



MC No. 4, s. 2010

**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 COLLEGES AND  
UNIVERSITIES

**SUBJECT :** Revised Policies in the Resolution of Protest Cases

Pursuant to CSC Resolution No. 0917818 dated December 11, 2009, the Commission adopts the Revised Policies in the Resolution of Protest Cases which seeks to implement the provisions of the Administrative Code of 1987 (Executive Order No. 292). These policies are as follows:

1. A protest on appointment shall no longer be acted upon through the grievance machinery.
2. A qualified next-in-rank employee shall have the right to appeal initially to the head of agency, then to the Civil Service Commission Regional Office (CSCRO), and then to the Civil Service Commission Proper.
3. Except for the venue on the filing of protest cases, the Rules of Protest under Rule V-A of the Uniform Rules on Administrative Cases in the Civil Service (CSC Memorandum Circular No. 19, s. 1999; CSC Resolution No. 99-1936 dated August 31, 1999) shall be applicable in resolving protest cases.

All rules, regulations and issuances which are inconsistent with the aforesaid policies are hereby repealed, amended or modified accordingly.

CSC Resolution No. 091718 was published on January 26, 2010 in the Philippine Star and shall take effect on February 10, 2010.

Quezon City,

  
FRANCISCO J. DUQUE III, MD, MSc  
Chairman

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**Revised Policies in the Resolution  
 of Protest Cases**

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**RESOLUTION NO. 091718**

**WHEREAS**, Section 3, Article IX-B of the 1987 Constitution mandates that the Civil Service Commission shall establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, and courtesy in the civil service;

**WHEREAS**, Section 21 (6), Chapter 5, Title I, Subtitle A, Book V of the Administrative Code of 1987 (Executive Order No. 292) states that a qualified next-in-rank employee shall have the right to appeal initially to the Secretaries or heads of agencies or instrumentalities including government-owned or controlled corporation with original charters, and finally to the Civil Service Commission on appointment made in favor of another employee if the appellant is not satisfied with the written special reason or reasons given by the appointing authority for such appointment;

**WHEREAS**, the Uniform Rules on Administrative Cases in the Civil Service (CSC Memorandum Circular No. 19, s. 1999; CSC Resolution No. 99-1936 dated August 31, 1999) provides that a protest on appointment filed by a qualified next-in-rank may be filed either with the appointing authority or with the Civil Service Commission Regional Office;

**WHEREAS**, CSC Resolution No. 01-0113 (Revised Policies on Grievance Machinery) dated January 10, 2001 and which was circularized through CSC Memorandum Circular No. 02, s. 2001 mandates that a protest on appointment filed by an aggrieved party shall be acted upon through the grievance machinery;

**WHEREFORE**, to faithfully implement EO 292, it is necessary to issue new guidelines in the resolution of protest cases, as follows:

1. A protest on appointment shall no longer be acted upon through the grievance machinery.

**Certified True Copy:**  
  
**SEYMOUR H. PAJARES**  
 Chief Personnel Specialist  
 Commission Secretariat & Liaison Office


2. A qualified next-in-rank employee shall have the right to appeal initially to the head of agency, then to the Civil Service Commission Regional Office (CSCRO), and then to the Civil Service Commission Proper.
3. Except for the venue on the filing of protest cases, the Rules on Protest under Rule V-A of the Uniform Rules on Administrative Cases in the Civil Service (CSC Memorandum Circular No. 19, s. 1999; CSC Resolution No. 99-1936 dated August 31, 1999) shall be applicable in resolving protest cases.

All rules, regulations and issuances which are inconsistent herewith are hereby repealed, amended or modified accordingly.

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

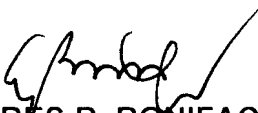
Quezon City, 11 DEC 2009

VACANT  
Chairman


  
CESAR D. BUENAFLOB  
Acting Chairman

  
MARYANN Z. FERNANDEZ-MENDOZA  
Commissioner

Attested by:

  
DOLORES B. BONIFACIO  
Director IV  
Commission Secretariat and Liaison Office

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Certified True Copy:  
  
SEYMOUR R. VAJARES  
Chief Personnel Specialist  
Commission Secretariat & Liaison Office