



MC No. 09, s. 2005

MEMORANDUM CIRCULAR

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

SUBJECT : Limitation on Renewal of Temporary Appointments

In its Resolution No. 050367 dated March 15, 2005, the Commission has prescribed the following limitation on the renewal of temporary appointments:

1. Only one renewal of a temporary third-level appointment shall be allowed provided there are no qualified applicants actually available and willing to assume the position.
2. The vacancy should be published in compliance with RA No. 7041 and its implementing rules and regulations, including CSC MC No. 20, s. 2002 (Revised Policies on Temporary Appointments and Publication of Vacant Positions). Otherwise, the renewal will not be allowed.
3. The provision of CSC MC No. 20, s. 2002 (Revised Policies on Temporary Appointments and Publication of Vacant Positions) is hereby reiterated.

KARINA CONSTANTINO-DAVID
Chairman

24 March 2005

NLA/FMA/jane/mc-temporary-renewal



TEMPORARY APPOINTMENTS

Re: Limitations on Renewal

X - - - - - X

RESOLUTION NO. 050367

WHEREAS, Section 2 (2), Article IX-B of the 1987 Constitution, provides that appointments in the civil service shall be made only according to merit and fitness;

WHEREAS, Section 12 (2), Chapter 3, Title I (A), Book V of the Administrative Code of 1987 provides that the Commission shall prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws;

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 26, Chapter 5, Title I (A) of the Administrative Code of 1987 provides that all personnel actions shall be in accordance with such rules, standards and regulations as may be promulgated by the Commission;

WHEREAS, Section 27 (2) of Book V of the Administrative Code of 1987 provides that temporary appointments can be issued to persons who have the required qualifications except the appropriate eligibility and that such temporary appointments shall not exceed one year and that the incumbent may be replaced sooner if a qualified civil service eligible becomes available;

WHEREAS, queries, protests and controversies continue to arise over the repeated renewal of temporary appointments, particularly in the third level;

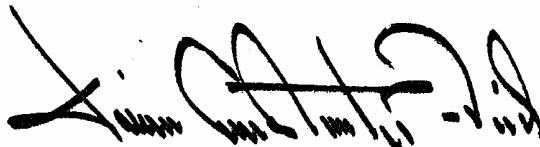
WHEREAS, the Commission is aware that repeated renewal of temporary appointments can be used, and is in fact being used, to circumvent civil service law and rules;

WHEREAS, the Commission recognizes the need to prescribe the limitations on the number of times a temporary appointment may be renewed;

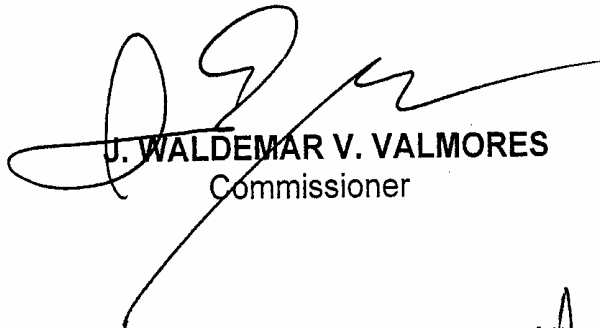
WHEREFORE, to discharge its Constitutional mandate and to exercise its rule-making powers, the Commission resolves to adopt the following guidelines:

1. Only one renewal of a temporary third-level appointment shall be allowed provided there are no qualified applicants actually available and willing to assume the position.
2. The vacancy should be published in compliance with RA No. 7041 and its implementing rules and regulations including CSC MC No. 20, s. 2002 (Revised Policies on Temporary Appointments and Publication of Vacant Positions). Otherwise, the renewal will not be allowed.
3. The provision of CSC MC No. 20, s. 2002 (Revised Policies on Temporary Appointments and Publication of Vacant Positions) is hereby reiterated.

Quezon City, **MAR 15 2005**



KARINA CONSTANTINO-DAVID
Chairman

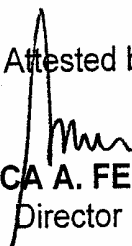


J. WALDEMAR V. VALMORES
Commissioner



CESAR D. BUENAFLOR
Commissioner

Attested by:



REBECCA A. FERNANDEZ
Director IV