

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

October 20, 1989

DECS O R D E R
No. 99, s. 1989

RETIREMENT OF EMPLOYEES HOLDING
MORE THAN ONE POSITION

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

1. Inclosed is a copy of Memorandum Circular No. 43, s. 1989, of the Civil Service Commission regarding the retirement of employees holding more than one position, which is self-explanatory.

2. It is desired that this Order be brought to the attention of all officials, teachers and employees for their information and guidance.

(SGD-) LUIS R. BALTAZAR
Undersecretary
Officer-in-Charge

Incl.:
As stated

Reference:
None

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

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

EMPLOYEES
LEGISLATION
OFFICIALS
POLICY
RETIREMENT
RULES & REGULATIONS

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

MC No. 43, s. 1989

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS, BUREAUS AND AGENCIES OF NATIONAL AND LOCAL GOVERNMENTS, STATE COLLEGES AND UNIVERSITIES, INCLUDING GOVERNMENT OWNED AND CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT : Retirement of Employees Holding More Than One Position

There have been reported cases of government employees holding two positions who retired and were paid gratuities/annuities computed on the basis of the combined salaries of the two positions.

The Constitution provides in Article IX-B that:

"Sec. 7 x x x Unless otherwise allowed by law or by the primary functions of his position, no appointive official shall hold any other office or employment in the Government or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries."

"Sec. 8. No elective or appointive public officer or employee shall receive additional, double, or indirect compensation, unless specifically authorized by law, nor accept without the consent of the Congress, any present, emolument, office, or title of any kind from any foreign government. x x x"

The above-quoted Constitutional provisions clearly define the national policy as being against the holding by a government employee of more than one position, hence an appointment to a second position must be regarded only as imposing additional duties to the regular functions of an employee and consequently an employee can retire only from his regular or main position and not from his additional position.

In view of the foregoing, it is hereby enjoined that henceforth, a government employee holding two or more positions, can retire only from his regular or main position and not from his additional position or positions and consequently, the salaries attached to the additional positions will not be counted in determining the highest salary received nor be included in the computation of the gratuity or annuity of the employee.

(SGD.) PATRICIA A. STO. TOMAS
Chairman