OF EDUCATION, CULTURE AND SPORTS)
Maynila

November 18, 1983

MECS O R D E R
No. 57, s. 1983

RULE ON PROMOTION ADOPTED IN RESOLUTION NO. 83-343
OF THE CIVIL SERVICE COMMISSION DATED JUNE 28, 1983

To: Bureau Directors
Cultural Agency Directors
Regional Directors
Chiefs of Services and Heads of Units
Schools Superintendents
Presidents, State Colleges and Universities
Vocational School Superintendents/Administrators

1. Inclosed is a copy of Resolution No. 83-343 of the Civil Service Commission dated June 28, 1983 on the Rule on Promotion governing the career progression of employees in the Philippine Civil Service, which is self-explanatory.
2. The provisions of the MECS Merit Promotion System (MEC Order No. 52, s. 1980) which are inconsistent with any provision of the said Resolution are hereby deemed repealed or modified, as the case may be.
3. It is desired that this Order be disseminated to all officials, teachers and employees for their information and guidance. Chairmen and members of Promotion and Selection Boards should familiarize themselves with the said rules to ensure adherence with the Civil Service Law, rules and regulations on promotion.
4. Strict compliance is likewise desired.

(SGD.) ONOFRE D. CORPUZ
Minister

Incls..

As stated

Reference:

MEC Order (No. 52, s. 1980)

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

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

AMENDMENT	PROMOTION
BUREAUS and OFFICES	RULES and REGULATIONS
EMPLOYEES	TEACHERS
OFFICIALS	

Resolution No. 83-343

RULE ON PROMOTION

Pursuant to the provisions of Section 9(b) and Section 14, Article VIII of Presidential Decree No. 807, the Commission hereby adopts and promulgates the following Rule on Promotion governing the career progression of employees in the Philippine Civil Service:

Section 1. Promotion is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary.

Promotion may be from one ministry or agency to another or from one organizational unit to another in the same ministry or agency.

Section 2. Whenever a position in the first level becomes vacant, the employees in the ministry or agency who occupy positions deemed to be next-in-rank to the vacancy, shall be considered for promotion. In the second level, those employees in the government service who occupy next-in-rank positions shall be considered for promotion to the vacancy.

Section 3. A next-in-rank position refers to a position which, by reason of the hierarchical arrangement of positions in the ministry or agency or in the government, is determined to be in the nearest degree of relationship to a higher position taking into account the following:

- (1) Organization structure/s as reflected in the approved organization chart/s;
- (2) Classification and/or functional relationships;
- (3) Salary and/or range allocation; and
- (4) Geographical location.

Such determination shall be made on as wide an area of selection as possible within the ministry or agency. In no instance, however, shall a position in the first level be considered next-in-rank to a position in the second level.

In the event of changes in the organization structure or occupational grouping, the line of promotion shall be determined on the basis of the new organization or occupational grouping.

Section 4. An employee who holds a next-in-rank position who is deemed the most competent and qualified, possesses an appropriate civil service eligibility, and meets the other conditions for promotion shall be promoted to the higher position when it becomes vacant.

However, the appointing authority may promote an employee who is not next-in-rank but, who possesses superior qualifications and competence compared to a next-in-rank employee who merely meets the minimum requirements for the position.

Section 5. The comparative degree of competence and qualification of employees shall be determined by the extent to which they meet the following requirements:

1. Performance - this shall be based on last two performance ratings of the employee. However, no employee shall be considered for promotion unless last two performance ratings are at least satisfactory.

2. Education and Training - these shall include educational background and the successful completion of training courses, scholarships, training grants and others. Such education and training must be relevant to the duties of the position to be filled.

3. Experience and Outstanding Accomplishments - these shall include occupational history, work experiences and accomplishments worthy of special commendation.

4. Physical Characteristics and Personality Traits - these refer to the physical fitness, attitudes and personality traits of the individual which must have a bearing on the position to be filled.

5. Potential - this takes into account the employee's capability not only to perform the duties and assume the responsibilities of the position to be filled but also those of higher and more responsible positions.

For purposes of promotion, civil service and other awards for outstanding accomplishments shall be given due consideration.

In cases where the classifications of employees are comparatively at par, preference shall be given to the employee in the organizational unit where the vacant position is or in the ministry or agency where the vacancy is, in the case of second level positions.

Section 6. No other Civil Service eligibility shall be required for promotion to a higher position in the same level or within the same or functional related grouping of positions.

Section 7. To ensure objectivity in promotion, a Promotion Board shall be established in every ministry or agency which shall be responsible for the adoption of a formal screening procedure and formulation of criteria for the evaluation of candidates for promotion.

Reasonable and valid standards and methods of evaluating the competence and qualifications of all employees competing for a particular position shall be established and applied fairly and consistently. The criteria established for evaluation or qualification of candidates for promotion must suit the job requirements of the position.

The Promotion Board shall then evaluate the qualification of an employee being considered for promotion in accordance with the Ministry or Agency Merit Promotion Plan pursuant to Section 10 hereof.

The Board shall likewise determine en banc the list of employees recommended for promotion from which the appointing authority may choose the employee to be promoted. In preparing the list, the Board shall see to it that the qualifications of employees recommended for promotion are comparatively at par and that they are the best qualified in the agency.

As soon as the promotional appointment is issued, a notice announcing the promotion shall be posted by the head of the Personnel Division/Department/Office on the bulletin board of the ministry, agency or regional office concerned.

The Promotion Board shall maintain records of deliberations which shall be available for inspection by the Commission or its duly authorized representatives.

Section 8. In filling supervisory positions the Board shall develop criteria for managership and leadership which shall constitute one of the instruments for selection of candidates for promotion.

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Section 9. Each ministry or agency shall establish a qualification index of all employees. For this purpose, individual personnel folders shall be kept and made available to the Promotion Board and shall be open at all times for the inspection of the Commission. These folders shall give the following information about the employee's record of performance, occupational history, educational attainment, special studies and training, civil service eligibilities and other relevant data.

Section 10. Each ministry or agency shall have a Merit Promotion Plan including a system of ranking positions. Newly organized and/or reorganized ministries or agencies shall develop a Merit Promotion Plan which shall be submitted to the Commission for approval within a year from its organization or reorganization. All Merit Promotion Plans shall be continually updated and any changes or amendments shall take effect six (6) months from date of approval by the Commission. All employees shall be informed by the ministry or agency of the Merit Promotion Plan and system of ranking positions and amendments thereto, as approved.

The Commission shall provide technical assistance to the ministries and agencies in the preparation of Merit Promotion Plans and System of Ranking Positions and shall monitor their implementation.

Section 11. All appointments involved in a chain of promotions must be submitted simultaneously for approval by the Commission. The disapproval of the appointment of a person proposed to higher position invalidates the promotion of those in lower positions and automatically retroces them to their former positions. However, they are entitled to the payment of salaries for services actually rendered at the rate fixed in their promotional appointments.

Section 12. The incumbent of a position that has been reclassified or upgraded due to increase in responsibilities and/or changes in the nature of duties, shall be issued a permanent appointment if he is qualified and he possesses appropriate eligibility for the position.

If the incumbent does not meet the qualification requirements for appointment to the reclassified or upgraded position, he shall be issued a temporary appointment thereto until such time that he qualifies for a permanent appointment but not to exceed two years.

Section 13. When an employee who is legitimately entitled

to promotion has a pending administrative case, the position to which he should have been promoted shall not be filled until after the administrative case shall have been finally decided. However, when the exigencies of the service require immediate filling of the position then, it shall be filled by temporary appointment to end as soon as the employee legitimately entitled to it is exonerated.

If he is found guilty, he shall be disqualified for promotion for a period based on the penalty imposed as prescribed by the Commission.

Section 14. Within fifteen (15) days from notice of the issuance of an appointment, a next-in-rank employee who is competent and qualified and who feels aggrieved by the promotion of another may file a protest to the ministry or agency head who shall make a decision within thirty (30) days from the receipt of the protest.

The employee who is not satisfied with the decision of the ministry or agency head may further appeal within fifteen (15) days from receipt thereof to the Merit System Board. However, in the interest of justice and considering attendant circumstances, the Board may extend the period to appeal for a period not exceeding fifteen (15) days. The Board shall render a decision within sixty (60) days from the time that the protest case is submitted for decision. The decision of the Board is final and executory if no petition for reconsideration or appeal is made within fifteen (15) days from receipt of decision. The Secretary of the Board shall furnish the parties copies of the decision.

Section 15. An employee who is still not satisfied with the decision of the Board may appeal to the Commission within fifteen (15) days from receipt of the decision. The Commission shall make a decision within sixty (60) days from the date of receipt of the appeal.

The decision of the Commission is final and executory if no petition for reconsideration is filed within fifteen (15) days from receipt of the decision.

Section 16. In all instances only one petition for reconsideration shall be entertained. The petitioner shall point out errors in the original decision or he shall present new evidences.

Section 17. Failure to file a protest or appeal or petition for reconsideration within the prescribed period shall be deemed a waiver of such right.

Section 18. An appointment though contested shall take effect immediately upon its issuance if the appointee assumes the duties of the position and the appointee is entitled to receive the salary attached to the position. However, the appointment, together with the decision of the ministry head shall be submitted to the Commission for appropriate action within sixty (60) days from the date of its issuance otherwise the appointment becomes ineffective thereafter. Likewise such an appointment shall become ineffective in case the protest is finally resolved in favor of the protestant, in which case the protestee shall be reverted to his former position.

Section 19. This Rule on Promotion hereby supersedes Rule V of the Rules on Personnel Actions and Policies.

Section 20. This new Rule shall take effect thirty (30) days after its publication in the Official Gazette.

(SGD.) ALBINA MANALO-DANS
Chairman

(SGD.) EMMANUEL G. CLETO
Commissioner

(SGD.) ALEJANDRO A. MADAMBA
Commissioner

ATTESTED:

(SGD.) MARIO D. YANGO
Executive Director

June 28, 1983

A true copy