

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

July 16, 1990

DECS O R D E R
No. 81, s. 1990

PRIOR CIVIL SERVICE COMMISSION AUTHORITY DISPENSED WITH
IN HIRING/EMPLOYMENT OF CONSULTANTS ON CONTRACTUAL BASIS

To: Undersecretaries
Assistant Secretaries
Bureau Directors/Cultural Agency Directors
Directors 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 Civil Service Commission Memorandum Circular No. 26, s. 1990 dispensing with the need to secure prior authority of the Civil Service Commission in the hiring/employment of consultants on contractual basis which is self-explanatory.

2. This Order should be brought to the attention of all concerned for their information and guidance.

(SGD.) ISIDRO D. CARINO
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
AUTHORITY
BUREAUS & OFFICES
EMPLOYEES

(Inclosure to DEC5 Order No. 81, s- 1990)

Republika ng Pilipinas
KOMISYON NG SERBISYO SIBIL
(Civil Service Commission)
Quezon City

MC No. 26, s- 1990

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 : PRIOR AUTHORITY OF THIS COMMISSION IS DISPENDED WITH IN THE HIRING/EMPLOYMENT OF CONSULTANTS ON CONTRACTUAL BASIS

Pursuant to Civil Service Resolution No. 90-452 dated May 21, 1990, the Civil Service Commission hereby adopts the following policy on the hiring of consultants on contractual basis in the Civil Service, as follows:

1. In the interest of the service and considering that consultancy services on contractual basis are among those included in the non-career service and do not involve filling up of career or non-career service positions or plantilla items, the prior authority of this Commission to hire or employ persons who are 57 years of age or over, or those who are previously retired from the government service, is no longer required. In other words, the heads of Department/Agency need not secure prior authority of this Commission as required under existing law, rules and regulations to effect employment of consultants falling under these categories, to wit:
 - a. Persons who are 57 years old or over; and
 - b. Persons who were previously retired from the government service under existing retirement law.
2. Notwithstanding Item No. 1, all contracts of consultancy services should be submitted to this Commission or its proper Regional Office for review and approval in accordance with the Civil Service Law, Rules and Regulations.

This Circular shall take effect immediately.

(SGD.) PATRICIA A. STO. TOMAS
Chairman

Republika ng Pilipinas
KOMISYON NG SERBISYO SIBIL
(Civil Service Commission)
Quezon City

THE HIRING OF CONSULTANTS ON CONTRACTUAL BASIS
(Prior Authority Under Existing Regulations-Not Required)

RESOLUTION NO. 90-452

Generally, consultants hired on contractual basis refer to those persons whose employment in the government is in consideration of their special or highly technical skills or expertise not available in the employing agency to do a specific job or project within a limited period, which in no case shall exceed one year. The performance or accomplishment of the specific project, work or job is done under their own responsibility with a minimum of direction and supervision from the hiring agency. As such, they are among those included under the non-career service.

It has been observed that these consultants are either more than 57 years of age or have previously retired from the government service. On the other hand, pursuant to the Memorandum Circular No. 163 dated March 5, 1968 as amended by the Memorandum Circular No. 65 dated June 14, 1968, all of the Office of the President, the appointment of persons who are 57 years old or over, or the reinstatement of those who previously retired from the service requires prior authority from the said Office, now from this Commission. However, considering that these consultants are hired principally on the basis of their highly technical skills or expertise and that the employment by contract does not involve career or non-career service positions or plantilla items, said prior authority may, in the interest of the service, be dispensed with.

WHEREFORE, foregoing premises considered, the Commission resolved to adopt, as it hereby adopts a policy that in the hiring of consultants on contractual basis involving persons who are 57 years old or over, or who are previously retired officials or employees of the government, the prior authority of this Commission shall no longer be required. However, these contracts shall still be submitted to this Commission, or its proper Regional Office for review and approval in accordance with Civil Service Law, Rules and Regulations.

Quezon City, May 21, 1990.

(SGD.) PATRICIA A. STO. TOMAS
Chairman

(SGD.) SAMILO N. BARIANGAY
Commissioner

(SGD.) MARIO D. VANGO
Commissioner

Attested by:

C. V. USAC