



MC No. 21, s. 2007

MEMORANDUM CIRCULAR

T O : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS; AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : Clarificatory Policies on Appointments to Reclassified/Upgraded Positions

The Commission through Resolution No. 07-1427* dated July 24, 2007 clarifies and reiterates the following rules on appointments to reclassified/upgraded positions:

1. Appointment to a filled position which was reclassified/upgraded may be allowed if the incumbent fully meets the qualification standards of the reclassified/upgraded position.
2. Appointments to positions which were reclassified/upgraded based on the qualifications of incumbents under the instances cited below are allowed:
 - 2.1 Teachers on the basis of an approved Equivalent Record Forms (ERFs) (pursuant to Section 14 of Presidential Decree No. 985 dated August 22, 1978 as implemented by Circular Letter No. 84-4 dated May 30, 1984) and those covered by Teachers Preparation Pay Schedule (pursuant to Executive Order No. 500 as implemented by National Budget Circular No. 303 dated April 10, 1979);
 - 2.2 Faculty members in state universities and colleges (SUCs) per National Compensation Circular No. 33 dated January 2, 1985 as amended by National Budget Circular No. 461 dated June 1, 1998, which establishes a compensation and position classification plan for faculty positions in SUCs;

*Published in the Manila Times on October 2, 2007

3. Appointments to reclassified/upgraded positions may also be allowed when the reclassification/upgrading was a result of changes in the level/category of the government entity which will bear on the level of General Manager positions in Local Water Districts (LWDs).
4. Appointments to filled positions in LWDs which were reclassified/upgraded as a result of the recategorization of the LWD, may be allowed if the incumbent meets the qualification standards of the reclassified/upgraded position; otherwise, the reclassification/upgrading of the position shall be deferred until the incumbent meets the qualification standards of the position or until the position is vacated.

This Resolution repeals/amends existing Civil Service Commission issuances which are inconsistent herewith.

This Memorandum Circular takes effect fifteen (15) days from publication of CSC Resolution No. 07-1427 in a newspaper of general circulation.



KARINA CONSTANTINO-DAVID
Chairman

October 17, 2007



Mamamayan Muna

Re: **Clarificatory Policies on
 Appointments to Reclassified/
 Upgraded Positions**

x-----x

RESOLUTION NO. 071427

WHEREAS, Section 2(1), Article IX-B of the 1987 Constitution provides that the Civil Service embraces all branches, subdivisions, instrumentalities and agencies of the government including government-owned or controlled corporations with original charter;

WHEREAS, Section 12 (1), Chapter 3, Title I (A), Book V of the Administrative Code of 1987 provides that the Commission shall administer and enforce the constitutional and statutory provisions on the merit system for all levels and ranks in the Civil Service,

WHEREAS, Section 12 (3), Chapter 3, Title I (A), Book V of the Administrative Code of 1987 provides that the Commission shall promulgate policies, standards and guidelines for the Civil Service and adopt plans and programs to promote economical, efficient and effective personnel administration in the government;

WHEREAS, Section 12 (14), Chapter 3, Title I (A), Book V of the Administrative Code of 1987 provides that the Commission shall take appropriate action on all appointments and other personnel matters in the Civil Service;

WHEREAS, Section 4 (k), Rule III of CSC MC No. 40, s. 1998 provides:

"k. *Upgrading/Reclassification refers to the change in position title with the corresponding increase in salary grade. x x x*

x x x

"The incumbent of a position in a permanent capacity which has been upgraded/reclassified shall be appointed to the upgraded/reclassified position without change in employment status, irrespective of whether or not he meets the qualification requirements therefor. However, he shall no longer be promoted to the next higher position unless he meets the qualification requirements of the position involved." (underscoring supplied)

WHEREAS, in the abovequoted provision, upgrading/reclassification of a position was allowed even if the position is occupied and irrespective of whether the incumbent meets the qualification standards of the upgraded/reclassified position;

WHEREAS, to prevent the arbitrary exercise of management discretion in using reclassification/upgrading to unduly benefit incumbents who do not meet the qualification requirements of the reclassified/upgraded positions, the Commission

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 Supervising Personnel Specialist
 Commission Secretariat and Liaison Office
 Civil Service Commission

issued Policy No. 9, Part I – General Policies of CSC MC No. 12, s. 2003¹ which reads “There shall be no reclassification and/or upgrading of positions except when the position is actually vacant, and its filling-in shall be subject to approved qualification standards;”

WHEREAS, on March 10, 2004, the Commission, because of legal provisions that allow the reclassification of filled positions, particularly in the case of teachers and faculty positions in state universities and colleges, issued CSC MC No. 6, s. 2004² and CSC MC No. 7, 2005³;

WHEREAS, on August 16, 2005, the Department of Budget and Management (DBM), through Budget Circular No. 2005-5⁴, issued the guidelines relative to the reclassification of positions in the national government agencies which are covered by or which follow the Position Classification and Compensation System established under RA No. 6758; wherein it provides that reclassification shall apply only to filled regular positions if the incumbent meets the qualification standards of the reclassified position;

WHEREAS, for easier access to policies on reclassification/upgrading of positions, it is necessary to clarify and consolidate policies on the subject matter;

WHEREFORE, foregoing premises considered, the Commission **RESOLVES** to clarify and reiterate the following rules on appointments to reclassified/upgraded positions:


1. Appointment to a filled position which was reclassified/upgraded may be allowed if the incumbent fully meets the qualification standards of the reclassified/upgraded position.
2. Appointments to positions which were reclassified/upgraded based on the qualifications of incumbents under the instances cited below are allowed:
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 - 2.2 Faculty members in state universities and colleges (SUCs) per National Compensation Circular No. 33 dated January 2, 1985 as amended by National Budget Circular No. 461 dated June 1, 1998, which establishes a compensation and position classification plan for faculty positions in SUCs;

¹ Revised Policies on Qualification Standards

² Clarification on CSC Resolution No. 03-0962 dated September 12, 2003 Relative to the Revised Policies on Qualification Standards

³ Clarification on CSC MC No. 6, s. 2004 dated March 10, 2004

⁴ Reclassification of Positions

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Civil Service Commission



3. Appointments to reclassified/upgraded positions may also be allowed when the reclassification/upgrading was a result of changes in the level/category of the government entity which will bear on the level of General Manager positions in Local Water Districts (LWDs).
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This Resolution repeals/amends existing Civil Service Commission issuances which are inconsistent herewith.

This Resolution shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

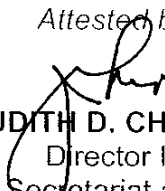
Let copies of this Resolution be disseminated to all Civil Service Commission Regional and Field Offices.

Quezon City, JUL 24 2007


 KARINA CONSTANTINO-DAVID
 Chairman

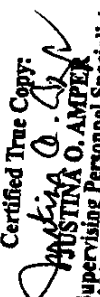
On Leave
 CESAR D. BUENAFLOR
 Commissioner


 MARY ANN Z. FERNANDEZ-MENDOZA
 Commissioner

Attested by:

 JUDITH D. CHICANO
 Director IV
 Commission Secretariat and Liaison Office

RCL-DBR/CT msp/cam/mendoclass 2007 0506/07

CSC Res. No. 071427 – published in the Manila times on October 2, 2007

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