



CSC MC No. 15, s. 2002

MEMORANDUM CIRCULAR

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

SUBJECT : Policies on Facilitative Actions on Appointments and Motions for Reconsideration/Appeals

Pursuant to CSC Resolution No. 020797 dated June 06, 2002, the Commission hereby adopts the following policies formulated to facilitate the prompt action on appointments or on appeals and motions for reconsideration.

1. Appointments invalidated or disapproved by the CSCFO may be appealed to the CSCRO while those invalidated or disapproved by the CSCRO may be appealed to the Commission Proper within the fifteen (15) day reglementary period.

Motions for Reconsideration filed with the CSCFO on invalidated or disapproved appointments shall be treated as an appeal and all records thereof including the comments of the CSCFO concerned shall be forwarded to the CSCRO.

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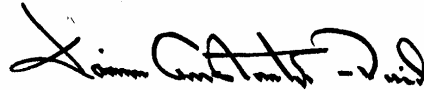
2. The CSCRO's denial of the appeals on appointments disapproved or invalidated by the CSCFOs may be appealed to the Commission Proper.

Motions for Reconsideration filed with the CSCRO on denied appeals on CSCFO action shall be treated as an appeal and all records thereof including the comments of the CSCRO shall be forwarded to the Commission Proper.

3. Failure of the agency to file an appeal within the reglementary period shall render the invalidation or disapproval of the appointment executory.
4. All appeals filed to the CSCRO or Commission Proper shall be acted upon within fifteen (15) working days from receipt thereof.
5. Motions for Reconsideration may be filed on appeals denied by the Commission Proper. The Commission shall entertain only one (1) Motion for Reconsideration. The said Motion for Reconsideration shall be acted upon within fifteen (15) working days from receipt thereof.
6. The denial of the Commission Proper of the Motion for Reconsideration shall be final and executory.
7. Failure of the agency to file a Motion for Reconsideration within the reglementary period shall render the invalidation or disapproval of the appointment final and executory.
8. All decisions on appeals/motions for reconsideration on the disapproval or invalidation of appointments shall be furnished to the CSCFO/CSCRO, agency and appointee within three (3) days from the date of decision.

This circular amends or modifies all other existing Civil Service Commission issuances which are inconsistent herewith and shall take effect fifteen days after publication.

Please be guided accordingly.



KARINA CONSTANTINO-DAVID
Chairman

June 07, 2002
CAC/APE/11
OM re. policies on disapproved appt



**Policies on Facilitative Actions
On Appointments/Motions for
Reconsideration/Appeals**

X _____ X

CSC RESOLUTION NO. 020797

WHEREAS, the Civil Service Commission is mandated by the Philippine Constitution to ensure that all appointments in the civil service are made only according to merit and fitness;

WHEREAS, in pursuit of this mandate, appointments in the Civil Service are governed by pertinent CS Law and Rules and the revised policies on Qualification Standards to insure that a person in the career service can satisfactorily perform the duties and assume the responsibilities of the position to which the employee is being appointed;

WHEREAS, there are appointments issued by agencies which are disapproved or invalidated by the Civil Service Commission Field Office (CSCFO) and Civil Service Commission Regional Office (CSCRO) for non-adherence to rules, policies and guidelines on appointments set by the Commission;

WHEREAS, the Commission recognizes the need to facilitate the prompt action on appointments or motions for reconsideration and appeals on invalidated or disapproved appointments to prevent situations wherein employees continue to receive compensation for services rendered despite not having a duly approved appointment and/or wherein the appointees were able to acquire the deficiency for which their appointments were disapproved or invalidated in view of the length of time within which motions for reconsideration and appeals were acted upon.

NOW THEREFORE, the Commission hereby adopts the following policies relative to the facilitative actions on appointments and motions for reconsideration/appeals:

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[Signature]
NOEMI A. BALDO
Board Secretary
Commission Proper Secretary

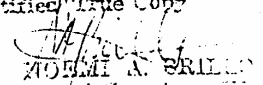
1. The CSCFO or CSCRO shall initiate remedial measures to minimize disapproval or invalidation of appointments by providing assistance to the agency to comply with all the requirements. This may be done through a preliminary scanning of documents by the CSCFO or CSCRO receiving personnel to determine if the signatures and attachments/requirements are complete. Should there be any lacking document, entry or signature, the action officer shall provide the agency liaison officer with a checklist or a notation on what other requirements need to be submitted within seven days. Said period shall be part of the prescribed fifteen (15) working days period within which the appointment should be acted upon.
2. All appointments from agencies submitted to the CSCFO, CSCRO or Commission Proper (including ROPAs from accredited agencies) shall be acted upon within fifteen (15) working days from receipt thereof.
3. Appointments invalidated or disapproved by the CSCFO may be appealed to the CSCRO while those invalidated or disapproved by the CSCRO may be appealed to the Commission Proper within the fifteen (15) day reglementary period.

Motions for Reconsideration filed with the CSCFO on invalidated or disapproved appointments shall be treated as an appeal and all records thereof including the comments of the CSCFO concerned shall be forwarded to the CSCRO.

Motions for Reconsideration filed with the CSCRO on invalidated or disapproved appointments shall be treated as an appeal and all records thereof including the comments of the CSCRO shall be forwarded to the Commission Proper.

4. The CSCRO's denial of the appeals on appointments disapproved or invalidated by the CSCFOs may be appealed to the Commission Proper.
Motions for Reconsideration filed with the CSCRO on denied appeals on CSCFO action shall be treated as an appeal and all records thereof including the comments of the CSCRO shall be forwarded to the Commission Proper.
5. Failure of the agency to file an appeal within the reglementary period shall render the invalidation or disapproval of the appointment executory.
6. All appeals filed to the CSCRO or Commission Proper shall be acted upon within fifteen (15) working days from receipt thereof.
7. Motions for Reconsideration may be filed on appeals denied by the Commission Proper. The Commission shall entertain only one (1) Motion for Reconsideration. The said Motion for Reconsideration shall be acted upon within fifteen (15) working days from receipt thereof.

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NORMI A. BRILL
Board Secretary
Commission Proper

8. The CSCROs shall be consulted on all Motions for Reconsideration or appeals submitted to the Commission Proper for a brief background or reasons for disapproval or invalidation, recommended action and the attachment of basic documents.

Consultations shall be done through fax or e-mail and shall form part of the fifteen (15) working days period for the Commission Proper to decide.

9. The denial of the Commission Proper of the Motion for Reconsideration shall be final and executory.

10. Failure of the agency to file a Motion for Reconsideration within the reglementary period shall render the invalidation or disapproval of the appointment final and executory.

11. All decisions on appeals/motions for reconsideration on the disapproval or invalidation of appointments shall be furnished to the CSCFO/CSCRO, agency and appointee within three (3) days from the date of decision.

12. The Office for Legal Affairs and the CSCRO's Legal Affairs Division shall devise mechanisms to decide on appeals/motions for reconsideration on the disapproved or invalidated appointments to comply with the prescribed period of fifteen (15) working days.

RESOLVED FURTHER that the above guidelines amend or modify all other existing Civil Service Commission issuances which are inconsistent herewith. These guidelines shall be implemented fifteen (15) days after publication.

Quezon City, JUN 06 2002


KARINA CONSTANTINO-DAVID
Chairman


JOSE F. ERESTAIN, JR.
Commissioner

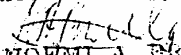

J. WALDEMAR V. VALMORES
Commissioner

Attested by:


ARIEL G. RONQUILLO
Director III

OAC-A/AFE/mia
Resolution-disapproved appointments

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NOEMI A. BALLE
Board Secretary IV
Commission Proper Secretariat