

**A GUIDE FOR
LOCAL CHIEF EXECUTIVES (LCEs)
ON
PUBLIC PERSONNEL
ADMINISTRATION**

CIVIL SERVICE COMMISSION



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for Local Chief Executives (LCEs)
on
Public Personnel
Administration

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PUBLIC PERSONNEL ADMINISTRATION



Public Personnel Administration refers to the entire spectrum of a public organization's management of human resources from recruitment to retirement. It involves manpower planning and forecasting, selection and staffing, training and development, performance management, employee discipline, and promotion of employee welfare and productivity.

At the helm of Public Personnel Administration in the Local Government Unit (LGU) is the Local Chief Executive (LCE).

“The chief executive of every local government unit shall be responsible for human resources and development in his unit and shall take all personnel actions in accordance with the Constitutional provisions on civil service, pertinent laws, and rules and regulations thereon, including such policies guidelines and standards as the Civil Service Commission may establish. x x x” (Section 77, Title III LGC)

It is imperative that he/she be equipped with basic knowledge on Civil Service Law and Rules that cover the four (4) Rs of human resource management, namely: (1) Recruitment; (2) Retention; (3) Rewards and Recognition; and (4) Retirement.

In addition, the LCE's interaction with the following key players in relation to public personnel administration be given importance as it influences the LGU's development:

1. Civil Service Commission (CSC)

➤ The Civil Service Commission (CSC) as the central personnel agency of the Philippine Government is mandated by the Philippine Constitution to:

- a. establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service;
- b. strengthen the merit and rewards system;
- c. integrate all human resource development programs for all levels and ranks; and



d. institutionalize a management climate conducive to public accountability.

2. Provincial Vice Governor, City Vice Mayor, and the Municipal Vice Mayor

➤ As the second highest elective official in an LGU, the Vice-Governor/City Vice-Mayor/Municipal Vice-Mayor has the power to appoint his own staff and all officials and employees in the Office of the sangguniang panlalawigan / sangguniang bayan / sangguniang panlungsod, respectively.

3. Local Legislative Bodies (Sanggunian)

➤ Has the power to determine positions and the salaries, wages, allowances, and other emoluments and benefits of officials and employees paid wholly or mainly from provincial/city/municipal funds and provide for expenditures necessary for proper conduct of programs, projects, services, and activities of the province/city/municipality. (Art. 98-100 IRR of the LGC)

4. Human Resource Management Practitioner/Officer (HRMP/HRMO)

➤ Has the duty to assist the LCE in the effective and efficient implementation of Civil Service Law and Rules governing public personnel administration.

➤ Is instrumental in promoting employee welfare and productivity in the LGU.

RECRUITMENT



People in government are important because they make things happen. Hence, the initial process of finding the best qualified candidate for a position is crucial because it will ensure strong employment foundation, quality performance, and efficient and effective public service.

The topic on Recruitment will guide the LCE on the pre-requisites of hiring and his/her responsibilities and accountability in managing human resources within the LGU.

Recruitment is the first phase in the employment procedure which is the development of a pool of candidates in accordance with a human resource plan. It covers determining staffing needs, meeting the requirements, publication of vacancies, screening and appointment.

Determining staffing needs is a very important part of recruitment. It involves knowing what the vacant positions are and considering the organization's thrusts.

Guidelines on Recruitment

- ***Consider the following pre-requisites:***
 1. LGU's Organizational Structure
 - Pursuant to the provisions of the Local Government Code of 1991, every Local Government Unit (LGU) shall design and implement its own organizational structure and staffing pattern taking into consideration its priority needs, service requirements, and financial capabilities consistent with the principles on simplicity, efficiency, economy, effectiveness, dynamism, and public accountability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.
 2. LGU's Budgetary Limitations
 - In issuing appointments, the budgetary limitation of forty-five percent (45%) in the case of first to third class provinces, cities and municipalities and fifty-five percent



(55%) in the case of fourth class or lower, of the total annual income should be observed.

3. Identify Vacant Positions

4. Determine if vacancy should be filled up

After the LCE decides to fill-up the vacancy, the following requirements must be observed:

- The vacant position should have a Qualification Standards approved by the Civil Service Commission.

“A Qualification Standard (QS) is the statement of the minimum qualifications for a position which shall include education, experience, training, civil service eligibility, and physical characteristics and personality traits required by the job.” (Sec. 2 Rule 4 of the Omnibus Rules Implementing Book V of EO 292)

- Publish the vacancy or Public Notice of Vacancy

“Whenever an LCE decides to fill a vacant career position, notices of vacancy shall be posted in at least three conspicuous public places for a period of not less than fifteen (15) days and published once in a newspaper of general circulation in the LGU concerned.” (Art. 167 Rule XXII IRR of the LGC)

5. After Publication, proceed with the Screening of Qualified Applicants

The importance of proper employee screening at the start of the hiring process cannot go understated.

Screening will assist the LCE in the judicious selection of candidates to fill the vacant positions in the LGU.

- **Screening**

- Screening is a formal procedure done by the Personnel Selection Board (PSB) in the evaluation of candidates for appointment to vacant positions in the LGU.



The main players in the screening of applicants are the Human Resource Management Officers (HRMOs)/Human Resource Management Practitioners (HRMPs) and the Personnel Selection Board (PSB).

1. The HRMO/HRMP pre-screens applicants with respect to their meeting the minimum requirements of the position.
2. The HRMO/HRMP submits to the Personnel Selection Board (PSB) the list of Qualified Applicants for screening.
3. PSB screens qualified applicants
 - a. *“There shall be established in every province, city or municipality a Personnel Selection Board to assist the local chief executive, or where applicable, the presiding officer of the Sanggunian, in the judicious and objective selection of personnel for employment as well as for promotion.”* (Art. 166 Rule 22 of the IRR LGC)
 - b. The functions and responsibilities of the Personnel Selection Board (PSB) are as follows:
 - ✓ Follow strictly the process in the selection of employees for appointment in the government service;
 - ✓ Ensure that the minutes of all deliberations are recorded, properly filed and maintained, which must be made accessible to interested parties upon written request, and for inspection and audit by the CSC, if necessary.

Submit a comprehensive evaluation report of candidates screened for appointment so that the appointing authority will be guided in choosing the candidates who can efficiently discharge the duties and responsibilities of the position to be filled. The evaluation report should not only specify whether the candidates meet the qualification standards of the position but should also include



✓ observations and comments on the candidates' competence and other qualifications that are important in the performance of the duties and responsibilities of the position to be filled. Likewise, information about the candidate's preference of assignment should be mentioned in the report;

✓ Through the HRM Unit, make accessible the following information or documents upon written request:

a. Screening procedure and criteria for selection, and its amendments:

b. Policies relative to personnel actions, including the gender and development dimensions of the Merit Selection Plan; and

c. Approved Agency MSP.

✓ Notify all applicants assessed by the PSB of their individual rating on the basis of education, training, experience, eligibility and interview, as well as of the outcome of the evaluation of the PSB; and

✓ Provide information about the individual rating of a particular applicant upon written request subject to the approval of the appointing authority

d. The PSB shall recommend to the LCE the candidates who passed the screening.

After the PSB screening, the challenging process of hiring the right employee follows. From the list of recommendees provided by the PSB, the LCE exercises his/her authority to select the best candidate through Appointment.

An Appointment is needed to fill-up existing vacant positions in accordance with Law.



- **Selection**

- The LCE, in the exercise of his/her discretion shall issue the Appointment.
 - ✓ An Appointment is a document that gives the selected applicant authority to discharge the functions of his/her position.
 - ✓ In the selection of personnel for his/her department or agency, the appointing authority shall be guided by the Civil Service Law and Rules.
- Requirements for Approval:
 - ✓ *“All appointments to positions in LGUs, except those classified by law or competent authority as policy determining, primarily confidential, or highly technical in nature, shall be made only according to **merit and fitness** to be determined as far as practicable by competitive examinations.”* (Art. 168(a) Rule 12 of the IRR LGC)
 - ✓ The Appointee meets all the requirements of the position including the appropriate Civil Service eligibility.
 - ✓ *“All appointments issued in accordance with pertinent laws and rules shall take effect immediately upon its issuance by the appointing authority, and if the appointee has assumed the duties of the position, he/she shall be entitled to receive his/her salary at once without awaiting the approval of his/her appointment by the Commission. The appointment shall remain effective until disapproved by the Commission.”* (Art. 168(h) Rule 12 of the IRR LGC)
- Grounds for Disapproval:
 - ✓ When the appointee:
 - does not meet the qualifications for the position;



- has been found guilty of a crime involving moral turpitude, or of infamous, disgraceful conduct or addiction to narcotics; or dishonesty;
 - has been dismissed from the service for cause, unless an executive clemency has been granted;
 - has intentionally made a false statement of any material fact or has practiced or attempted to practice any deception or fraud in connection with his/her appointment; or
 - has been issued such appointment in violation of existing Civil Service Law and Rules and regulations
- ✓ When the Appointment is **Nepotic**
- *“No person shall be appointed in the local government career service if he/she is related within the fourth civil degree of consanguinity or affinity to the appointing or recommending authority.”* (Art 168(j) Section 12 of the IRR LGC)
 - The **nepotism rule** covers all kinds of appointments whether original, promotional, transfer and reemployment regardless of status including casuals and contractuels except consultants and appointees to primarily confidential positions.

“The appointing authority shall be personally liable for the salary of appointees whose appointments have been disapproved for violation of pertinent laws such as the publication requirement pursuant to RA 7041.”
(Sec. 4, Rule 6 Omnibus Rules on Appointment and Other Personnel Actions)

➤ On Appointments of provincial, city and municipal department heads, there must be concurrence by the Sangguniang Panlalawigan, Sangguniang Panglungsod and Sangguniang Bayan, respectively. Failure of the Sanggunian



concerned to act on the appointment within fifteen (15) calendar days from the date of its submission shall mean confirmation of the same.

Kinds of Appointment:

➤ **Permanent** - issued to a person who meets all the minimum requirements including education, experience and training (if any) and appropriate eligibility

✓ Only permanent appointees enjoy security of tenure. This means that they can only be removed, suspended or penalized for cause as provided by law and after due process.

➤ **Temporary** – issued for a period of not more than one (1) year to a person who meets the education, experience and training but not the appropriate eligibility prescribed but only in the absence of a qualified eligible.

✓ A Temporary appointment is issued only in the absence of qualified eligibles actually available as certified to by the Civil Service Regional / Field Office. Hence, the appointee may be replaced sooner if a qualified eligible who is willing to accept the appointment becomes actually available. The reckoning date of the twelve (12) months duration is the date of the issue of the appointment and not the date of assumption of the appointee.

➤ **Substitute** – issued when the regular incumbent of a position is temporarily unable to perform the duties of his/her position, as when he/she is on approved leave of absence or is under suspension or is on scholarship grant or is on secondment. This is effective only until the return of the former incumbent. A substitute appointment is issued only if the leave of absence of the incumbent is at least three (3) months.

➤ **Coterminous** – issued to a person whose entrance and continuity in the service is:

(1) coterminous with the appointing authority or head of the organizational unit where assigned (appointments to these positions are based on trust



and confidence and must be declared as primarily confidential by the Commission);

(2) coterminous with the incumbent;

(3) coterminous with the project;

(4) coterminous with the life span of the agency

✓ Coterminous appointments issued based on trust and confidence are exempt from the Qualification Standards requirements.

✓ However, Coterminous, contractual and casual appointees must meet the qualification requirements of the position except for the Civil Service eligibility, unless special laws such as Board Laws require otherwise.

➤ **Contractual** – issued to a person to undertake a specific work or job for a limited period not to exceed one year. The appointing authority shall indicate the inclusive period covered by the appointment for purposes of crediting services.

➤ **Casual** – issued to a person to do only essential and necessary services where there are not enough regular staff to meet the demands of the services.

➤ **Job Order** – issued to a person to do a piece of work or intermittent job of short duration not exceeding six (6) months paid on a daily basis for local projects authorized by the Sanggunian concerned.

✓ Services rendered pursuant to consultancy contract and job orders are not considered government services and are not covered by civil service law and rules but are covered by COA rules.



RETENTION



Retention of good performers in public service is critical to the running of a successful and healthy good government. As a good manager, the LCE would agree that retaining his best employees ensures public satisfaction because of effective and efficient public service delivery.

Retaining employees involves understanding of their fundamental motivators which many organizations are unable to identify. Hence, the LCE should ensure employee retention as a core element of their organizational development strategy. LGUs need to adopt innovative approaches to retain these valuable talents.

One of the foundation stones of organizations which attract, retain and motivate high performing employees is a positive and valuing attitude toward them.

The LCE shall be responsible for the creation of an atmosphere conducive to good supervisor-employee relations and the improvement of employee morale. For this purpose the LCE shall make provisions for the establishment of units responsible for the maintenance of employee health, welfare, counselling, recreation and similar activities, including the establishment of employee organization/union.

- **Reasonable Working Conditions** - Example of viable programs to improve working conditions include: Health Program for Government Employees, adequate office ventilation and lighting, clean and adequate comfort room facilities, potable drinking water, first-aid kit/facilities, and hazard insurance.
- **Government Office Hour** - Officers and employees of all departments and agencies except those covered by special laws shall render not less than eight (8) hours of work a day for five (5) days a week or a total of forty hours a week, exclusive of time for lunch. (Section 5, Rule XVII, Omnibus Rules Implementing Book V of EO 292)

Flexitime or Flexible working hours may be allowed subject to the discretion of the head of department or agency. In no case shall the weekly working hours be reduced in the event

the department or agency adopts a flexi-time schedule in reporting for work. (Section 6, Rule XVII, Omnibus Rules Implementing Book V of EO 292)

➤ **Overtime Services** – When the interest of the public service so requires, the daily hours of work for officers and employees may be extended by the head of the agency concerned, which extension shall be fixed in accordance with the nature of the work. Provided that work in excess of eight (8) hours must be properly compensated. (Section 10, Rule XVII, Omnibus Rules Implementing Book V of EO 292)

Employee Welfare Benefits

Unless otherwise disqualified by any issuance to pertaining a particular grant of monetary benefit every employee is entitled to the following benefits:

➤ **Monetization of leave credits** – refers to payment in advance under prescribed limits and subject to specified terms and conditions of the money value of leave credits of an employee upon his/her request without actually going on leave.

➤ **Leave Benefits:**

a. Anti-Violence Against Women and Their Children (VAW-C) Leave – this is a paid leave of absence up to ten (10) days in addition to other paid leaves under the Labor Code and Civil Service Rules and Regulations, extendible when the necessity arises as specified in the protection order.

b. Forced/Mandatory Leave – all officials and employees with 10 days or more vacation leave credits shall be required to go on vacation leave whether continuous or intermittent for a minimum of five (5) working days annually under certain conditions.

c. Maternity Leave – refers to leave of absence granted to female government employee legally entitled thereto in addition to vacation and sick leave. The primary intent or purpose of granting maternity leave is to extend working mothers some measure of financial help and to provide her a period of rest and recuperation in connection with her pregnancy.

d. Paternity Leave – refers to the privilege granted to a married male employee allowing him not to report for work for seven (7) days while continuing to earn the compensation therefore, on the condition that his legitimate spouse has delivered a child or suffered a miscarriage, for purposes of enabling him to effectively lend care and support to his wife before, during and after childbirth as the case maybe and assist in caring for his newborn child.

e. Rehabilitation Leave – applications of officials and employees for leave of absence on account of wounds or injuries incurred in the performance of duty must be made on the prescribed form, supported by the proper medical certificate and evidence showing that the wounds or injuries were incurred in the performance of duty.

f. Relocation Leave – refers to a special leave privilege granted to official / employee whenever he/she transfers residence.

g. Sick Leave – refers to leave of absence granted only on account of sickness or disability on the part of the employee concerned or any member of his/her immediate family.

h. Solo Parent / Parental Leave – shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required.

i. Special Privilege Leave – refers to leave of absence which officials and employees may avail of for a maximum of three (3) days annually over and above the vacation, sick, maternity and paternity leaves to mark personal milestones and/or attend to filial and domestic responsibilities.

j. Study Leave – this is a time-off from work not exceeding six (6) months with pay for qualified officials and employees to help them prepare for their bar or board examinations or complete their master's degree. For completion of master's degree, the study leave shall not exceed four (4) months.

The leave shall be covered by a contract between the agency head or authorized representative and the employee concerned. No extension shall be allowed if the officials or employees avail of the maximum period of leave allowed therein. If they need more time to complete their studies, they may file a leave of absence chargeable against their vacation leave credits.

k. Terminal Leave – refers to money value of the total accumulated leave credits of an employee based on the highest salary rate received prior to or upon retirement date / voluntary separation.

Any official/employee of the government who retires, voluntarily resigns, or is separated from the service and who is not otherwise covered by special law, shall be entitled to the commutation of his/her



leave credits exclusive of Saturdays, Sundays and Holidays without limitation and regardless of the period when the credits were earned.

Request for payment of terminal leave benefits must be brought within ten (10) years from the time the right of action accrues upon an obligation created by law.

I. Vacation Leave – refers to leave of absence granted to officials and employees for personal reasons, the approval of which is contingent upon the necessities of the service.

Other Benefits

Local Government Officials and employees may also be entitled to other benefits, subject to guidelines issued by the Department of Budget and Management (DBM) and Commission on Audit (COA), such as:

- a. 13th Month Pay
- b. Cash Gift
- c. Personal Economic (PE)
- d. Relief Allowance (RA)
- e. Anniversary Bonus
- f. Amelioration
- g. Productivity Incentive Bonus (PIB)
- h. Hazard Pay (if applicable)
- i. Clothing Allowance / Uniform Allowance
- j. Representation and Transportation Allowance (RATA), if applicable
- k. Loyalty Pay



- l. CNA initiated benefits
- m. Laundry Allowance (if applicable)
- n. Relocation Allowance
- o. Family Visit
- p. Step-Increment
- q. Night-Shift Differential
- r. Overtime Pay or Compensatory Time-Off
- s. Retirement Benefits

Things to remember on Leave Benefits:

- An employee is entitled to the commutation and to the monetization of up to 50% of his/her vacation and sick leave, subject to internal rules agency may prescribe and availability of funds.
- Sick Leave shall be granted only on account of sickness or disability on the part of the employee concerned or of any member of his/her immediate family.
- Approval of sick leave, whether with pay or without pay, is mandatory provided proof of sickness or disability is attached to the application in accordance with existing guidelines / requirements. Unreasonable delay in the approval thereof or non-approval without justifiable reason shall be a ground for appropriate sanction against the official concerned.
- Leave without pay not exceeding one year may be granted, in addition to the vacation and/or sick leave earned. Leave without pay in excess of one month shall require the clearance of the proper head of department or agency.
- Leave without pay shall not be granted whenever an employee has leave with pay to his/her credit except in the case of secondment.



- An official or an employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. However, when it is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule incurring substantial absences though less than thirty (30) working days 3 x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.
- An official or employee with pending administrative case/s is not barred from enjoying leave privileges.

Security of tenure in government should be based on good performance.

Performance Management is essential in every organization to ensure performance-based security of tenure in the civil service, to directly translate the organization's strategic direction into more specific and measurable objectives, to enhance organizational effectiveness and productivity, and to promote accountability.

Performance Management

Performance management is the systematic process by which an agency involves its employees, as individuals and members of a group, in improving organizational effectiveness in the accomplishment of agency mission, vision and goals.

- Pursuant to Sec. 1 Rule IX of the Omnibus Rules Implementing Book V of EO 292, *There shall be established performance evaluation systems in every department or agency of the national or local government, including state universities and colleges and government-owned and controlled corporations with original charters.*
- Performance Evaluation shall be done every six (6) months ending on June 30 and December 31 of every year.



- “The Performance Evaluation System (PES) or Systems shall be so designed and administered to: (a) Continuously foster improvement of employee performance and efficiency; (b) Enhance Organizational effectiveness and productivity; (c) Provide an objective performance rating which shall serve as basis for incentives and rewards, promotion, training and development, personnel actions and administrative sanctions.”(Sec. 2 Rule IX of the Omnibus Rules Implementing Book V of EO 292)
- Under the PES, adjectival ratings are either Outstanding (O), Very Satisfactory (VS), Satisfactory (S), Unsatisfactory (US), or Poor (P).
- The LCE shall ensure that the Human Resource Management Practitioner/Officer (HRMP/HRMO) is responsible for the development and administration of the Performance Evaluation System.
- In 2007, the Civil Service Commission developed the Performance Management System (PMS) through CSC Resolution No. 070733 as embodied in CSC Memorandum Circular No. 7, s. 2007. The PMS is a concept that creates a culture of individual and collective efficiency, productivity, accountability, and ultimately, performance-based security of tenure in government.
- Employees’ work performance will be assessed by their superiors using the Performance Management System (PMS). The PMS is a system which meaningfully and objectively links employees’ performance vis-à-vis the LGU’s organizational vision, mission and strategic goals.
- A good Performance Management System (PMS) is objective, comprehensive, comparable, and linked to other systems.

Talent Development

Talent Development is a key reason as to why retention rates in leading edge organizations double than those in conservative ones. Developing people in an organization has



numerous benefits that impact both on the individual employee level and organizational level, such as: increased individual capability, increased workforce flexibility, and improved employee morale.

- Section 1, Rule VIII of Omnibus Rules Implementing Book V of Executive Order No. 292 and Other Pertinent Civil Service Law and Rules states that:

“Every official and employee of the government is an important asset or resource to be valued, developed and utilized in the delivery of basic services to the public. Hence, the development and retention of a highly competent and professional workforce in the public service shall be the main concern of every department or agency.

Every department or agency shall establish a continuing program for career and personnel development for all agency personnel at all levels, and shall create an environment or work climate conducive to the development of personnel skills, talents and values for better public service.”

- Each department shall prepare a career and personnel development plan which shall be integrated into a national plan by the Commission which shall serve as the basis for all career and personnel development activities in the government. (Sec. 2 Rule VIII of the Omnibus Rules Implementing Book V of EO 292)
- In coordination with the Civil Service Commission (CSC), the Department of Interior and Local Government (DILG) shall undertake training programs for all elective officials. In coordination with the Commission, each department or agency, province or city shall establish, maintain and promote a systematic plan of action for personnel training at all levels in accordance with standards laid down by the Commission. (Section 11, c to d, Rule VIII, Omnibus Rules Implementing Book V of Executive Order No. 292)



- In LGUs, the LCE shall be responsible for the development of his/her employees. For this purpose, the LCE may avail of the services of the Local Government Academy (LGA) and other learning institutions.
- *“In establishing a continuing program for the development of the personnel, each department or agency or local government unit shall:*

x x x

(b) Design, implement and evaluate-in-service training and development programs solely or in coordination with the Commission and/or other government agencies and institutions. Such programs shall include:

Induction Program – refers to the program for new entrants in government to develop their pride, belonging and commitment to public service.

Orientation Program – refers to activities and courses designed to inform new employees about agency/government programs, thrusts, and operations as well as on their duties and responsibilities as well as benefits.

Reorientation Program – refers to courses designed to introduce new duties and responsibilities, new policies and programs to employees who have been in the service for quite sometime.

Professional/Technical/Scientific Program – refers to substantive programs in specific professional/technical/scientific areas for enhancement of skills and knowledge of second level personnel in the career service.

Employee Development Program – refers to courses aimed at maintaining a high level of competence on basic workplace skills among employees in the first level in the career service.



Middle Management Development Program – refers to a set or series of planned human resource interventions and training courses designed to provide division chiefs and other officials of comparable rank with management and administrative skills and to prepare them for greater responsibilities.

Value Development Program – refers to courses which are designed to enhance and harness the public service values of participants to be effective government workers.

Pre-Retirement Program – refers to courses which are intended to familiarize would-be retirees on the government retirement plans and benefits as well as available business opportunities or other productive options/pursuits.

Executive Development Program – refers to activities and experiences, and continuing education intended to enhance the managerial skills of government officials or executives who belong to the 3rd level. x x x” (Sec 7(b) Rule VIII of the Omnibus Rules Implementing Book V of EO 292)

➤ “Each department shall include a specific budget allocation for human resource development purposes. At least three (3) percent of the annual budget shall be set aside for the purpose.” (Sec. 8, Art. VIII of the Omnibus Rules Implementing Book V of EO 292)

“A Public Office is a Public Trust” and public officials and employees must at all times be accountable to the people. Discipline is needed to serve and protect the interest of the agency and the state as well.

Employee Discipline

Sec. 1 Rule XIV of the Omnibus Rules Implementing Book V of EO 292 states that, “No officer or employee in the Civil Service shall be removed or suspended except for cause as provided by law and after due process.”



A. Legal Basis of Employee Discipline

- The power to impose discipline by the appointing authority in the civil service is provided for in Art. IX-B of the 1987 Constitution as implemented in Sec. 46 (a) Chapter 7, Book V of the 1987 Administrative Code and Sec. 84-88, Title III, Book I of the Local Government Code.

B. Valid grounds for instituting disciplinary action

- Under the Revised Administrative Code of 1987 (Executive Order 292) it provided for thirty (30) valid grounds or causes of action ranging from dishonesty to nepotism. Other grounds are provided under RA 6713 otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, RA 3019 (Anti Graft and Corrupt Practices Act), RA 7877 (Anti Sexual Harassment Act of 1995), Anti Red Tape Act of 2009, and other laws.

C. Person who may file complaint

- Any person may file a complaint in clear, simple and concise language and in a systematic manner as to apprise the respondent of the nature of the charge against him.

D. Place of filing a complaint

- An administrative complaint may be filed with the head of the LGU concerned or the Civil Service Commission Regional Office having territorial jurisdiction where he acts or omissions were committed.

E. Contents of a Formal Charge

- The Formal Charge shall contain a specification of charge/s, a brief statement of material or relevant facts, accompanied by certified true copies of the documentary evidence, if any, sworn statements covering the testimony of witnesses, a directive to answer the charge/s in writing under oath in not less than seventy two (72) hours from



receipt thereof, an advice for the respondent to indicate in his/her answer whether or not he/she elects a formal investigation of the charge/s, and a notice that he/she is entitled to be assisted by a counsel of his/her choice.

F. Definition of Formal Investigation

➤ Formal Investigation refers to the formal hearings conducted by the disciplining authority when the person complained of opted for a formal investigation.

G. Period to render a decision by disciplining authority

➤ The disciplining authority should render his/her decision on the case within thirty (30) calendar days from receipt of the investigation report.

H. Penalties the disciplining authority may impose on the respondent

- The following penalties may be imposed:
- ✓ Dismissal or removal from the service
 - ✓ Demotion in rank
 - ✓ Suspension of from one (1) day to one (1) year without pay
 - ✓ Fine equivalent to six (6) months
 - ✓ Transfer
 - ✓ Reprimand
- *“Administrative offenses with its corresponding penalties are classified into grave, less grave, and light, depending on the gravity of its nature and the effects of said acts on the government service.”* (Sec. 22 Rule XIV of the Omnibus Rules Implementing Book V of EO 292)

The following are Grave offenses:

- a. Dishonesty



- b. Gross neglect of duty
- c. Grave misconduct
- d. Being notoriously undesirable
- e. Conviction of a crime involving moral turpitude
- f. Falsification of official document
- g. Physical or mental incapacity or disability due to vicious habits
- h. Engaging directly or indirectly in partisan political activities by one holding non-political office
- i. Receiving for personal use of a fee, gift or other valuable thing in the course of official duties or in connection therewith when such fee, gift or valuable thing is given by any person in the hope of expectation of receiving a favour or better treatment than accorded to other persons or committing acts punishable under the anti-graft laws
- j. Contracting loans of money or other property from persons with whom the office or the employee has business relations
- k. Soliciting or accepting directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his official duties or in connection with any operations being regulated by, or any transaction which may be affected by the functions of his office
- l. Disloyalty to the Republic of the Philippines and to the Filipino People
- m. Nepotism
- n. Oppression



- o. Disgraceful and Immoral conduct
- p. Inefficiency and incompetence in the performance of official duties
- q. Frequent unauthorized absences, loafing or frequent unauthorized absences from duty during regular hours
- r. Refusal to perform official duty
- s. Gross insubordination
- t. Conduct grossly prejudicial to the best interest of the service
- u. Directly or indirectly having financial and material interest in any transaction requiring the approval of his office
- v. Owning, controlling, managing, or accepting employment as officer, employee, consultant, counsel, broker, agent, trustee, or nominee in any private enterprise regulated, supervised or licensed by his office, unless expressly allowed by law
- w. Engaging in private practice of his profession, unless authorized by the Constitution, law or regulation, provided that such practice will not conflict with his official functions
- x. Disclosing or misusing confidential or classified information officially known to him by reason of his office and not made available to the public, to further his private interest or give undue advantage to anyone or to prejudice the public interest
- y. Obtaining or using any statement filed under the Code of Conduct and Ethical Standards for Public Officials and Employees for any purpose contrary to morals or public policy or any commercial purpose



other than by news and communications media for dissemination to the general public

The following are Less Grave offenses:

- a. Simple Neglect of Duty
- b. Simple Misconduct
- c. Gross discourtesy in the Course of Official Duties
- d. Gross Violation of Existing Civil Service Law and Rules of Serious Nature
- e. Insubordination
- f. Habitual Drunkenness
- g. Recommending any person to any position in a private enterprise which has a regular or pending official transaction with his office unless such recommendation or referral is mandated by (1) Law, or (2) international agreements, commitment and obligation, or as a part of the function of his office
- h. Unfair Discrimination in Rendering Public Service Due to party Affiliation or Preference
- i. Failure to File Sworn Statements of Assets, Liabilities and Networth and Disclosure of Business Interest and Financial Connections including those of their spouses and unmarried children under eighteen (18) years of age living in their households
- j. Failure to resign from his position in the private business enterprise within thirty (30) days from assumption to public office when conflict of interest arises and/or failure to divest himself of his shareholdings or interest in private business enterprise within sixty (60) days from assumption to public office when conflict of interest rises

The following are Light offenses:

- a. Discourtesy in the Course of Official Duties
- b. Improper or unauthorized solicitation of contributions from subordinate employees and by teachers of school officials from school children
- c. Violation of reasonable office rules and regulations which shall include Habitual Tardiness *(This includes violation of MC No. 14 s. 1991 – DRESS CODE)
- d. Gambling Prohibited by Law
- e. Refusal to Render Overtime Service
- f. Disgraceful, Immoral or Dishonest Conduct Prior to Entering the Service
- g. Borrowing Money by Superior Officers from Subordinates
- h. Lending Money at Usurious Rates of Interest
- i. Willful Failure to Pay Just Debts
- j. Pursuit of private business, vocation or profession without the permission required by civil service rules and regulations
- k. Lobbying for personal interest or gain in legislative halls and offices with authority
- l. Promoting the sale of tickets in behalf of private enterprises that are not intended for charitable or public welfare purposes and even in the latter cases if there is no prior authority
- m. Failure to act promptly on letters and request within fifteen (15) days from receipt, except as otherwise



provided in the rules implementing the code of conduct and ethical standards for public officials and employees

n. Failure to process documents and complete action on documents and papers within a reasonable time from preparation thereof, except as otherwise provided in the rules implementing the code of conduct and ethical standards for public officials and employees

o. Failure to attend to anyone who wants to avail himself of the services of the office, or act promptly and expeditiously on public transactions

- Disciplining authority cannot impose penalties that are not in the list. CSC Resolution No. 07-0958 emphasized that disciplining authorities should impose the proper penalties as mandated in the **Uniform Rules on Administrative Cases in the Civil Service (URACCS)**.

Rather than fight a futile “war for talent”, leaders particularly the LCEs should “build talent” by looking for the critical skills, knowledge and attributes required to execute their organization’s most important task – to deliver prompt, efficient and effective public service to their constituents.



RECOGNITION AND REWARDS



In every organization, everyone likes to have their achievements and efforts recognized. Even though personal satisfaction is usually generated from within, it is always more meaningful if someone else notices and shares the success. Thus, the concept of recognition and rewards comes in.

An effective rewards and recognition program is a key component of a performance culture. On a very basic level, employees need tangible feedback in order to know when they are doing a good job.

Some basic benefits of effective rewards and recognition programs include improved morale, enhanced productivity, increased competitiveness, decreased stress, decreased absenteeism, decreased turnover and lower related operating costs.

Recognition and rewards are powerful tools for employee motivation and performance improvement.

➤ There are two forms of rewards and recognition given to employees whose performance can be considered at par or exceeds existing standards:

✓ Monetary Benefits – may be in terms of cash bonuses, additional allowances, gift certificates and the like.

✓ Non-Monetary Benefits - may include formal and informal acknowledgement, assignment of more enjoyable job duties, opportunities for training, and an increased role in decision making.

➤ Recognition and Rewards in the government service are done through promotion and awards and incentives.

a. Promotion is a form of reward. It “... *is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law and usually accompanied by an*



increase in salary. Promotion may be from one department or agency to another or from one organizational unit to another in the same department or agency.” (Sec. 1 Rule VI of the of the Omnibus Rules Implementing Book V of EO 292)

➤ *“(a) Promotions in the local government career service shall be made in accordance with civil service law, rules and regulations.*

(b) No promotion shall be made unless it has been deliberated upon by the Personnel Selection Board.” (Art. 169 Rule XXII of the IRR LGC)

➤ The LCE as the appointing authority may promote an employee who far exceeds the requirements of the position compared to one who merely meets the minimum requirements of the position. (Sec. 6 Rule VI of the Omnibus Rules Implementing Book V of EO 292)

➤ *“In cases where the qualifications of employees are comparatively at par, preference may be given to the employee in the organizational unit where the vacant position is or in the agency where the vacancy is, in the case of second level positions.” (Sec. 7, Rule VI of the Omnibus Rules Implementing Book V of EO 292)*

➤ *“No other civil service eligibility shall be required for promotion to a higher position in the same level and within the same or functionally related grouping of positions. Agencies shall not be precluded from prescribing their own internal standards for purposes of promotion.” (Sec. 8 Rule VI of the Omnibus Rules Implementing Book V of EO 292)*

➤ To ensure objectivity in promotion, the PSB shall be responsible for the adoption and formulation of criteria for evaluation of candidates for promotion.



➤ The LCE may choose the employee to be promoted from the list of employees recommended for promotion by the PSB.

➤ *“When an employee has a pending administrative case, he shall be disqualified for promotion during the pendency thereof.*

If he is found guilty, he shall be disqualified for promotion for a periods based on the penalty imposed as prescribed by the Commission.” (Sec. 14 Rule VI of the Omnibus Rules Implementing Book V of EO 292)

b. Awards and Incentives

➤ *“Each department or agency of government, whether national and local, including bureaus and agencies, state colleges and universities, and government owned and controlled corporations with original charters, shall establish its own Department or Agency Employee Suggestions and Incentives Awards System in accordance with these Rules and shall submit the same to the Commission.” (Sec. 1 Rule X of the Omnibus Rules Implementing Book V of EO 292)*

➤ *“The System is designed to encourage creativity, innovativeness, efficiency, and productivity in the public service x x x which contribute to the efficiency, economy or other improvement in government operations, or for extraordinary acts or services in the public interest.” (Sec. 2 Rule X of the Omnibus Rules Implementing Book V of EO 292)*

➤ Pursuant to Section 5, Rule VIII of the Omnibus Rules Implementing Book V of EO 292 awards under the System shall consist of honor awards and incentive awards

✓ The Honor Awards Program (HAP) shall consist of the following:

a. *Presidential or “Lingkod Bayan Awards” is conferred to an individual for consistent dedicated performance exemplifying the best in any of the profession or occupation resulting in the successful implementation of an idea or performance which is of significant effect to the public or principally affects the national interest, security and patrimony.

b. *Civil Service Commission or “Pagasa” Award is conferred to a group of individuals or team who has demonstrated outstanding teamwork and cooperation which resulted in the successful achievement of its goal and greatly improved /facilitated the delivery of public service, effected economy in operation, improved working condition or otherwise benefited the government.

c. Departmental or “Kapwa” Award is given to an individual in recognition of contributions from an idea or performance resulting in direct benefits to a single department or agency in the government. Nominations for this category need not be submitted to the CSC for screening and evaluation.

d. Outstanding Public Official/Employee Award or “Dangal ng Bayan Award” is granted to officials and employees in the government who have demonstrated exemplary service and conduct on the basis of their observance of the eight (8) norms of behaviour as provided for under Republic Act No. 6713. Administration of this Award and the procedures of nomination shall be governed by RA 6713 and its Implementing Rules.



✓ The Incentive Awards shall consist of but not limited to the following:

a. Performance Incentive – given to an employee who obtained an Outstanding or a Very Satisfactory rating based on the agency’s approved Performance Evaluation System for the last 2 rating periods.

b. Length of Service – given to an employee who has rendered at least three (3) years of continuous satisfactory service in a particular position.

c. Productivity Incentive – given to an employee or a group of employees who has exceeded their targets.

d. Most Courteous Employee – given to an employee in accordance with the Courtesy Campaign Program in the Civil Service known as the “Ang Magalang, Bow”.

e. Loyalty Award – granted to an employee who has completed at least ten (10) years of continuous and satisfactory service in the government.

f. Retirement Award – given to a retiree who has rendered at least fifteen years of satisfactory government service.

g. Year-end Benefits or Thirteenth-Month Bonus Plus Five Thousand Cash Gift – granted to officials and employees in all branches of government in recognition of their dedication to government service.

h. Monetary Award – granted to an employee whose contribution in terms of suggestions, invention or performance of functions results in monetary savings.



➤ In 2001 the ESIAS was revised through CSC Memorandum Circular No. 1 s. 2001. Henceforth the system was renamed **Program on Awards and Incentives for Service Excellence (PRAISE)**. The PRAISE aims to:

- ✓ Establish a mechanism for identifying, selecting, rewarding and providing incentives to deserving employees at the start of each year;
- ✓ Identify outstanding accomplishments, best practices of employees on a continuing basis;
- ✓ Recognize and reward accomplishments and innovations periodically or as the need arises; and
- ✓ Provide incentives and interventions to motivate employees who have contributed ideas, suggestions, inventions, discoveries, superior accomplishments, and other personal efforts.

➤ The PRAISE adheres to the principle of providing incentives and awards based on performance, innovative ideas and exemplary behavior. It shall provide both monetary and non-monetary awards and incentives.

➤ 5% of the HRD funds shall be allocated for PRAISE and incorporated in the Agency's annual work and financial plan and budget.

➤ The PRAISE shall be institutionalized through the creation of a PRAISE Committee in all agencies of the government. The Committee shall preferably have the following composition:

- ✓ The Head of Agency or authorized representative as the Chairperson
- ✓ Head of the Financial Unit or equivalent
- ✓ Head of Planning Unit or equivalent



- ✓ Highest ranking employee in-charge of HRD or the career service employee directly responsible for personnel management
- ✓ Two representatives from the rank and file employees (1st and 2nd level), who shall serve for two (2) years and chosen through a general assembly or other mode of selection to be conducted for the purpose or designated by the accredited union.
- The Head of the Agency shall be responsible in overseeing the System's operation and the Human Resource Management Unit shall serve as the System's secretariat.
- The PRAISE Committee shall establish its own internal procedures and strategies. Membership in the Committee shall be considered part of the members' regular duties.
- All government agencies shall submit their PRAISE and its subsequent amendments to the CSC Regional Offices or Field Offices who shall provide technical assistance and ensure proper implementation thereof.
- The establishment of a CSC-approved PRAISE shall be the basis of the grant of Productivity Incentive Bonus (PIB), other awards and incentives and revocation of accreditation to take final action on appointments.

RETIREMENT AND TERMINATION
OF EMPLOYMENT



After years of hard work, it is expected that some employees will be headed for retirement. Ideally, it is always good for organizations to start planning for their would-be retirees early. In fact when it comes to retirement, the age old phrase “The Earlier, The Better” applies.

Even with the efforts to attract and retain the best and the brightest within its ranks, it’s inevitable that an organization will lose some of its employees through retirement or other modes of separation.

Retirement is the end of an employee’s career in his or her organization, normally because he/she has reached the retirement age set by law, when physical conditions do not allow the person to work anymore, or even by personal choice.

- In the Philippines, the retirement benefits of government officials and employees have the following features:
 - ✓ Retirement is compulsory at age 65;
 - ✓ Employees who entered the service before June 1, 1977 and who have not received any separation or retirement benefits have the option to retire under RA Nos. 8291, 660, or 1616; and
 - ✓ The benefits shall be paid only on the bases of the amount and number of monthly premiums actually paid by a member – this is the Premium-based policy.
- Section 13(b) of RA 8291 provides that unless the service is extended by appropriate authorities, retirement shall be compulsory for an employee at **sixty five years of age with at least fifteen years of service**. If an employee has less than fifteen years of service, he may be allowed to continue in the service in accordance with existing civil service rules and regulations.



➤ **Types of Retirement:**

- ✓ Compulsory Retirement - an employee leaves government service at the maximum age of 65 years old;
- ✓ Optional Retirement – an employee leaves government service as early as 60 years old or at least after meeting the required number of years of service as provided by law;
- ✓ Retirement due to Reorganization – brought about by the restructuring of an agency's organizational and functional set-up to make it more viable in terms of economy, efficiency, effectiveness, and to make it more responsive to the needs of its public clientele as authorized by law.

As the manager of Human Resources in an LGU, the LCE should see to it that the following are undertaken:

1. Pre-Retirement Counseling

Before an employee retires, he/she should be enlightened on specific benefits and be provided with information on programs that would help him/her have a happy, progressive, productive and meaningful life after retirement.

Counselling may consist of providing the would-be retirees with sound practical advice on various pre-retirement programs, livelihood programs, knowledge on retirement packages and its computations, and investment plans and programs.

2. Exit Interview

Exit Interview is the employee's final interview following his/her separation from the organization. It is an essential part of the cycle for both the organization and the employees concerned. The purpose of an Exit

Interview is usually to gather data for improving working conditions and retaining employees. Common questions include reasons for leaving, job satisfaction, frustrations and feedback concerning organization policies and procedures.

In an LGU, the Exit Interview is conducted by the HRMO/HRMP.

Other Modes of Termination of Employment

Aside from retirement there are other means by which the services of an employee may be terminated:

1. Resignation

Resignation occurs when an employee ceases to be part of the organization based on his/her own decision.

2. Dropping from the Rolls

Dropping from the Rolls is a mode of separation which is non-disciplinary in nature based on the following grounds:

- a. A continuous absence without approved leave
 - ✓ The employee shall be separated from the service or dropped from the rolls without prior notice but he/she shall be informed of his/her separation from the service not later than five (5) days from its effectivity. However, when it is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than thirty (30) working days 3X in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.

✓ If the number of unauthorized absences is less than thirty (30) working days, a written return-to-work order shall be served on the official or employee. Failure on his/her part within the period stated in the order shall be a valid ground to drop him/her from the rolls

b. **Unsatisfactory or Poor Performance**

✓ Two (2) consecutive Unsatisfactory performance ratings

✓ Poor Performance in one evaluation period

c. **Physical and mental unfitness**

✓ Continuous absence for more than one year by reason of illness

✓ Intermittent absence by reason of illness for at least Two Hundred Sixty (260) working days during a 24-month period

✓ Abnormal behavior for an extended period which manifests continuing mental disorder and incapacity to work as reported by his/her co-workers and immediate supervisor as confirmed by the head of office.

3. Dismissal from the Service

Dismissal from the service is a penalty for a grave administrative offense. It is an official notice of discharge from employment or service.



