

Republika ng Pilipinas
(Republic of the Philippines)
KAGAWARAN NG EDUKASYON, KULTURA AT ISPORTS
(DEPARTMENT OF EDUCATION, CULTURE AND SPORTS)
Manila

August 14, 1989

DECS O R D E R
No. 77, s. 1989

POLICIES ON APPOINTMENTS TO POSITIONS
IN THE CAREER SERVICE

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

1. Inclosed is a copy of Memorandum Circular No. 29, s. 1989, of the Civil Service Commission, on the subject: "Reiteration of Certain Policies on Appointments to Positions in the Career Service," which is self-explanatory.
2. It is desired that this Order be brought to the attention of all concerned for their information, guidance and strict compliance.
3. Please be guided accordingly.

(SGD.) LOURDES R. QUISUMBING
Secretary

Incl.:
As stated

Reference:
None

Allotment: 1-2-3--(M.O. 1-87)

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

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT
ELIGIBILITY
EMPLOYEES
POLICY
QUALIFICATIONS
RULES & REGULATIONS
SERVICE

(Inclosure to DECS Order No. 77, s. 1989)

Republic of the Philippines
CIVIL SERVICE COMMISSION
(Komisyon ng Serbisyo Sibil)
Quezon City

MC No. 29, s. 1989

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS AND AGENCIES OF THE LOCAL AND NATIONAL GOVERNMENTS, INCLUDING GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT : Reiteration of Certain Policies on Appointments to Positions in the Career Service

The Civil Service Commission notes the increasing number of temporary appointments of persons who have not qualified in appropriate civil service examinations being submitted by appointing authorities. In the past, the Commission had approved such temporary appointments on the basis of justifications presented, e.g. lack of qualified eligibles immediately available for appointment.

It may be pointed out, however, that in line with the Constitutional mandate on the observance of merit and fitness in the appointment of government employees, the Commission has been regularly conducting civil service examinations. Furthermore, pursuant to certain special laws, the Commission has been granting eligibilities to qualified applicants. An example of these special laws is P.D. 907 which provides for conferment of civil service eligibility to college honor graduates. Thus, it has accumulated registers of eligibles who can be certified for appointment to positions to which non-eligibles are being proposed for appointment.

In view of the foregoing, and as the continuous appointment of non-eligibles unduly jeopardizes the chances for employment of those who have qualified in appropriate civil service examinations, the Commission reiterates the following policies on appointment to career positions in the government:

1. Qualification in an appropriate examination shall be required for appointment to positions in the first and second levels in the career service in accordance with the Civil Service rules. (Sec. 19(7), P.D. 807)
2. A temporary appointment shall not exceed twelve months, but the appointee may be replaced sooner if a qualified civil service eligible becomes available. (Sec. 25(b), P.D. 807)

3. Appointments of teachers shall be governed by the relevant provisions of R.A. 4670. However, when teachers registered under P.D. 1006, are available for appointment, no non-eligible applicants shall be appointed as teachers even in a temporary or provisional capacity.
4. The Commission and its Regional Offices shall certify qualified eligibles from its registers for purposes of appointment to career positions.
5. (a) A permanent appointment shall be issued to a person who meets all the requirements for the position to which he is being appointed, including the appropriate eligibility prescribed, in accordance with the provisions of law, rules and standards promulgated in pursuance thereof. (Section 25 (a), P.D. 807)
- (b) While the appointing authority is given a wide latitude of discretion in the selection of personnel for his department or agency, in the exercise of this discretion he shall be guided by and subject to the Civil Service Law and Rules.

In this connection, it is hereby announced that beginning January, 1990, the Commission shall no longer entertain temporary appointments of non-eligibles as well as those who lack the appropriate eligibility to positions in the career service except those covered by the provisions of M.C. 10, s. 1977 and CSC Resolution No. 435, s. 1980.

The Commission also hereby enjoins all appointing authorities to extend appointments under PERMANENT status to all those considered and found qualified under 5 (a), and in the light of the policy mentioned in 5 (b), this Memorandum Circular; otherwise, if only temporary appointments have been issued to fully qualified persons, the same shall be approved as PERMANENT by the Commission, such policy to be effective immediately.

The cooperation of all concerned in this regard is hereby enjoined.

(SGD.) PATRICIA A. STO. TOMAS
Chairman

July 19, 1989

A true copy