



REVISED POLICIES ON SECONDMENT

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Number: 2400454

Promulgated: 31 May 2024

RESOLUTION

WHEREAS, Section 3, Article IX-B of the 1987 Philippine Constitution mandates the Civil Service Commission (CSC), as the central personnel agency of the Government, to *“establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service. It shall strengthen the merit and rewards system, integrate all human resources development programs for all levels and ranks, and institutionalize a management climate conducive to public accountability. x x x”*;

WHEREAS, Section 12 (2), Chapter 3, Title I (A), Book V of Executive Order No. 292 or the Administrative Code of 1987 conferred on the CSC the power and function to *“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 (14), Chapter 3, Title I (A), Book V of the same Code provides that the CSC shall take appropriate action on all appointments and other human resource matters in the Civil Service;

WHEREAS, Rule VII of the Omnibus Rules Implementing Book V of the same Code and other laws include Secondment as one of the human resource movements;

WHEREAS, the Revised Omnibus Rules on Appointments and Other Personnel Actions (CSC Memorandum Circular No. 40, s. 1998), as amended,¹ provided the guidelines on Secondment in the government;

WHEREAS, several issues emerged in the implementation of the said guidelines that need to be clarified such as the entitlement of a seconded employee to step increment, the maximum period of extension for Secondment, and non-approval by the CSC, among other issues;

WHEREAS, the CSC, through the Human Resource Policies and Standards Office, conducted a study on Secondment to revisit the existing guidelines and determine the extent of compliance of all government agencies. Results of the study show that the guidelines on Secondment have not been applied consistently; and

¹ CSC MC No. 15, s. 1999 and CSC Resolution No. 061165 dated 05 July 2006.

Bawat Kawani, Lingkod Bayani

WHEREAS, there is a need to modify the existing guidelines on Secondment to clarify the purpose and objectives of the Secondment, the eligibility criteria, the application of said policy, the roles of both the parent and recipient agencies to the career development of the Secondee, and the benefit/s to the government, in general;

WHEREFORE, the CSC **RESOLVES** to **ADOPT** the following **Revised Policies on Secondment**:

Section 1. **Nature and Coverage**

Secondment is a movement of an official or employee from one department or agency/organization to another, or to a private sector organization or to an international organization or body recognized by the Philippine government which is temporary in nature and shall be covered by a Memorandum of Agreement (MOA) on Secondment and shall no longer require the issuance of an appointment.

These policies shall cover officials and employees occupying permanent second level executive/managerial, professional, technical, or scientific positions in all government agencies and instrumentalities, namely: Constitutional Bodies, departments, bureaus, and agencies of the National Government; Government-Owned or -Controlled Corporations with original charters; Local Government Units; and State Universities and Colleges.

Section 2. **Objectives**

Secondment provides a mechanism to facilitate movement of an official/employee through temporary assignment from a government agency to another government agency, or a private sector organization or an international organization or body recognized by the Philippine government for the purpose of sharing or transfer of expertise or technology or acquisition of vital competencies and experience on specific areas of specialization.

Specifically, Secondment may be undertaken in order to achieve any of the following objectives:

- a. Acquisition of wider perspective and new learnings from a different environment by the Secondee or enhancement of expertise and technical know-how of the Secondee which the Parent Agency can utilize in the implementation of its operations, projects, or programs;
- b. Transfer of technology by the Secondee which will contribute to the development or enhancement of systems, practices, and operations of the Recipient Agency; and
- c. Active partnership of private sector organizations with government agencies, provided that there is no conflict of interest in any transaction with the Parent Agency of the Secondee.



Section 3. Definition of Terms

The terms below as used in these policies shall be defined as follows:

- a. **Agency** – refers to any bureau, office, commission, administration, board, council, institute, state universities and college or local university and college, corporation with original charter, whether performing governmental or proprietary function, or any other unit of the national government as well as provincial, city, municipal or autonomous regional government.
- b. **Bureau** – refers to any principal subdivision of the department performing a single major function or closely related functions.
- c. **Conflict of Interest** – refers to a situation which arises when an agency has substantial interests or transaction in the business of a private sector organization which could compromise judgment, decision, or action in the performance of the agency functions.
- d. **Degree scholarship** – refers to an education grant for completion of an academic program for a period of one (1) year or more that confers an academic degree.
- e. **Department** – refers to any of the executive departments or entities having category of a department, including the judiciary, legislative and the other constitutional commissions.
- f. **International organization** – refers to any group or association that is made up of multiple countries and is formed to achieve specific goals or to address common issues. This includes the United Nations, the World Trade Organization, the World Health Organization, the International Monetary Fund, the International Atomic Energy Agency, and the World Bank, among others. Provided, that the international organization is recognized by the Department of Foreign Affairs.
- g. **Parent Agency** – refers to the government agency where the Secondee is appointed.
- h. **Private Sector Organization** – refers to an organization duly organized under the laws of the Philippines or organized under foreign laws, that is owned, controlled, and managed by private individuals or enterprises.
- i. **Recipient Agency** – refers to either a government agency/department or a private sector organization or an international organization where the Secondee will be working during the period of Secondment under a MOA on Secondment and/or bilateral/multilateral agreement.



- j. **Secondee** – refers to an official or employee who is on temporary assignment under the terms and conditions of a MOA on Secondment and/or bilateral/multilateral agreement.
- k. **Secondment leave** – refers to the leave of absence in the parent agency of the secondee during the period of Secondment.

Section 4. **Classification of Secondment**

Secondment may be classified as follows:

- a. **Inter-agency Secondment** - refers to the movement from one government agency to another government agency.
- b. **International Secondment** - refers to the movement from one government agency to an international organization or body recognized by the Philippine government.
- c. **Intra-agency Secondment** - refers to the movement from one government agency or bureau to another within the same department or agency attached to it for policy or program coordination.
- d. **Private sector Secondment** - refers to the movement from one government agency to a private sector organization recognized by the Philippine government.

Section 5. **Eligibility Criteria**

The official or employee shall meet the following criteria to be eligible for Secondment:

- a. The Secondee must be occupying a second level executive/managerial, professional, technical, or scientific position under permanent status;
- b. The Secondee has obtained a performance rating of at least Very Satisfactory in the last rating period prior to the Secondment;
- c. The Secondee has at least three (3) years related work experience and has demonstrated advanced level of competency/ies required for his/her position in the Recipient Agency;
- d. The Secondee has no pending administrative or criminal case, or must not have been convicted in any administrative case or criminal case involving moral turpitude; and



- e. The Secondee has no pending service obligation as a result of scholarship or study leave.

Section 6. **International Secondment**

International Secondment shall be covered by a bilateral/multilateral agreement between the Philippine Government and the government of the receiving country/ies. The bilateral/multilateral agreement shall contain at least the following provisions:

- a. Objective/s of Secondment;
- b. Period of Secondment;
- c. Salaries and benefits;
- d. Responsibilities of the Parent Agency, Recipient Agency, and the Secondee;
- e. Termination of the Secondment; and
- f. Disciplining authority.

Section 7. **Private Sector Secondment**

Private sector Secondment, which is limited to scientists, engineers, researchers and other science and technology related personnel, shall be covered by Section 11 of Republic Act No. 8439² and its Revised Implementing Rules and Regulations and Item 7.0 of the DBM-DOST Joint Circular No. 1, s. 2013 dated 25 June 2013 (Annex A).

These policies may be applied suppletorily to the abovementioned guidelines on private sector Secondment.

Section 8. **MOA on Secondment**

The Parent Agency, Recipient Agency, and Secondee shall comply with the following guidelines in the drafting, review, and issuance of the MOA on Secondment:

- a. The Parent Agency, Recipient Agency, and the Secondee shall be notified in writing of the Secondment initiated by interested party concerned prior to the signing of the MOA on Secondment.
- b. The Parent and Recipient Agencies shall ensure that the signing officials of the MOA are duly authorized.
- c. Secondment to a government agency and private sector organization shall be governed by a tripartite MOA among the Parent Agency, the Recipient Agency, and the Secondee. The MOA on Secondment shall contain the following provisions:

² Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in Government.



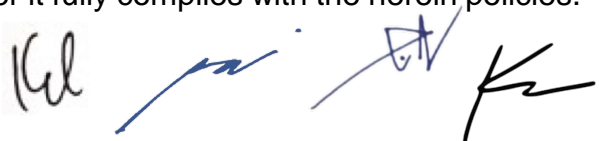
1. Objective/s of the Secondment;
 2. Period of Secondment;
 3. Salaries and Benefits;
 4. Responsibilities of the Parent Agency, the Recipient Agency, and the Secondee;
 5. Performance evaluation/feedback;
 6. Termination of the Secondment;
 7. Disciplining authority;
 8. Earning of leave credits; and
 9. Payment of retirement premium.
- d. Agencies shall use the prescribed MOA on Secondment (CS Form No. 35, s. 2024) found in Annex B. Agencies are not precluded to include additional provisions in the MOA on Secondment, as may be applicable, subject to Civil Service laws, rules and regulations, budgeting, accounting, and auditing rules and regulations.
- e. The electronic copy of the MOA on Secondment or bilateral/multilateral agreement shall be submitted by the Parent Agency to the CSC Regional Office (CSC RO) through the CSC Field Office (CSC FO) concerned within thirty (30) days upon signing thereof by the parties concerned for evaluation, monitoring, and recording purposes. The CSC FO shall record the details of the MOA on Secondment on the service card of the Secondee, particularly the period covered and the position in the Recipient Agency.

In case of delay or non-submission of the electronic copy of the MOA on Secondment to the CSC, the responsible official/s or employee/s who caused such acts, shall be held administratively liable for neglect of duty

The evaluation of the MOA may result in the following:

- i. If the MOA is found to be compliant with the rules herein, the CSC RO concerned shall issue the Letter of Approval to the Parent Agency, copy furnished the Recipient Agency and Secondee.
- ii. If during the evaluation of the MOA, the CSC RO concerned notes that there is/are element/s or provision/s therein which is/are in violation of the policies herein, except for Sections 5 and 8 (b), the said MOA on Secondment shall be returned to the Parent Agency through a Letter for Compliance with the advice to amend the same within one (1) month from receipt of notice, copy furnished the Recipient Agency and Secondee. Pending compliance by the Parent Agency within the prescribed period, the MOA on Secondment shall remain effective.

Upon receipt of the amended MOA, the CSC RO concerned shall evaluate the same to determine whether it fully complies with the herein policies. If



the amended MOA is already fully compliant, the CSC RO concerned shall issue the Letter of Approval to the Parent Agency, copy furnished the Recipient Agency and the Secondee. Otherwise, the CSC RO shall return the amended MOA to the Parent Agency for compliance.

Submission of the amended MOA beyond the prescribed period may be allowed, provided there is a valid justification thereto.

- iii. In case of non-compliance after the one (1) month period to amend the MOA on Secondment and submit a copy thereof to the CSC RO concerned, the responsible official/s or employee/s who caused the non-compliance and non-submission of the amended MOA on Secondment shall be held administratively liable for neglect of duty.
- iv. If the violation pertains to Sections 5 and 8 (b) herein, the MOA on Secondment shall be disapproved and the CSC RO concerned shall issue a Letter of Disapproval with an advice to the Parent Agency to cease and desist in the implementation of the MOA, copy furnished the Recipient Agency and Secondee. Any of the parties to the MOA may file a Motion for Reconsideration (MR), treated as an Appeal, to the CSC RO concerned within fifteen (15) days from receipt of the Letter of Disapproval. The CSC RO concerned, within ten (10) days from receipt of the MR, shall forward all the records thereof including its comments to the CSC Central Office for review. If no parties to the MOA file an MR within the reglementary period for filing the MR, the Secondee shall be reverted to its position in the Parent Agency.
- f. The CSC RO concerned shall furnish the Commission on Audit a copy of the approved/disapproved MOA on Secondment for monitoring and record purposes.
- g. The Parent Agency shall furnish the Government Service Insurance System a copy of the approved MOA on Secondment.

Section 9. **Period of Secondment**

The following shall be considered in setting the period of Secondment:

- a. The Parent Agency and the Recipient Agency shall set the period of Secondment with the concurrence of the Secondee. The maximum period of Secondment shall be three (3) years inclusive of the concluding or winding-up activities, except as otherwise provided by law or as required under the bilateral/multilateral agreement, in the case of international Secondment.
- b. Extension on Secondment for a period not more than three (3) years may be allowed, subject to the approval of the Parent Agency and Recipient Agency with the concurrence of the Secondee, but only on meritorious grounds, e.g.,



extension on the completion of project due to uncontrollable factors, and delay in provision of pertinent resources. A written notification may be initiated by any interested party and served to the other parties, including the CSC RO through the CSC FO concerned, six (6) months prior to the end of the period of Secondment.

In case of extension, a new MOA on Secondment shall be submitted to the CSC RO through the CSC FO concerned, subject to the guidelines provided herein.

- c. The MOA on Secondment shall expressly stipulate that the period of Secondment shall not exceed the retirement age of the Secondee, except in cases when the Secondment is made to a position with a fixed term or with a coterminous appointment.

Section 10. **Payment of Compensation and Other Benefits**

The Secondee shall be paid corresponding compensation and shall receive benefits according to the following guidelines:

- a. Payment of the salaries, allowances, bonuses, and other benefits of the Secondee, including government share in Government Service Insurance System, Philippine Health Insurance Corporation, Home Development Mutual Fund, and Employees' Compensation Insurance Fund, shall be borne by the Recipient Agency, unless otherwise provided in the MOA on the Secondment which shall ensure non-diminution of benefits.
- b. The MOA on Secondment submitted to the CSC shall be the basis for payment of salary and other benefits of the Secondee in the Recipient Agency.
- c. The period of Secondment shall not affect the continuity of the employment of the Secondee with the Parent Agency. However, the Secondee shall not earn leave credits from the Parent Agency as he/she shall be considered on Secondment leave from the Parent Agency during the period of Secondment.

During the period of Secondment, the Secondee shall earn leave credits in the Recipient Agency which shall be commutable immediately thereafter and payable by the Recipient Agency.

The Secondee in the private sector or international organization shall enjoy the leave benefits provided by the private sector or international organization, subject to the guidelines thereto.

- d. The Secondee shall not be entitled to the grant of Step Increment/s Due to Meritorious Performance or Length of Service in the Parent Agency during the period of Secondment since he/she does not perform the actual duties and responsibilities of his/her position in the Parent Agency. The period of



Secondment shall not be counted for purposes of Step Increment Due to Length of Service in the Parent Agency. However, the Secondee may be granted Step Increment Due to Meritorious Performance based on his/her work performance in the Recipient Agency and Step Increment Due to Length of Service if the Secondment has been extended. Provided, that the payment of step increment shall be borne by the Recipient Agency as expressly stated in the provisions of the MOA.

Section 11. Other Terms and Conditions

- a. Secondment to a private sector or international organization does not create a gap in the government service of the Secondee. The services rendered by the Secondee in the private sector or international organization, in compliance with international commitments of the Philippine government, shall be considered as government service.
- b. Officials and employees of the Parent Agency cannot be seconded to the project or program in the Recipient Agency which receives funds from or has loan agreement with the Parent Agency unless otherwise provided by law.
- c. A Seconded official or employee, who has just completed a Secondment cannot be seconded anew to another recipient agency within one (1) year from the date of completion or termination of the last secondment.
- d. Secondment to mandatory department head positions in LGUs shall require concurrence of majority of all the members of the local sanggunian of the Recipient Agency through a Resolution and compliance with the minimum requirements as provided under R.A. No. 7160.³
- e. The Secondment shall be to the same or higher position that will allow the Secondee to achieve the objective/s of the Secondment.
- f. The Secondment of an official or employee shall be terminated upon the acceptance by the Secondee of an appointment to any position in the Parent Agency, Recipient Agency or other agency. In such case, the Secondee shall notify, in writing, the Parent Agency at least thirty (30) days prior to his/her assumption to duty for said appointment.
- g. The acceptance of a degree scholarship grant by the Secondee shall terminate the Secondment whether endorsed by the Parent or Recipient Agency.
- h. The Parent Agency may pre-terminate the MOA on Secondment in exceptional cases, such as, state of national emergency, heightened red alert, lack of experts in the Parent agency, and other meritorious cases. The Head of the Parent Agency shall notify, in writing, the Recipient Agency and the

³ Local Government Code of 1991.



Seconded of such recall of the Secondment within a period not less than thirty (30) days prior to its effectivity, unless a shorter period has been agreed upon.

- i. The Recipient Agency may pre-terminate the MOA on Secondment provided that a written notification is served to the other parties concerned within a period not less than thirty (30) days prior to its effectivity, subject to any of the following grounds:

1. Based on evaluation of the Head of Recipient Agency, the objective of the Secondment as provided in the MOA on the Secondment has been attained;
2. Want of capacity or failure of the Seconded to perform the duties and responsibilities or to deliver the outputs/deliverables as stipulated in the MOA on Secondment;

The Recipient Agency shall evaluate the performance of the Seconded pursuant to its CSC-approved Strategic Performance Management System (SPMS);

3. Unsatisfactory conduct or behavior or failure of the Seconded to observe propriety in his/her acts, behavior or human/public relations or due to habitual tardiness or absences while performing his/her duties and responsibilities during the period of Secondment;
4. Misrepresentation and fraud committed by the Seconded as well as the Parent Agency during the period of Secondment; or
5. Breach on the part of the Parent Agency or Seconded on any provision of the MOA on Secondment.

- j. The Seconded may pre-terminate the Secondment provided that a written notification is served to the other parties concerned within a period not less than thirty (30) days prior to its effectivity, on any of the following grounds, subject to the validation of the Parent Agency or the Recipient Agency, as may be applicable:

1. Based on the Seconded's evaluation, he/she has attained the objective of the Secondment as stipulated in the MOA on Secondment, subject to the validation of the Recipient Agency;
2. Failure of the Recipient Agency to perform its responsibilities as stipulated in the MOA on Secondment, subject to the validation of the Parent Agency;
3. Separation from the Parent Agency through resignation or retirement, subject to the validation of the Recipient Agency; or



4. Breach on the part of the Recipient Agency on any provision of the MOA on Secondment;
 5. Breach on the part of the Parent Agency on any provision in the MOA, subject to the validation of the Recipient Agency; or
 6. Misrepresentation and fraud committed by the Parent Agency or the Recipient Agency.
- k. The Parent Agency shall furnish the CSC FO concerned a copy of the written notice of recall or pretermination of the Secondment not later than thirty (30) days after its effectivity.
 - l. Completion of the Secondment shall also be considered as on-the-job training/learning and development of the Secondee when the objective/s of the Secondment refer to Section 2a, as herein provided.
 - m. Agencies may include Secondment in their Agency Human Resource Plan as part of their employee engagement or learning and development strategies.
 - n. The authority to discipline the Secondee is still vested in the appointing authority of the Parent Agency. The authority to discipline includes the determination of the existence of a prima facie case against the Secondee, issuance of a formal charge, issuance of the order of preventive suspension if the case so warrants, conduct of formal investigation, and rendering of the decision on the administrative case.

With respect to the administrative case arising from the acts done by the Secondee in the Recipient Agency, the Recipient Agency has the right to initiate or file the complaint against the Secondee with the Parent Agency subject to the provisions of CSC Rules on Administrative Cases in the Civil Service. The Parent Agency may deputize the Legal Officer of the Recipient Agency to conduct preliminary and formal investigation and to make the necessary report and recommendation within five (5) days from the termination of the preliminary investigation, and within fifteen (15) days from the termination of the formal investigation, to be stipulated in the MOA on Secondment.

- o. In case there is a delay or non-submission of the MOA on Secondment to the CSC and the Secondee has already transferred to the Recipient Agency, the presumption of regularity in the execution of the MOA shall prevail, unless found otherwise. However, the responsible official/s or employee/s who caused the delay or the non-submission of the MOA on Secondment shall be held administratively liable for neglect of duty.
- p. The Secondee shall officially update (quarterly) the Parent Agency, through a letter coursed through the HRMO, which may be sent electronically, regarding



his/her status based on the objectives of the Secondment and his/her whereabouts during the period of Secondment, for monitoring purposes.

Section 12. **Human Resource Action as a Result of the Secondment**

The temporary vacancy created as a result of the Secondment may be filled up through the issuance of a substitute appointment or through a designation in accordance with Civil Service rules and regulations.

Section 13. **Transitory Provision**

Existing MOAs on Secondment prior to the promulgation of these revised policies shall continue to be effective, provided the provisions stipulated therein are consistent and compliant with CSC Resolution No. 061165 dated 05 July 2006. Parent Agencies shall submit said MOAs or contract/s to the CSC FO concerned, within one (1) month after the effectivity of the Revised Policies on Secondment, for recording in the Secondees' service cards.

However, in case of renewal or forging of new MOA on Secondment, these Revised Policies shall apply.

Section 14. **Repealing Clause**

CSC Resolution No. 061165 dated 05 July 2006, re: Guidelines on Secondment and other issuances inconsistent with these revised policies are hereby repealed or modified accordingly.

Section 15. **Separability Clause**

If any provision of these Revised Policies or the application of such provision to any person or circumstance is declared invalid, the remainder of the policies or the application of such provision to other persons or circumstances shall not be affected by such declaration.

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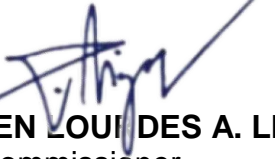
Section 16. Effectivity

These Revised Policies shall take effect after fifteen (15) days from completion of its publication in the Official Gazette or in a newspaper of general circulation.

Quezon City.



ATTY. KARLO A. B. NOGRALES
Chairperson



ATTY. AILEEN LOUI DES A. LIZADA
Commissioner



ATTY. RYAN ALVIN R. ACOSTA
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Attested by:

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