

# FACULTY

## *Manual*



Revised 2020  
(Board Resolution No. 101, s. 2020)

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## HISTORY OF CENTRAL PHILIPPINES STATE UNIVERSITY

Sprawling in a 4,653.7-hectare land reservation, 19 kilometers from Kabankalan City, Negros Occidental and 17-kilometers from the town of Mabinay, Negros Oriental, the Central Philippines State University (CPSU) is dubbed as the first Agricultural Institution in the country established by a Filipino Superintendent in the name of Professor Jose F. Crisanto immediately after World War II. NSCA is located 97 kilometers to Dumaguete City, Negros Oriental in the southeast.

The colorful history of CPSU started when House Bill No. 396 was introduced by Hon. Congressman Carlos Hilado, co-authored by Congressman Limsiaco, Medina, Formilleza, Nites and, Arnaldo for the purpose of establishing one agricultural school in Negros Occidental of the Central Luzon Agricultural School type. One of the immediate missions of the school was to hasten the economic development of the country which was in the process of reconstruction by training the youth in scientific agriculture. House Bill No. 396 had ripened into Republic Act No. 43 officially created the NEGROS OCCIDENTAL NATIONAL AGRICULTURAL SCHOOL (NONAS) on October 2, 1946. It became operational on August 1 of the following year.

Had an Act No. 74 of the US Phil. Commission of 1901 been implemented as planned and approved, NONAS should have been the first agricultural school established in the country, Republic Act No. 74 authorized the opening of the first three schools in the Philippines during the American regime namely: Philippine Normal School of Arts and Trades in Luzon and one Agricultural School in Negros Island. The first two schools are the Philippine Normal University and the Technological University of the Philippines respectively, while the agricultural school supposed to have been established in the island of Negros was not realized due to unknown reasons.

The school was converted to NEGROS OCCIDENTAL AGRICULTURAL COLLEGE by virtue of Presidential Authority on September 6, 1977, NONAS has served the pioneering students of 31 years from 1946 to 1977 while NOAC steadfastly, turned out both college and high school graduates for 24 years prior to its conversion to NSCA.

NOAC then was converted into a state college known as the Negros State College of Agriculture (NSCA) by virtue of R.A. 9141 dated July 3, 2001. Hon. Congressman Genaro "Limao" Alvarez, Jr. of the 6<sup>th</sup> district of Negros Occidental sponsored House Bill. 9873 which was co-authored by Hon. Congressman Cojuangco, Montemayor, Montilla, Teodoro and Villar and the Congresswoman Marcos and Villanueva in the House of Representatives. In the Senate Hon. Senator Juan Ponce Enrile was the first to file Senate Bill No. 1920 which was followed by Hon. Senator Loren Legarda-Liveste who also filed Senate Bill No. 1927 all taking into consideration House Bill No. 9873. Finally, Hon. Senators Tessie Aquino – Oreta and John H. Osmeña filed Senate Bill No. 2263 in substitution of the Senate Bills earlier introduced by Senators Enrile and Legarda-Liveste.

The co-sponsors of Senate Bill No. 2263 were Senators Biason, Flavier, Jaworski, Magsaysay, Ople, Pimentel, Revilla, Roco, Sotto, and Tatad. Its conversion is mandated to maintain, strengthen and expand the originally lifted expertise of NOAC by creating extension campuses. At present, CPSU's expansion is evident all throughout the island as its campuses

are strategically found in the City of Sipalay, Municipalities of Hinoba-an, Cauayan, Ilog and Candoni in the South, Municipalities of Hinigaran and Moises Padilla in the Central Negros, and in the City of Victorias and City of San Carlos in the North.

With House Bill No. 1814 authored by Hon. Mercedes K. Alvarez, Congresswoman of the 6<sup>th</sup> District of Negros Occidental and co-authored by Rep. Alfredo Abelardo Benitez (Congressman, 3rd District, Negros Occidental), the late Rep. Ignacio Arroyo (Congressman, 5th District, Negros Occidental), Rep. Neri Colmenares (Congressman, Bayan Muna Party List) and Rep. Juan Edgardo Angara (Congressman, Aurora Province), NSCA was converted into CENTRAL PHILIPPINES STATE UNIVERSITY (CPSU) by virtue of Republic Act 10228 approved by His Excellency President Benigno Simeon Cojuangco Aquino III on October 19, 2012.

Today, CPSU main campus is traversed by an all-weather national highway and accessible to regular buses and jeepneys plying Bacolod via Kabankalan City in the Occidental side and Dumaguete City via the Municipality of Mabinay on the Oriental side. It can also be reached from various points in Negros either by air through Bacolod City and Dumaguete City airports or by sea through regular fast crafts and ships at any point in the Visayas. CPSU has been attracting students not only from the different towns in Negros but also from the neighboring island provinces in the Western Visayas Region. Its agricultural programs and projects, competent faculty and staff, and pleasant and conducive environment for learning, have constantly drawn clients who wish to acquire appropriate technology and skills for productive, decent and gainful living.

## **PHILOSOPHY, VISION, MISSION, CORE VALUES**

### **University Philosophy**

Decent, affordable education for sustainable productivity and global competitiveness under an atmosphere of academic freedom.

### **University Vision**

CPSU as leading technology-driven multi-disciplinary University by 2030.

### **University Mission**

CPSU is committed to produce competent graduates who can generate and extend technologies in multi-disciplinary areas beneficial to the community.

## Core Values

**C** – creative

**P** – productive

**S** – sensitive

**U** – unselfish service

*(Board Resolution No. 46, s. 2019)*

## ACRONYMS

CCE	-	Common Criteria for Evaluation
CFCGC	-	Campus Faculty Complaints and Grievance Committee
CHED	-	Commission on Higher Education
CLUP	-	Comprehensive Land Use Plan
CPSU	-	Central Philippines State University
CSC	-	Civil Service Commission
DBM	-	Department of Budget and Management
ETL	-	Equivalent Teaching Load
HRD	-	Human Resource Development
HRMO	-	Human Resource Management Officer
HRMPSB	-	Human Resource Merit Promotion and Selection Board
FASTDCC	-	Faculty and Training and Development Campus Committee
FASTDCU	-	Faculty and Training and Development Committee Unit
FLP	-	Future Leaders of the Philippines
NBC	-	New Budget Circular
NGO	-	Non-Government Organization
PASUC	-	Philippines Association of State Universities and Colleges
PMT	-	Performance Management Team
QCE	-	Qualitative Contribution Evaluation
SIAC	-	Suggestion and Incentive Award Committee
SIAS	-	Suggestion and Incentive Award System
SPMS	-	Strategic Performance-Based Management System
SSG	-	Supreme Student Government
UFDC	-	University Faculty Development Committee

# **FACULTY MANUAL OF CENTRAL PHILIPPINES STATE UNIVERSITY**

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Pursuant to Sec. 32, Book V of EO 292; Sec. 15 of PF 1778; SCS MS No. 46, s. 1993; NCC 09; and NBC 461 and other CSC, CSC MC 03, s. 2001, DBM, CHED, and PASUC rules and regulations covering the faculty guidelines governing the Faculty Manual of Central Philippines State University are hereby established.

## **I. OBJECTIVES**

In establishing the Faculty Manual, the Institution adheres to the merit and fitness principle in the recruitment, appointment, promotion, recognition, fairness, justice, and excellence in attaining its mission.

The objectives of this Faculty Manual are the following:

1. To establish sound and fair procedure for recruitment, appointment, and promotion;
2. To create and provide equal opportunities for career advancement;
3. To develop highly competent and motivated professionals;
4. To provide a guide for speedy and fair resolution of complaints and grievances; and
5. To provide a framework for personal discipline.

## **II. SCOPE**

This Faculty Manual shall apply to all closed positions or ranks of the faculty such as the following:

<b>Faculty Rank</b>	<b>Sub-Rank</b>	<b>Salary Grade</b>	<b>Point Bracket</b>	<b>QCE Point Bracket</b>
Instructor	I	12	65 - below	
	II	13	66 - 76	80
	III	14	77 - 87	90
Assistant Professor	I	15	88 - 96	80
	II	16	97-105	85
	III	17	106 -114	90
	IV	18	115 -123	95
Associate Professor	I	19	124 -130	76
	II	20	131 -137	81
	III	21	138 -144	86
	IV	22	145 -151	91
	V	23	152 -158	96

Professor	I	24	159 -164	61
	II	25	165 -170	66
	III	26	171 -176	71
	IV	27	177 -182	76
	V	28	183 -188	81
	VI	29	189 -194	86
College/University Professor		30	195 - 200	91

(Note: Subject to change based on the revised NBC 461 Guidelines)

### III. DEFINITION OF TERMS

**Appointing Authority.** As defined in the charter of the Central Philippines State University.

The Board of Regents shall appoint upon the recommendation of the University President, Vice Presidents, Directors, Registrars, Heads of Departments, and Professors to confirm appointments made by the President.

**Area of Specialization.** Major field in the highest degree earned.

**Faculty.** The academic group of personnel of the university is appointed to a faculty rank who are directly or indirectly engaged in teaching, research, extension, and production services.

**Faculty Manual.** This means the personnel system in which comparative merit of achievement governs the selection, utilization, training, retention, and discipline of the faculty of the Central Philippines State University.

**Faculty Rank.** The classification of faculty into University Professor, Associate Professor, Assistant Professor, and Instructor.

**First Affinity.** This refers to the nephew or niece of whom the faculty member without legal children claimed as his/her beneficiary/s.

**Highly Technical Position.** A position that requires an applicant to possess at least a bachelor's degree with a technological specialization in the same field who have at least 3 years of continuous experience in research and/or teaching at the tertiary or graduate level, or work.

**Overload.** This refers to the subjects taught by a faculty member in excess of the required workload units.

**Promotion.** The selection of competent and qualified applicants for appointment to an appropriate and higher position in the faculty.

**Workload.** Refers to units earned by teaching or a combination of teaching and other activities in connection with research, extension, administrative works, assistance and advising to students.

## IV. FACULTY MANAGEMENT PROGRAM

### A. Recruitment and Appointment

#### 1. Policies

Pursuant to Memorandum Circular No. 10, series of 2012, the minimum education requirement for the faculty positions in State Universities and Colleges is a Master's degree holder in their area of specialization.

Appointment for academic rank is based on the New Budget Circular (NBC) 461 in the different areas such as educational attainment, experience and length of service, and professional development achievement and honors. There is a corresponding point assigned on each area which will be the bases for faculty Common Criteria for Evaluation (CCE) and Qualitative Contribution Evaluation (QCE).

#### 2. Procedures

The University shall recruit and appoint a faculty in accordance with the following procedures:

2.1 The University shall create a Faculty Human Resource Merit Promotion and Selection Board (HRMPSB). The HRMPSB shall assist the appointing SUC President in the judicious and objective selection of candidates for appointment to the University in accordance with the approved CPSU Merit Selection Plan (MSP).

The HRMPSB shall be primarily responsible for the judicious and objective selection of candidates for appointment in the agency in accordance with the approved CPSU MSP and shall submit to the SUC President the top five (5) ranking candidates deemed most qualified for appointment to the vacant position.

2.2 The members of the Faculty Human Resource Merit Promotion and Selection Board (HRMPSB) are the following:

- 2.2.1 The Vice President for Academic Affairs as Chairman or his/her designated alternate representative;
- 2.2.2 The Dean (according to specialization and where the vacancy exists) or his/her designated alternate representative;
- 2.2.3 Campus Administrators (where the vacancy exists) or his/her designated alternate representative;

- 2.2.4 The accredited employees association representative or his/her designated alternate representative;
- 2.2.5 The SUC President's Representative or his/her designated alternate representative;
- 2.2.6 The Human Resource Management Officer or his/her designated alternate representative;

The HRM Officer, as member of the HRMPSB, shall not act as secretariat to the HRMPSB. The SUC President shall designate an employee from other units to act as the Secretariat (CSC MC#14, s. 2018 *known as the Omnibus Rules on Appointments and Other Human Resource Actions*).

## B. Duties and Responsibilities

Every faculty of the University shall:

1. Perform his/her duties by discharging his/her responsibilities in accordance with the philosophy, goals, and objectives of the school.
2. Be accountable for the efficient and effective attainment of specified learning outcomes in pursuance to the national development goals within the limits of available school resources.
3. Render regular reports on performance of each student and to the latter and the latter's parents or guardians with specific suggestions for improvement.
4. Assume the responsibility to maintain and sustain his/her professional growth and advancement and maintain professionalism in his behavior at all times in accordance with the Code of Ethics.
5. Refrain from making deductions in students' scholastic ratings for acts that are not clearly a manifestation of poor scholarship.
6. Participate as an agent of constructive social, economic, moral, intellectual, cultural and political change in his school and the community within the context of national policies (Section 16, Chapter 3, Batas Pambansa Blg. 22: Education Act of 1982).

## C. Career Advancement

Advancement in rank or positions of both faculty and shall be promoted or appointed to an upgraded or reclassified position, usually accompanied by an increase in salary. The following are the policies and procedures to be observed.

## 1. Policies

- 1.1 The primary basis for promotion shall be the established policies of the CSC, DBM, and/or PASUC.
- 1.2 Upgrading/reclassification of faculty rank positions shall be done not often than once a year to conform to the performance appraisal rating period.
- 1.3 Any faculty shall be promoted to a higher rank or sub-rank on the basis of the extent to which he meets the specific requirements or standards, provided his performance ratings during the last two rating periods are at least Very Satisfactory, as certified by the Vice President for Academic Affairs.
- 1.4 The comparative degree of competence and qualification of candidates for promotion shall be determined by the following criteria.
  - 1.4.1 **Performance.** This shall be based on the ratings obtained during the last two rating periods under an approved faculty performance evaluation system. No faculty shall be considered for promotion less his two last performance ratings are at least Very Satisfactory, even if he meets the required number of points in the CCE.
  - 1.4.2 **Educational Qualification.** This shall be based on the educational attainment of the faculty member based on NBC 461 and Memorandum Circular No. 10, series of 2012.
  - 1.4.3 **Professional Development, Achievement, and Honors Received.** This shall be based on the person's professional activities such as published works, consultancy services research teaching awards or honors received completion of training courses, scholarship, training grants, and cultural activities, and active involvement in the university intra-extra activities and faculty meetings.
  - 1.4.4 **Psycho-Social Attributes and Personality Traits.** This shall be based on the physical fitness, attitude and traits of the person, which have bearing on the position to be filled or rank to be conferred.
  - 1.4.5 **Potential.** This shall take into account the person's capability not only to perform the duties of his present job but also assume the higher responsibilities of the position to be filled.
- 1.5 If the support personnel (non-academic personnel with a permanent status) is appointed to an academic/teaching position, he/she shall be given a permanent appointment provided that he/she meets the minimum educational qualification stipulated in Memorandum Circular 10, series of 2012.

- 1.6 In cases where the competence and qualification of two or more faculty are comparatively at par, preference shall be given to the candidate that most fits the job required in the department where the need exists.
- 1.7 The mere filing of an administrative complaint against a faculty shall not constitute a disqualification for promotion provided it will not violate any existing rules and regulations.
- 1.8 Those who have served CPSU longer with tangible accomplishments and contributions to the development of the university are given priority all things being equal, for vacant items.

## 2. Procedures for Promotion

- 2.1 The Human Resource Management Officer (HRMO) upon clearance from the President shall announce University-wide all vacant positions to fill in a particular campus where the need exists.
- 2.2 The HRMO shall then submit the candidates' credentials or documents to the FRASC for evaluation and to be reviewed by the Faculty Recruitment and Selection Committee before recommendation to the President is made.

## 3. Procedure for Upgrading Reclassification of Rank/Position

- 3.1 The HRMO shall advise all persons concerned to update their records or NCC documents in the Campus Personnel Officer periodically.
- 3.2 The CCE rules and procedures pertaining to position or rank upgrading/reclassification shall be considered.
- 3.3 Upgrading/reclassification shall be once every two-school year provided the performance of the personnel concerned is at least Very Satisfactory during the last two rating periods.
- 3.4 The FRASC shall evaluate the credentials of the personnel concerned.
- 3.5 The Administrative Officer shall officially transmit the evaluated documents to the President.
- 3.6 All promotional appointments including upgrading/reclassification of ranks/positions shall be posted in three (3) conspicuous spaces throughout the campus to enable interested parties to file a request within 15 days from date of notice of the promotion/upgrading/reclassification.

## E. Performance Evaluation System

CPSU shall adopt the Strategic Performance – Based Management System (SPMS) for faculty ranks and positions to be administered in such manner as to continually foster the improvement of individual employee efficiency and organizational effectiveness. It shall be an organized, methodical and standardized system of evaluating faculty and organizational effectiveness.

The performance rating of faculty shall be used as bases for giving of rewards notwithstanding the rank obtained in CCE. The performance rating shall provide for at least five adjectival ratings:

<b>Category</b>	<b>Definition</b>
<b>Effectiveness/ Quality</b>	<ul style="list-style-type: none"> <li>- The extent to which actual performance compares with targeted performance.</li> <li>- The degrees to which objectives are achieved and the extent to which targeted problems are solved.</li> <li>- In management, effectiveness relates to getting the right things done.</li> </ul>
<b>Efficiency</b>	<ul style="list-style-type: none"> <li>- The extent to which time or resources is used for the intended task or purpose.</li> <li>- Measures whether targets are accomplished with a minimum amount or quantity of waste, expense, or unnecessary effort.</li> </ul>
<b>Timeliness</b>	<ul style="list-style-type: none"> <li>- Measures whether the deliverable was done on time based on the requirements of the law and/or clients/stakeholders.</li> <li>- Time-related performance indicators evaluate such things as project completion deadlines, time-management skills and other time-sensitive expectations.</li> </ul>

The five-point rating scale (1 to 5) will be used with 5 being the highest and 1 the lowest.

<b>Numerical Rating</b>	<b>Efficiency</b>	<b>Quality</b>	<b>Timeliness</b>
<b>5 (Outstanding)</b>	Performance approved upon 1 <sup>st</sup> submission	<ul style="list-style-type: none"> <li>- Performance represents an extraordinary level of achievement and commitment in terms of quality and time, technical skills and knowledge, ingenuity, creativity, and initiative. Employees at this performance level should have demonstrated exceptional job mastery in all major areas of responsibility.</li> <li>- Employee achievement and contributions to the organization are of marked excellence.</li> <li>- Performance Exceeding targets by 30% and above of the planned targets.</li> </ul>	Submitted 5 – 10 days earlier
<b>4 (Very Satisfactory)</b>	Performance approved upon 2 <sup>nd</sup> submission with minor comments	<ul style="list-style-type: none"> <li>- Performance exceeded expectations. All goals, objectives, and targets were achieved above the established standards.</li> <li>- Performance exceeding targets by 15%.to 29% al the planned targets.</li> </ul>	Submitted 1 to 4 days earlier

<b>3 (Satisfactory)</b>	Performance approved upon 2 <sup>nd</sup> submission with major comments	<ul style="list-style-type: none"> <li>- Performance met expectations in terms of quality of work, efficiency, and timeliness. The most critical annual goals were not met.</li> <li>- Performance of 100% to 114% of the planned targets. For accomplishments requiring 100% of the targets such as those pertaining to money or accuracy or those which may no longer exceeded, the usual rating of 10 points for those who met targets or 4 points for those who failed or fell short of the targets.</li> </ul>	Submitted on the deadline
<b>2 (Fair)</b>	Performance approved upon 3 <sup>rd</sup> submission with minor comments	<ul style="list-style-type: none"> <li>- Performance failed to meet expectations, and/or one or more of the most critical goals were not met.</li> <li>- Performance of 51% to 99% of the planned targets.</li> </ul>	Submission delayed by 1 to 4 days
<b>1 (Poor)</b>	Performance approved upon 3 <sup>rd</sup> submission with major comments	<ul style="list-style-type: none"> <li>- Performance was consistently below expectations, and/or reasonable progress toward critical goals was not made. Significant improvement is needed in one or more important areas.</li> <li>- Performance failing to meet the planned targets by 50% or below.</li> </ul>	Submission delayed beyond 4 days

(Approved by the CSC RO-VI, dated January 27, 2015)

Other features and details of the performance evaluation system shall be reflected in this Faculty Manual that the University will adopt as concurred by CSC.

## E. Training and Development

To achieve the main objective of the University, a personnel development program in bringing highly competent and professional faculty members, the following will be adopted:

### 1. Policies

- 1.1 The University shall develop and implement a continuing program for the training and development of faculty.
- 1.2 The University shall encourage its faculty to pursue relevant local and foreign assisted training, and attend seminars, conferences, workshops, or institute and related Human Resource Development (HRD) courses.
- 1.3 Selection of participants to training programs depends on actual needs for specialization and enhancement of competence by observing the development plans.
- 1.4 Preference is for the candidates with permanent appointments and below 60 years old and at least once a year.

## 2. Procedures

- 2.1 Each campus shall create a Faculty Training and Development Campus Committee (FASTDCC) composed of the Vice-President for Academic Affairs as Chairman, Training Services Director as Vice-Chairman, Campus Administrator, Dean, and all Curricular Program Coordinators as Members, and the Human Resource Management Officer. This Committee shall formulate its own rules for approval by the President and Board of Regents subject to established policies. Its core function shall be to select and recommend those who should be given scholarship grants and attend a specific training program conducted by the University or by other government agencies or duly accredited non-governmental organizations (NGOs) whether local or foreign.
- 2.2 Following the campus priorities, the University/Campus Head shall determine the training needs of their respective campus. He/She shall submit a plan annually embodying the kind of training program that the campus needs to the President through the Faculty Training and Development Campus Committee and its Human Resource Development (HRD).
- 2.3 The Faculty Training and Development Campus Committee through the Vice-President for Academic Affairs shall inform and encourage all faculty concerned about study grants and scheduled conferences or workshops and invite qualified faculty to avail of such programs.
- 2.4 Other features and details of the training and program shall be reflected in this Faculty Manual that will be approved by the Board of Regents.

## F. Suggestion and Incentive Award System (SIAS)

This shall establish and strengthen the suggestion and incentive award system in the university which shall encourage creativity, innovativeness, efficiency, and integrity in the public service by recognizing and rewarding employees, individually or in groups, for their suggestions, inventions, superior accomplishments, and other personnel in operations, or other extra-ordinary acts or service in the public interest.

The University shall encourage improved productivity and efficiency among the faculty through appropriate recognition of ideas or accomplishments.

All deserving members of the faculty with regular plantilla items who meet the criteria for each specific award shall be entitled to receive the award, including those whose responsibilities include the making of suggestions, formulation of plans and policies, or making recommendations to achieve efficiency and economy in the university.

Guided by established policies, the University shall create some form, kind or category of awards for each idea or accomplishment in addition to those already adopted by the government.

Any idea or accomplishment that meets the criteria for awards shall be entitled to a corresponding award but only once for each idea or accomplishment.

The University shall create a "Suggestion and Incentive Award Committee (SIAC)" headed by the Performance Management Team (PMT) chosen for each idea or accomplishment.

The Suggestion and Incentive Award Committee shall formulate its own rules to attain program objectives in accordance with the established guidelines of this Faculty Manual subject to the approval of the Board.

Any member of the faculty may nominate a colleague for any available award in the prescribed form in the Suggestion and Incentive Award Committee at any time of the year and such nomination shall be evaluated together with all others annually.

At the end of the performance rating period, the Performance Management Team shall inventory all the ratings obtained by the Faculty and automatically determines the performance rating awards and merit increase incentives.

The Suggestion and Incentive Award Committee shall submit the names of those whose ideas or accomplishments have been found to meet the awards criteria to the President for the granting of the institution awards.

The awards may be given during an appropriate occasion, preferably during the University Charter Day or Civil Service Week.

The Campus personnel Officer shall enter into the personnel file any award or honor received by any member of the faculty.

## **G. Personnel Relations and Welfare Services**

To sustain a high level of productivity and morale among the faculty, the University shall:

Take all proper steps towards the creation of an atmosphere conducive to management-faculty relations for their health, welfare, counseling, recreation, legal services, canteen, cooperatives, transportation, and related services.

Make arrangements for annual medical and dental services and take proper action on the recommendations resulting from such physical examination.

Provide a system of informing the faculty of their rights and privileges as well as the rules governing their obligations and conduct in a handbook.

Facilitate the dissemination of information and the discussion of ideas among the department heads and faculty members. It shall encourage their participation in the development of plans, policies, procedures, and other matters affecting them and their work.

Encourage voluntary activities, whether athletic, social, recreational, or financial, provided these are conducive to faculty well-being and consistent with the objectives of personnel or personnel welfare.

Encourage the faculty to form, join or assist employee organizations of their choice for the protection and furtherance of their interests. They can also form councils and other forms of worker participation schemes.

## **H. Complaints and Grievance Procedures**

Any member of the faculty shall have the right to present his/her complaints or grievances to the management which shall be resolved as expeditiously as possible in accordance with the following policies and procedures.

### 1. Policies

1.1 Complaint, Grievance, and Grievance Procedure define as follows:

1.1.1 Complaint – a written or spoken dissatisfaction related to work conditions, superior-subordinate relations, or interpersonal relations among the workforce that have been brought to the attention of the immediate supervisor.

1.1.2 Grievance – a complaint has in the first instance, been ignored, overridden, or dropped without due consideration.

1.1.3 Grievance Procedure – the method of determining and finding the best way to remedy the specific causes of conflicts to help promote wholesome and desirable personnel discontent and dissatisfaction and to have the complaint and grievance resolved as expeditiously as possible at the lowest possible level.

1.2 The following are grounds for complaints and grievances

1.2.1 Working conditions;

1.2.2 Work assignment;

1.2.3 Tools or equipment;

1.2.4 Unsatisfactory work processes;

1.2.5 Improper placement;

1.2.6 Arbitrary lay-off to National Compensation Circular, transfer etc.;

- 1.2.7 Abuse of discretion;
  - 1.2.8 Oppressive rules and regulations; and
  - 1.2.9 Other matters giving rise to faculty demoralization or dissatisfaction.
- 1.3 Members of the faculty who express their complaints or grievances for adjustment shall be assured of freedom from any form of reprisal or discrimination.
  - 1.4 A complainant shall have the right to appeal the decision of his/her complaints or grievances to the next higher authorities.
  - 1.5 Established guidelines shall be observed in resolving complaints and grievances in addition to those that the University may formulate.
2. Procedure
    - 2.1 Complaints and grievances shall be resolved at the lowest possible level using simple procedures but adhering to legal technicalities.
    - 2.2 The President shall constitute the Campus Faculty Complaints and Grievance Committee (CFCGC) to receive, hear and resolve complaints and grievances. This Committee shall be composed of the following:
      - 2.2.1 A ranking officer chosen by the President as Chairman;
      - 2.2.2 The Administrative Officer;
      - 2.2.3 The Director of the department or unit where the complaint arose;
      - 2.2.4 A representative of the complaint;
      - 2.2.5 The President of the Management Office as ex-officio member as Secretary.
    - 2.3 The University shall formulate its complaints and grievance procedures for Faculty in accordance with established CSC policies.
    - 2.4 Any faculty member with a complaint or grievance may air his/her complaint or grievance orally to his/her immediate supervisor who shall resolve the complaint at his/her level by hearing both sides of the complainant and holding a dialogue with the person/s involved. If the complainant is not satisfied with the result, he/she may request his/her immediate supervisor to elevate his/her case directly to the grievance committee.
    - 2.5 The Campus Faculty Complaints and Grievance Committee shall resolve any complaint within thirty (30) working days.
    - 2.6 In case the dispute still remains unresolved after exhausting all administrative remedies under existing laws and procedures, the parties may refer the dispute to the Board of Trustees who shall resolve it within thirty (30) working days.

No faculty or member covered by this Faculty Manual shall be suspended or dismissed, except for cause and as provided for by law and after due process. Discipline shall apply in proceedings against faculty members.

## **I. Transitory Provisions**

Except otherwise provided in this Faculty Manual, the rights vested or acquired under the established system prior to the effectivity of this system shall be respected.

## **J. Responsibility**

The Board of Regents, the President, the Vice-Presidents, the Directors, the Heads of Department/Units, the Chief Administrative Officer, and the Human Resource Officer shall be responsible for the implementation and maintenance of this Faculty Manual. The initiative and active participation of the personnel officers shall be expected in the proper implementation of this Faculty Manual.

## **K. Amendment**

The proposed amendments to this manual shall be reviewed and approved by the Board of Regents and concurred by the Civil Service Commission.

## **L. Effectivity**

This Faculty Manual shall take effect upon the approval of the Board of Regents.

## FACULTY WORKLOAD GUIDELINES

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### **WORKLOAD**

Workload refers to units earned by teaching or a combination of teaching and other activities in connection with research, extension, administrative works, assistance, and advising to students.

1. All university personnel with academic rank must teach.
2. Permanent faculty, if qualified, should be given priority in the loading cutting across colleges or departments.

### **REGULAR TEACHING LOAD**

#### **A. Permanent/Regular Faculty**

Teaching loads refer to handling a subject and providing classroom instruction to students.

The Faculty teaching load shall consist of lecture or laboratory assignments. The teaching load of a faculty member shall be:

1. Faculty Teaching Load for Permanent Faculty.
  - 1.1 The teaching load of a faculty member at the undergraduate level shall be 24 units.
  - 1.2 Faculty having 3 – 4 preparations – 18 units
  - 1.3 Faculty having 2 preparations – 21 units
  - 1.4 Faculty having 1 preparation – 24 units
2. Teaching load per semester shall have an equivalent of one (1) unit per one (1) contact hour per week for the lecture. Laboratory classes shall be credited 0.75 units per one (1) contact hour per week.
3. Workloads beyond the normal full load are considered an overload and shall be paid based on the faculty member's academic rank.
4. For undergraduate thesis advising, the faculty shall earn 0.05 ETU per student, with a maximum of five (5) student advisees only, unless there are no other available advisers in the particular field/area of specialization. This shall only be granted if there is no corresponding honorarium for the composition of the Advisory Committee.

5. To give faculty members ample time to prepare their lessons, conduct research, or continue their studies, load assignments shall be limited to three (3) preparations. Every additional subject, preparation is equivalent to one (3-unit) subject load.

Unless otherwise directed by the President, the equivalent workload units for faculty with duly designated administrative duties/special assignments shall be as follows:

### **DELOADING SCHEME**

<b>DESIGNATION</b>	<b>EQUIVALENT WORKLOAD UNITS</b>
<b>A. University Wide</b>	
Vice President	3
Dean/Quality Assurance/Research & Extension/Planning Officer/	6
Director ( <i>by category</i> )	9-12
Campus Administrator	6
Coordinator	12-15
Internal Lead Auditor	9-12
ISO/ISA Secretariat	12-15
Faculty Regent	15-18
Editor-in-Chief/Managing Editor	12-15
<b>B. Campus/College Level</b>	
Program Chair/Department Chair/Department Head	16
Collecting and Disbursing Officer	12-15
Library Services/Librarian	12
Campus Registrar	12-15
Network Administrator/Management Information System (MIS) In-charge	18-21
Data Privacy Act Officer	18
Guidance and Counseling/Health Services	12
Property Custodian/Supply Officer/Records Officer/Campus-HR	18-21
OSSA Coordinator	12
NBC Local Evaluator	18
Coordinator, Research/Extension	15
Coordinator, Landscaping and Beautification	18
Coordinator, Sports and Cultural	18
Adviser, Student Organization (FLP/SSG)	15
Adviser, School Publication/Journal	15
Laboratory/AVR In-charge	21
Yearbook In-charge	18
Sports and Cultural Coach (Varsity)	18
Project In-charge	18
Faculty with approved Research/Extension/Production proposal	18

Executive Assistant	12
Campus OJT Coordinator	21
Purok Adviser	21
Scholarship Coordinator	21
Assessment In-charge	21
Security Officer	21
Budget Officer	21

A faculty who has two (2) or more designations shall be entitled to claim the equivalent workload unit whichever is the highest.

## B. Part-time Faculty Members

- b.1 The teaching load of a part-time faculty member shall be 30 units.
- b.2 His/Her total compensation shall not exceed the existing salary rate of an Instructor I and shall be based on the following qualifications:

Full-fledged Masters/Ph.D.	160.00/unit
CAR (Masters)	150.00/unit
With a License or 50% units or more (Masters)	140.00/unit
Bachelor's Degree	130.00/unit

(Approved by the Administrative and Academic Council, 2019)

## OVERLOAD

1. A maximum of ten (10) hours a week of extra teaching is allowed to faculty members provided they maintain a very satisfactory rating during the last two consecutive semesters.
2. The time for overloads for regular faculty should be outside the regular official load.
3. Payment of honoraria in a form of service credit or remuneration for overload teaching rates shall be allowed based on the current academic rank of the faculty concerned at all levels.

## OUTSIDE TEACHING LOAD

1. Outside teaching load refers to academic instruction rendered in other Colleges or Universities. The schedule for outside teaching should be outside the regular official and overload teaching time.
2. Faculty members who wish to teach outside/practice their profession in private or private agencies/institutions should secure permission from the Department

Chair/Program Chair/Department Head, the Dean/Campus Director, and the University President every semester.

3. An outside teaching load of not more than nine (9) units for lecture and five (5) units for laboratory may be allowed to a faculty member.
4. Outside teaching loads should not conflict with the faculty member's duties and responsibilities in CPSU. In times when their services are needed, their commitment to the University must be given first priority.
5. Faculty on study leave with pay or on scholarship are not allowed to render outside teaching loads with other Universities including the Graduate School of CPSU.
6. Faculty members are not allowed to work or render service as full-time employees of other public or private universities, agencies, business institutions, and others. Those found guilty as per investigation by the University shall be administratively liable.

## **INSTRUCTIONAL ACTIVITIES**

### **1. Class Size**

A minimum number of students are required to open a class.

#### **Undergraduate Courses**

**Lecture/Discussion : 10–35** students

**Laboratory : 10 –25** students

Class size below the lower limit may be permitted under the following conditions:

1. At least one (1) of the students is graduating
2. The enrolled students comprised the total population of the program
3. The subject is a regular course offering
4. Special class requests to offer off-semester subjects upon approval of the University President. Students with special classes should pay the per-hour rate based on the academic rank of the requested faculty.

## 2. Specific Instructional Activities

### 2.1 Undergraduate/Baccalaureate

1.3.1.1 Lecture - 1.0 unit/contact hour

1.3.1.2 Laboratory - 0.75 unit/contact hour

2.2 If team teaching is involved, the workload unit equivalent for the class shall be divided proportionally among the concerned faculty.

## 3. Research and Extension Activities (REA)

### 3.1 Research (R) Activities

The different programs under the research and development may have distinct and separate plantilla positions composed of faculty. Faculty from other colleges and offices in the University are also encouraged to get involved.

However, every faculty must have a mother unit where he/she can be identified. His/Her involvement in research or extension functions must be approved by the head of the mother unit to gain a legitimate Equivalent Teaching Load (ETL). Appropriate designation shall be issued to each faculty.

### 3.2 Extension (E) Activities

Faculty are encouraged to pass a project proposal to the Extension Director and to be approved by the University President and shall be given a credit of 1 subject load equivalent to three (3) units teaching load.

## FLEXI-TIME

In conformity with the CSC No. 14, Series of 1989 and upon recommendation of the Vice-President for Academic Affairs, the CPSU President may allow the practice of a flexi-time schedule to employees under the following conditions:

1. Those who are pursuing further studies may be required for an adjustment of work schedules to fit their class hours.
2. Those who are residing out of the CPSU campus with a distance of not less than twenty (20) kilometers.

## OTHER PROVISIONS

1. Faculty with administrative designation can render overload after office hours including Saturday for a maximum of 6 workload hours.
2. Any assignment or local designations with a corresponding honorarium would not earn workload units.
3. In case a faculty member is underload, the following guidelines are adopted to meet the required regular load:
  - 3.1. He/She shall be given a load in any college/department within the University to be approved by the Vice President for Academic Affairs.
  - 3.2. He/She may be given a load in any extension campus of the University to be approved by the President without extra pay.
  - 3.3. Faculty members who are on Teachers' Leave Bases shall be given commensurate service credits for assisting during enrolment, graduation, and other related activities in accordance with Service Credit Guidelines. Regardless of workload units during summer, he/she shall be automatically entitled to vacation sick leave basis.
  - 3.4 Holders of non-academic rank who are qualified to teach may be tapped to teach outside their official time and shall be paid subject to the existing guidelines and policies.
  - 3.5 These guidelines shall take effect upon approval by the Board of Regents.

## BENEFITS, INCENTIVES, PRIVILEGES, AND AWARDS

The following Leave Privileges shall be granted to the teaching personnel of this university:

### Entitlement to Leave Privileges

Appointive personnel of the government, whether permanent, temporary, contractual, or casual as well as elective officers, who render the required number of office hours shall be entitled to an annual fifteen (15)-day vacation and fifteen (15)-day sick leave with full pay exclusive of Saturdays, Sundays, and public holidays.

### Sabbatical Leave

Teachers may apply for Sabbatical leave with pay after continuously serving the University for seven (7) years. This leave shall be authorized/allowed only for study purposes in order to earn other degrees or to complete academic deficiency toward the attainment of a higher degree, enhance teaching or professional practice skills in the discipline, and research studies, and activities subject to the existing laws.

This shall be for two semesters and two summers only.

### Proportional Vacation Pay

Proportional vacation pay shall be granted to full-time members of the teaching personnel who do not normally perform administrative functions.

A teacher shall automatically be on vacation leave with pay during school vacations unless he/she expressly opts to teach and his/her services are needed during summer, for which he/she shall be entitled to honorarium or service credits in addition to his vacation pay, provided that no member of the teaching personnel shall be required to teach for more than two consecutive summers.

In addition to the foregoing vacation leave with pay, members of the teaching personnel shall enjoy vacation leave with pay during the Christmas break.

### Cumulative Leave

Cumulative leave shall be granted to regular members of the teaching personnel who regularly performs administrative functions, provided that administrative functions are those that are necessary for the management of the university or any of its units. Members of the teaching personnel who are engaged in research work or other assignments which involve

work beyond their normal load and which prevent them from enjoying teacher's vacation leave, both conditions being certified by the appropriate Dean or Director may enjoy cumulative leave privilege.

Both vacation and sick leave shall be cumulative and any part thereof not enjoyed within the calendar year in which it is earned shall be carried over to the succeeding years. Whenever any teaching personnel referred to herein voluntarily resigns or is separated from the university through no fault of his/her own, he/she shall be entitled to the computation of all accumulated vacation and/or sick leave to his/her credit. Provided, that no person whose leave has been commuted following his/her separation from the university shall be reinstated before the expiration of the leave commuted unless he/she first refunds the monetary value of the unexpired portion of the leave commuted.

Sick leave shall be granted only on account of illness on the part of the person concerned and his/her immediate family, provided, that members of the family shall be defined in the Civil Service Law and Rules.

## **Maternity Leave/Paternity Leave**

Maternity leave with pay shall be granted to female teaching personnel regardless of employment status and length of service, and legitimacy of her child shall be granted one hundred five (105) days for live childbirth, regardless of the mode of delivery, and an additional fifteen (15) days paid leave if the female worker qualified as a solo parent under Republic Act No. 8972 or the "Solo Parents" Welfare Act of 2000; or sixty (60) days paid leave for miscarriage and emergency termination of pregnancy. An option to extend for an additional thirty (30) days without pay in case of live childbirth. (*Republic Act 11210 known as the 105-Day Expanded Maternity Leave Law*)

Paternity leave shall be granted to married male teaching personnel the privilege to leave for 7 days for the first four (4) deliveries or miscarriages of his legitimate spouse with whom he is cohabiting, for purposes of enabling him to take care and support his wife and the new born child before, during, and after childbirth (Republic Act 8187 known as the Paternity Leave Act of 1996) and an additional of 7 days allocated to him out of the 105-days maternity leave of her spouse with full pay (*RA 11210 known as expanded maternity leave law*).

## **Leave Without Pay**

Leave of absence without pay, that does not exceed one year shall be granted for good cause, the application for leave to be filed at least five days before the effectivity of such leave. Provided that the said leave will not interfere with the work of the university; provided further, such leave is not contrary to the existing Civil Service Laws.

For unexplained/unauthorized absence of at least sixty (60) days beyond the expiration of the leave granted, any member of the teaching personnel of the university shall be dropped from the service after due notice and investigation by the proper authorities.

## **Secondment**

Special service leave (Secondment) not exceeding four years shall be granted to members of the teaching personnel who accept, on a temporary basis, government positions that are primarily confidential, policy determining, or highly technical, tenure to which is usually terminable at the pleasure of the appointing authority. Provided, however, that members of the teaching personnel appointed to said government positions shall be entitled to a leave of absence from the university co-terminus with such government assignment.

Nothing in the foregoing rule shall preclude teaching personnel on special service leave to continue serving the university as professional lecturers or consultants in any of the units of the college as may require /her services.

## **Rehabilitation Privilege**

Teaching personnel will be entitled to a rehabilitation leave for a maximum period of six months for physical reasons and a maximum of one year for psychological reasons while on the performance of official duties and shall be based on the recommendation of the licensed health professional. Teaching personnel on rehabilitation leave shall receive their salaries and regular benefits such as PERA, year-end bonus, and cash gift as mandated by law.

## **Study Privileges**

Members of the regular teaching personnel shall have the privilege to enroll in the graduate and undergraduate programs of the University for not more than nine (9) units a semester subject to the availability of funds. Provided that the course they are enrolled in shall be redound to the benefit of the University subject to the provisions of the Faculty Development Program, and upon approval of the President of the University.

Personnel of the University who enroll in any course within or outside the University must secure written approval from the President of the university upon the recommendation of his/her immediate supervisor. Permission shall be granted only to personnel whose performance is Very Satisfactory during the preceding period and which shall be maintained during the period of his/her studies.

Legitimate children and the spouse of permanent full-time teaching personnel including active and retired teachers, who have served continuously for a period of not less than five (5) years in the University shall be exempted from payment of tuition fees in the undergraduate curricula, subject to renewal from semester to semester if they pass at least twelve (12) units or three-fourths (3/4) of the total units enrolled in the last registration.

## Housing and Land Privilege

A bonafide employee of the University may, upon permission of the University President or his/her duly authorized representative, build a residential house at his/her own expense at a designated area on the campus-based on the Comprehensive Land Use Plan of the University.

The University shall formulate and implement policies, rules, and regulations on housing and land use privileges for its personnel. In granting the privilege, priority shall be afforded to permanent employees of the University. (*Board Resolution No. 51, s. 2019 and as provided in RA 11396 known as SUCs Land Use Development and Infrastructure Plan (LUDIP) Act.*)

## Adoption Leave

Public officers and employees who legally adopt a child below seven (7) years of age as of the date the child is placed with them shall be entitled to adoption leave in the manner herein provided:

- (a) Married individuals who are both in government shall be entitled to thirty (30) calendar days for the adoptive mother and seven (7) calendar days for the adoptive father.
- (b) Solo parents of whatever gender or civil status shall be entitled to thirty (30) calendar days.

Availment of adoption leave shall commence from the date the child is placed with the adoptive parents, which shall not be earlier than the date of the decree of adoption. Adoption leave shall be non-commutative and non-cumulative.

## Parental Leave for Solo Parent

In addition, to leave privileges under existing laws, parental leave of not more than seven (7) working days every year until the child reaches the age of eighteen (18) years shall be granted to public officers and employees who are solo parents and have rendered service of at least one (1) year.

Parental leave shall be non-commutative and non-cumulative.

## Special Leaves

Government public officers and employees, except those covered by special leave laws, are entitled to special leaves, to mark personal milestones and/or attend to filial and domestic responsibilities, not exceeding an aggregate of three (3) days in accordance with guidelines to be set by this Commission.

Special leaves shall be non-commutative and non-cumulative.

## **Commutation and Monetization of Leave Credits**

Accumulated leave credits can either be commuted or monetized subject to the rules and regulations prescribed by the Commission.

### **Effect of Re-employment on Commuted Leave**

Public officers and employees whose leave credits have been commuted following their separation from the service and were thereafter reemployed may refund the money equivalent to the unspent portion of the commuted leave credits. In all cases, leave credits to start from zero balance.

### **Transfer of Leave Credits of Appointive Personnel and Elective Officers**

When appointive public officers and employees transfer from one entity to another, they can have their accumulated vacation and/or sick leave credits commuted or transferred to their new office.

The second option can only be exercised by the personnel concerned when there are no gaps in their service. However, a gap of not more than one (1) month may be allowed provided the same is not due to the fault of the personnel concerned.

The abovementioned options of commutation or transfer of accumulated leave credits can also be availed of by an elective officer assuming another elective post. However, these options are not applicable to the transfer of Armed Forces of the Philippines (AFP) uniformed personnel to civilian positions.

### **Prescriptive Period for Transfer of Leave Credits**

The option to transfer accumulated leave credits can be exercised within one (1) year only from the effective date of transfer of the appointive personnel to their new office, or the assumption of the elective officers in their new post.

### **Terminal Leave**

Terminal leave refers to the total accumulated leave credits of personnel, the money value of which shall be based not necessarily on the latest salary rate but on the highest salary rate received at any time during the period of employment in the government service.

## **Granting of Service Credits**

A faculty member involved in research, extension, and production activities during summer and Christmas vacation shall be entitled to overload pay subject to the availability of funds and/or service credits.

A faculty on Teacher's Leave status and teaches during summer shall be compensated.

A faculty member who is on Teacher's Leave and authorized to attend seminars/workshops or any service training on official business during summer/vacation shall be granted service credit(s) equivalent to 1 day for every 8 hours of attendance.

## **Tuition Privileges**

### **1. For the Faculty Members**

Members of the faculty shall have the privilege of enrolling in the University in courses beneficial to their regular work, subject to the approval of the University President.

#### **A. Undergraduate Courses**

Any permanent faculty member studying at the University is entitled to a free tuition fee for the course in which he/she is enrolled with a maximum of 9 units.

#### **B. Graduate Courses**

##### **For Regular Employees**

Members of the faculty and staff occupying plantilla positions regardless of the status of appointment shall have the privilege of enrolling in the University in courses beneficial to their regular work, subject to the approval of the University President.

Any regular employee (permanent and temporary) enrolled in the CPSU Graduate School is entitled to a 100% free tuition fee.

##### **For Non-Plantilla Personnel**

Members of the Non-Plantilla Personnel who have been in the service for a minimum of one year with very satisfactory performance shall have the privilege of enrolling in the University in courses beneficial to their regular work subject to the approval of the President.

Any member of the non-plantilla personnel (office support staff), and teaching personnel (faculty) enrolled in the CPSU Graduate School is entitled to a 100% free tuition fee. (*Graduate School Manual - Board Resolution No. 103, s. 2020*)

## **2. For Spouses, Children and Retirees' Dependents**

Legal spouse and children of faculty members or first degree of affinity (nephew or niece for those without children) for a maximum of five (5) shall be entitled to full tuition privileges upon enrolling on any of the campuses of the University. In the event he/she shall not be able to meet the required passing rate set by the University; he/she shall be enrolled in any of the non-board degree programs taking into account the 5% absorptive capacity set for each campus where he/she intends to enroll.

### **Privilege to Enjoy Preference to Hire any Qualified Children of Retired Personnel Member**

Foremost considerations shall be given to merit and fitness in the hiring of faculty as governed by the Civil Service rules and regulations and the merit and promotion plan of the University. However, other things being equal, preferences may be given to the children of permanent teaching and non-teaching staff of the University provided that he/she has rendered at least seven (7) years of continuous and efficient service.

### **Merits and Awards**

The University personnel shall be entitled to the following awards:

Service Award	To be given at the time of retirement for meritorious service to the University for at least 15 years
Loyalty Award	To be given after ten (10) years of service and every five (5) years thereafter

There shall be a committee on awards to administer the merit and awards system.

## GUIDELINES FOR THE FACULTY DEVELOPMENT PROGRAM

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The CPSU (referred to as the University) provides a systematic program in the Arts, Agriculture, Forestry, Fisheries, and Natural Sciences as well as in the Technological and Professional fields for human resources development. The University aims to upgrade its instruction, research, extension, and production manpower resources to enable it to better respond to the development needs of the region and the country. The University establishes a substantial pool of manpower in the different disciplines to provide leadership and expertise with wholesome values and attitudes.

As a general rule, the university pursues and continually sustains equitable growth and development of faculty and staff in accordance with the University Development Plan by providing funds thereof.

### **I. OBJECTIVES**

1. Rationalize the professional advancement program of the faculty.
2. Set specific policies and procedures covering all scholarship and training grants.
3. Implement a system of monitoring and evaluating scholarship/training grants.

### **II. DEFINITION OF TERMS**

**Faculty.** Refer to those who hold faculty ranks.

**Scholar.** Refers to a faculty who is granted a scholarship by the University or other agencies or approved by the FSDCCI.

**Trainee.** Refers to a faculty who is awarded a training grant for upgrading of not less than one (1) month and should be in line with his area of specialization.

**Grantee.** Refers to a faculty who is awarded a study grant or study leave on official time for thesis/dissertation writing activity.

**Scholarship.** Refers to the upgrading of educational qualifications approved by the University.

1. Full scholarship refers to the completion of a higher degree with full benefits granted by the University or an approved external agency.
2. Partial scholarship is the completion of a higher degree with partial benefits granted by the University or an approved external agency.

3. Partial scholarship is the completion of a higher degree with partial benefits granted by the University or an approved external agency.
4. Training grant is the upgrading of not less than one (1) month granted by the University or approved by an external agency.
5. Study grant is a study leave on official time awarded to a qualified graduate student in the thesis/dissertation writing stage.
6. Scholarship Priorities refer to areas of specialization in accordance with the approved faculty and staff development plan operating units.

### **III. ENTRY REQUIREMENTS**

- 1) At least two (2) years of continuous service in the University;
- 2) Permanent/Regular status;
- 3) With at least Very Satisfactory (VS) performance rating for the past two (2) years.
- 4) Good health and moral character and no pending administrative and/or criminal case/s;
- 5) The Faculty must not have any current foreign or local scholarship grant.
- 6) Age should not be more than 50 years old for Post Graduate, MA/MS, Ph.D., Ed.D., and Study Grant.

### **IV. SCHOLARSHIP COMMITTEE AND FUNCTIONS**

#### **College Level**

- 1.1 Name : University Faculty Development Committee (UFDC)
- 1.2 Composition
  - Chairman : Vice President for Academic Affairs
  - Members : Deans, University Faculty Association President  
HRM Officer, Campus Administrator, Planning Officer
  - Secretary : Faculty Association Secretary

#### **1.3 Functions:**

- 1.3.1 Prepares university-wide priorities based on department plans;
- 1.3.2 Disseminates scholarship opportunities;
- 1.3.3 Conducts screening of all applications for scholarship and grants;

- 1.3.4 Monitors status of scholars;
- 1.3.5 Recommends actions on requests pertaining to scholarship;
- 1.3.6 Recommends budget for the University scholarship program.

### 2.3 Functions:

- 2.3.1 Prepares campus-wide priorities based on the university/school institution plan;
- 2.3.2 Publishes scholarship opportunities and the result of screening;
- 2.3.3 Conducts screening of all applicants for scholarships and grants;
- 2.3.4 Monitors status of scholars;
- 2.3.5 Recommends actions on requests like an extension of grants, leave of absences pertaining to scholarships, steps to be taken as a result of misconduct or violation of contract/FSDP) guidelines to the President;
- 2.3.6 Recommends budget for the campus scholarship program; and
- 2.3.7 Recommends thesis/dissertation aid

## V. PROCEDURE

1. Application should be forwarded to the University President through the Scholarship Committee;
2. Filing of application on schedule for full scholarship/study grants/foreign grants;
  - Local - one semester before the scholarship
  - Foreign - as available

## VI. RESPONSIBILITIES AND REQUIREMENTS FROM THE SCHOLAR/GRANTEE

1. Before the Scholarship, the full scholar should:
  - 1.1 Present an acceptance/admission letter from the enrolling agency.
  - 1.2 Sign a contract prepared by the sending institution. Immediately after finishing the scholarship, he/she is expected to return and serve the CPSU as indicated in the contract in exchange for the benefits granted.

1-year leave	2 years' service obligation
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6 mos.	1-year service obligation
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- 1.3 Sign and submit his/her scholarship contract in seven (7) copies for the HR Office for his own file.

The partial scholar should:

- 1.3 Submit a duly approved thesis/dissertation proposal to the FASDCC for review and recommendation.
- 1.4 Submit the comprehensive examination results and approved thesis/dissertation proposals to the FASDCC.

2. During the scholarship period, the scholar should:

- 2.1 Carry the required academic full load at the institution enrolled in for each term;
- 2.2 Finish the program within the allocated time as embodied in the contract:

MS/MA	2 school years with a 1-semester extension as approved by the BOR
Ph.D./Ed.D.	4 school years with a 1-semester extension as approved by the BOR

2.3 Maintain GPA requirements

MS/MA	2.0
Ph.D./Ed.D.	2.0

- 2.4 An extension of one semester is granted on official time for meritorious cases. Additional extension thereafter shall be charged against accrued leave and should be treated on a case-to-case basis.

- 2.4.1 For foreign study extension may be considered only for meritorious cases: not to continue with another degree nor to move on to a higher degree within the same period.

2.5 Submit to the FASDCC a copy of the following:

- 2.5.1 Duly approved plan of course within the 1<sup>st</sup> two (2) months of the semester;
- 2.5.2 Photocopy of registration form duly authenticated with the original copy within the 1<sup>st</sup> month of enrolment;
- 2.5.3 Grades and progress report within a month after each term;

- 2.5.4 Result of qualifying examination one month after its conduct;
- 2.5.5 Result of comprehensive examination before the next term; and
- 2.5.6 Approved proposal of thesis/dissertation one month after the defense.
- 2.5.7 Full scholars sponsored by other agencies must submit the same requirements as the University scholars as stipulated in the guidelines for monitoring agencies.

## 2.6 Prohibitions

- 2.6.1 To enjoy a grant simultaneously with the approved scholarship; the scholar shall choose the scholarship program with better benefits.
- 2.6.2 To engage in any work or lecture for pay;
- 2.6.3 To attend seminars/conferences on official business unless funded by the sponsoring agency;
- 2.6.4 To render part-time service to the University while on scholarship, except as required by proper authorities (for full-time scholars).

## 3. After the Scholarship, the scholar/grantee should:

- 3.1. Serve the University for an equivalent of two (2) years for every year and a fraction thereof for the Ph.D./Ed.D. level, two (2) years for every year and a fraction thereof for Master's level and one year for partial scholarship and training grants of more than one (1) month; and

### 3.2 Submit to the FASDCC a copy of the following:

- 3.2.1 Photocopy of diploma and transcript of records certified true copy of the Records Officer;
- 3.2.2 Two (2) copies of the thesis/dissertation book for the University Library and the Campus Library where he/she is serving;
- 3.2.3 Terminal Report
- 3.2.4 Re-entry Plan

## VII. BENEFITS AND PRIVILEGES

1. The full scholar shall be entitled to the following benefits and privileges:
  - 1.1 Payment of salaries;
  - 1.2 Tuition and other school fees except for tutorial services;
  - 1.3 Monthly stipend of Php 5, 000.00;
  - 1.4 Book allowance of Php 2,000.00 per semester to be liquidated by official receipts;
  - 1.5 Two-way travel expenses. The University shall pay the transportation costs to and from the institution enrolled in before and after the scholarship period.
2. The partial scholar shall be entitled to the following benefits and privileges:
  - 2.1 Payment of salaries and other benefits;
  - 2.2 Training fees and other school fees;
  - 2.3 Stipend and other expenses in accordance with accounting and auditing rules and regulations.
3. Thesis/Dissertation Aid

<b>Dissertation</b>	50% upon submission of approved title; another 50% after the pre-oral defense.
<b>Thesis</b>	50% upon submission of approved title; another 50% after the pre-oral defense.

- 3.3 Thesis/Dissertation Aid Committee (Partial Scholarship for those requesting thesis/dissertation assistance).

## VIII. DEFERMENT

1. A scholar who intends to defer his/her scholarship/enrolment should seek the official approval of the President through the FASDCC by a formal letter of request at least (2) months prior to the deferment except in extraordinary cases.
2. Deferment may be permitted for the following reasons:
  - 2.1 Poor health or illness to be supported by a medical certificate issued by a government physician;
  - 2.2 Psychological and emotional problem with certification from a neuro-psychiatric physician;

- 2.3 Non-offering of required courses for the semester as certified by the registrar; and
- 2.4 Other causes considered meritoriously by FASDCC.
3. A scholar grantee with a deferred scholarship should likewise reapply for reinstatement of the scholarship supported by:
  - 3.1 Medical certification from a government physician indicating physically fit to resume studies; and
  - 3.2 Course offerings of the school duly signed by the Dean of the Graduate School or Registrar.

## **IX. TERMINATION**

1. The University has the authority to terminate the scholarship/grant on the following conditions:
  - 1.1 Failure to meet the academic standards set by the University;
  - 1.2 Willful failure to enroll in or drop from the course without approval from the University;
  - 1.3 Violation of terms and conditions of the contract;
  - 1.4 Falsification of records in which the scholar shall be dealt with administratively; and
  - 1.5 Violation of the provisions stipulated in the guidelines.

## **APPENDICES**

**AN ACT  
ESTABLISHING A CIVIL SERVICE CODE FOR THE PHILIPPINES  
AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

**BOOK I. GENERAL PRINCIPLES**

**Title I – Policies on Civil Service System**

**Chapter 1. Declaration of Policy**

**SECTION 1. *Short Title.*** - This Act shall be known as the "Civil Service Code of the Philippines".

**SECTION 2. *Declaration of Policy.*** -

(a) The state recognizes the primary and enduring role of the civil service system in implementing the laws, managing public affairs, and ensuring the delivery of public services.

(b) The state shall provide the enabling environment that will promote its integrity, independence, productivity, and excellence.

(c) It is the policy of the State to promote the Constitutional mandate that:

(1) Appointments in the civil service system shall be made only on the principle of merit and fitness;

(2) Public office being a public trust, public officers and employees must be accountable to the people and live the principles of utmost responsibility, integrity, loyalty, efficiency, patriotism, justice, and modesty in serving the people;

(3) Employment opportunities in the civil service system shall be equally available to all qualified citizens;

(4) No public officer and employee shall be disciplined, suspended, or dismissed except for cause and after observing due process of law, or for non-disciplinary causes;

(5) The Civil Service Commission, being the central personnel agency of the government, shall administer the civil service system and provide policies and guidelines on the recruitment and selection, utilization, training, and discipline of public officers and employees;

(6) The right to self-organization, collective negotiation, and peaceful concerted activities, including the right to strike in accordance with the provisions of this code, shall be guaranteed and respected;

(7) Equal pay for work of equal value shall be guaranteed; and

(8) Actions on personnel matters shall be decentralized, with the different departments and other offices or agencies of the government delegating to their regional offices or other similar units, powers, and functions.

## **Chapter 2. Definition of Terms**

**SEC. 3. *Terms Defined.*** - With reference to the civil service system and as used in this Code, the following terms shall be construed to mean as follows:

(a) *Agency* refers to any department, bureau, office, commission, administration, board, committee, institute, government-owned or -controlled corporation with an original charter, state university and college, and local government unit.

(b) *Appointing authority* refers to the person or body authorized by law to make appointments in the civil service system.

(c) *Appointment* refers to the document issued by the appointing authority allowing the appointee to occupy the position stated therein and to perform its functions and receive the corresponding compensation. It could also refer to the selection by the appointing authority of an individual who is to exercise the functions of the position.

(d) *Career Executive Service (CES)* refers to the strong, stable, competent, well-trained, and highly motivated corps of career public managers that will provide effective support to national development.

(e) *CESB* refers to the Career Executive Service Board.

(f) *Career Executive Service Officer (CESO)* refers to a person who has been conferred a CES rank.

(g) *Chairperson* refers to the Chairman of the Civil Service Commission.

(h) *Civil service* refers to persons employed to carry out public services, in all branches, agencies, subdivisions, and instrumentalities of government, including government-owned and -controlled corporations with original charters or created under special laws, local government units, and state universities and colleges.

(i) *Civil service eligible* refers to a person who passed a civil service examination or is granted civil service eligibility by law or by the Civil Service Commission.

(j) *Civil service system* refers to the policies, regulations, procedures, practices, and ethics that govern the manner in which laws are executed and implemented, public affairs are managed and public services are delivered in all branches, agencies, subdivisions, and instrumentalities of government, government-owned and -controlled corporations with original charters or created under special laws, local government units, state universities, and colleges.

(k) *Class* refers to all positions in the civil service system that are sufficiently similar as to duties and responsibilities and require similar qualifications that can be given the same title and salary and for all administrative and compensation purposes, be treated alike.

(l) *Commission* refers to the Civil Service Commission.

(m) *Commissioner* refers to either of the two (2) other members of the Commission.

(n) *Consultant* refers to the person engaged under a consultancy contract by reason of expertise not readily available from career personnel, to perform highly specialized functions for a short duration, with a definite output, having no employer-employee relationship with the contracting agency.

(o) *Department* refers to any of the departments in the Executive branch, Congress, the Judiciary, and any of the constitutional commissions.

(p) *Disciplining authority* refers to the person or body authorized to suspend, dismiss or discipline public officers and employees in the civil service system.

(q) *Eligibility* refers to the qualification acquired by an individual after passing a civil service examination or granted by law or by the commission, for entrance into and promotion in the career service.

(r) *Employee* refers to any person employed in the civil service system of whatever category or class up to the division chief level.

(s) *Employee organization* refers to any employee organization, union, association, federation, confederation, society, or alliance duly registered in accordance with the provisions of this Code.

(t) *Examination* refers to the test conducted by the Commission or any agency authorized by law for the purpose of determining merit and fitness for appointment in the civil service system.

(u) *Grievance* refers to an employee's complaint regarding working conditions, working relationships, or employment status.

(v) *Grievance procedure* refers to the mechanisms of resolving employee grievances and complaints.

(w) *Highly technical position* refers to a position that requires the occupant to possess skill or training in a supreme or superior degree, like that of a scientist.

(x) *Job order* refers to a contract of service of individuals or groups paid under a lump sum appropriation for a short duration having no employer-employee relationship with the government.

(y) *Merit system* refers to an organized mechanism by which the selection, utilization, compensation, training, retention, and discipline of employees in the service are governed by comparative merit and achievement.

(z) *Personnel action* refers to any movement of personnel in the civil service system.

(aa) *Policy-determining position* refers to a position that vests in the occupant the power to formulate policies for the government or any of its agencies, subdivisions, or instrumentalities, like that of a member of the cabinet.

(bb) *Position* refers to a job title with a defined set of duties and responsibilities to be performed by an individual either on a full-time or part-time basis.

(cc) *Primarily confidential position* refers to a position where the occupant enjoys more than the ordinary confidence of the appointing power but bears such close intimacy which relieves the latter from misgivings of betrayal of personal trust on confidential matters, like that of a private secretary.

(dd) *Public officers* as distinguished from employees refer to those whose functions are managerial or executive in nature and above the division chief level invested by law with a portion of the sovereignty of the state.

(ee) *Qualification standards* refer to the minimum requirements for a class of position expressed in terms of education, training, experience, civil service eligibility, physical fitness, and other qualities required by the job.

(ff) *Rank-and-file* refers to employees occupying positions in the first and second levels.

(gg) *Reorganization* refers to the process of restructuring an agency's organizational and functional set-up with the view of making it more economical, effective, efficient, and responsive to the needs of the public.

(hh) *Solo parent* refers to any individual who falls under any of the categories as enumerated in R.A. 8972, otherwise known as the Solo Parents Welfare Act of 2000.

(ii) *Strike*, for purposes of this code, refers to a concerted action of an accredited employee organization that will result in a temporary work stoppage without total disruption of public service.

### **Chapter 3. Rights and Obligations of Public Officers and Employees in the Civil Service System**

**SEC. 4. *Rights.*** - Public officers and employees in the civil service system shall have the right to:

- (a) Security of tenure;
- (b) Exercise the authority attendant to their positions;
- (c) Enjoy leave, welfare, retirement, and other benefits and services;
- (d) Self-organization or form and join unions, associations, federations, confederations, or societies for purposes not contrary to law;
- (e) For rank-and-file employees of accredited organizations to collectively negotiate for terms and conditions of employment in accordance with existing laws and the right to engage in a strike in accordance with the provisions of this code; and
- (f) Enjoy such other rights provided by law.

**SEC. 5. *Obligations.*** - Public officers and employees in the civil service system shall:

- (a) Uphold and defend the Constitution and laws of the Republic of the Philippines;
- (b) Take and subscribe to an oath before assumption of office;
- (c) Be accountable at all times to the people, and serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice and lead modest lives;
- (d) Discharge their duties faithfully and maintain the required level of productivity of their positions for the benefit of the public;
- (e) Submit upon assumption to duty and as often as may be prescribed by law, a sworn statement of assets, liabilities, and net worth and disclosure of business interests and financial transactions;
- (f) Identify and disclose, to the best of their knowledge, their relatives in government, in the manner and frequency as may be prescribed by law, rules, and regulations; and
- (g) Undertake programs of self-development to improve their performance and levels of service.

## **Title II - Scope of the Civil Service System**

### **Chapter 1. Positions in the Civil Service System**

**SEC. 6. *Coverage.*** - The civil service system embraces all branches, agencies, subdivisions, and instrumentalities of government, state universities, and colleges, government-owned and -controlled corporations with original charters or created under special laws, and local government units.

**SEC. 7. *Administration of the Civil Service System.*** - As the central personnel agency of the government, the Commission, shall establish a career service, administer the civil service system, adopt measures to promote morale, efficiency, competency, integrity, honesty, responsiveness, progressiveness, courtesy, and gender sensitivity, strengthen the merit and rewards system, integrate all human resource development programs for all levels and ranks therein and institutionalize a management climate that promotes good working conditions and public accountability.

**SEC. 8. *Categories of Positions.*** - Positions in the civil service system shall be categorized as career and non-career.

**SEC. 9. *The Career Service.*** - The career service shall be characterized by (a) entrance based on merit and fitness to be determined, as far as practicable, by competitive examinations or on highly technical qualifications; (b) opportunity for advancement to higher career positions; and (c) security of tenure which is also based on performance, mechanics of which shall be formulated by the Commission.

**SEC. 10. *Positions Included in the Career Service.*** - Positions in the career service include the following:

(a) Open career positions - appointment to which requires qualification in an appropriate examination or other modes in accordance with law;

(b) Closed career positions – positions that are scientific or highly technical in nature, which maintain their own merit systems, such as the following:

(1) Faculty and academic staff of state universities and colleges or scientific and technical positions in scientific or research institutions;

(2) Career Executive Service;

(3) Career officers, other than those in the career executive service, who are appointed by the President, such as the foreign service officers in the Department of Foreign Affairs, the judges and justices in the Judiciary, and the prosecutors in the prosecution services;

(4) Uniformed and commissioned personnel of the Philippine National Police;

(c) Permanent laborer, whether skilled, semi-skilled, or unskilled.

**SEC. 11. *Classes of Positions in the Career Service.*** - Positions in the career service shall be grouped as follows:

(a) First Level - includes clerical, trades, crafts, and custodial positions whether in a non-supervisory or supervisory capacity;

(b) Second Level - includes professional, highly technical, scientific or other highly specialized positions in a supervisory or non-supervisory capacity requiring at least a baccalaureate degree or its equivalent as determined by the Commission; and

(c) Third Level – includes the highest-level positions in the career service as determined in the Position Classification and Compensation System.

Except as otherwise provided in this Code, entrance to the first two levels shall be through competitive or special examinations to be given by the Commission. Entrance to the third level shall be based on qualification requirements prescribed by the Commission through the CESB. Entrance to a higher level does not require the previous qualifications in the lower level.

**SEC. 12. *The Non-Career Service.*** - The non-career service shall be characterized by merit and fitness to be determined by (a) modes other than those of the usual tests utilized for the career service; (b) tenure which is limited to a period specified by law; (c) tenure which is coterminous with that of the appointing authority or subject to his/her pleasure or which is limited to the duration of a specific project for which purpose of employment was made; and (d) the primarily confidential nature of the position.

**SEC. 13. *Positions Included in the Non-Career Service.*** - The non-career service shall include the following:

(a) Elective officers and their personal and primarily confidential staff;

(b) Department heads and other officers of Cabinet rank who occupy their positions at the pleasure of the President and their personal and primarily confidential staff;

(c) Chairpersons and members of constitutional commissions and other commissions, boards and other bodies with fixed terms of office and their personal and primarily confidential staff;

(d) Non-career undersecretaries and non-career assistant secretaries and their personal and primarily confidential staff;

(e) Contractual personnel or those whose employment is in accordance with a special contract for a maximum period of one year to undertake a specific work or job which requires special knowledge and/or technical skills not available in the employing agency;

(f) Those whose positions may be declared as personal and primarily confidential by the Commission; and

(g) Emergency, casual and seasonal personnel.

### **Title III - The Civil Service Commission**

#### **Chapter 1. Composition, Duties and Functions**

**SEC. 14. *Composition.*** - The Commission shall be composed of a Chairperson and two (2) Commissioners.

**SEC. 15. *Qualifications of the Chairperson and Commissioners.*** - The Chairperson and Commissioners shall be natural-born citizens of the Philippines, and at the time of their appointment are at least thirty-five (35) years of age with proven capacity for public administration and must not have been candidates for any elective position in the elections immediately preceding their appointment.

As far as practicable, one of them must be a lawyer and the composition of the Commission must be gender balanced.

**SEC. 16. *Terms of Office.*** - The Chairperson and Commissioners shall be appointed by the President subject to confirmation by the Commission on Appointments for a term of seven (7) years without reappointment. In no case shall any member be appointed or designated in a temporary or acting capacity. Appointment to any vacancy shall be only for the unexpired term of the predecessor.

**SEC. 17. *Compensation.*** - The salaries of the Chairperson and the Commissioners shall be fixed by law and shall not be decreased during their tenure.

**SEC. 18. *Prohibition.*** - No Member of the Commission shall, during their tenure, hold any other office or employment except when expressly provided by law. Neither shall he/she engage in the practice of any profession or in the active management or control of any business which in any way be affected by the functions of his/her office, nor shall he/she be financially interested, directly or indirectly, in any contract with, or in any franchise or privilege granted by the government, any of its subdivisions, agencies, or instrumentalities, including government-owned or controlled corporations.

**SEC. 19. Powers and Functions of the Commission.** - The Commission shall have the following powers and functions:

- (a) Administer and enforce the constitutional and statutory provisions and such other mandatory provisions of law on the merit system for all levels and ranks in the civil service system;
- (b) Prescribe, enforce and amend rules and regulations for carrying into effect the provisions of this Code and other pertinent laws which shall become effective thirty (30) days from the date of publication in the Official Gazette or in a national newspaper of general circulation;
- (c) Promulgate its own rules concerning pleadings and practice before it or any of its offices, which shall not diminish, increase or modify substantive rights;
- (d) Promulgate policies, standards and guidelines for the civil service system and adopt plans and programs to promote ethical, efficient and effective personnel administration in the government including innovative systems and mechanisms to ensure feedback from the public;
- (e) Formulate policies and regulations for the administration, maintenance and implementation of Position Classification and Compensation system;
- (f) Render decisions, orders, opinions or rulings on civil service matters which shall be binding on heads of departments and agencies and immediately executory and notwithstanding any law to the contrary, may be brought only to the Supreme Court on *certiorari*;
- (g) Discipline CES members for cause after due process;
- (h) Control, supervise and coordinate civil service examinations. Any entity or public officer in government may be called upon by the Commission to assist in the preparation and conduct of the said examinations. Such assistance includes, but is not limited to, the provision of personnel and security, the use of buildings and facilities, as well as the transportation of examination materials;
- (i) Grant civil service eligibility to qualified applicants based on civil service examination results, performance, training, education, qualifications and other similar standards, subject to the guidelines it may prescribe;
- (j) Prescribe all forms for civil service examinations, appointments, reports and such other forms as may be required by law and the rules and regulations of the Commission;
- (k) Declare, when appropriate, positions in the civil service system as primarily confidential, highly technical, or policy-determining;
- (l) Formulate, administer and evaluate programs relative to the recruitment and selection, development, and retention of a qualified and competent workforce in the public service, including administration, development, and evaluation of training, scholarship and retirement programs;

- (m) Resolve administrative cases and other civil service matters brought before it directly or on appeal, including disciplinary matters, contested appointments or personnel actions. The decisions, orders or ruling of the Commission may be brought by the aggrieved party to the Supreme Court only on *certiorari*;
- (n) Issue subpoena *ad testificandum* (process directing the attendance of witness) and/or subpoena *duces tecum* (process directing the production of documentary evidence);
- (o) Deputize public officers and employees of the Commission and of other departments and agencies to investigate and hear cases and to submit their findings and recommendations to the Commission;
- (p) In the exercise of its quasi-judicial functions, punish for contempt, direct and indirect, public officers, employees, and other persons for refusal or failure to comply with the decisions, orders, rulings, or processes and proceedings of the Commission;
- (q) Delegate any power or function of the Commission to its regional or field offices;
- (r) Review decisions and actions of its offices;
- (s) Enforce and execute its decisions, orders and rulings, and for this purpose, deputize any national or local law-enforcement agency or instrumentality of the government which shall act under the direct and immediate supervision of the Commission;
- (t) Act on all appointments and other personnel matters in the civil service system;
- (u) Inspect and audit the personnel actions and programs of the departments, agencies, bureaus, offices and instrumentalities of government, state universities, and colleges, government-owned and –controlled corporations with original charters or created under special laws, local government units;
- (v) Prescribe rules and policies on employee organizations and regulate employee-management relations including the settlement of disputes;
- (w) Prescribe and enforce rules and regulations to promote and ensure safe, healthy and proper working conditions for employees;
- (x) Formulate and administer programs that will foster an honest, graft-free public service;
- (y) Reorganize or effect changes in its organization, within the limits of its appropriations, including the creation, merger or consolidation, splitting or division and abolition of offices and positions; and
- (z) Exercise all powers and perform the functions properly belonging to a central personnel agency.

**SEC. 20. Duties and Responsibilities of the Chairperson and the Commissioners.**

- (a) The Chairperson and the two Commissioners shall be responsible for the effective exercise of the rule-making, policy-formulation and adjudicative functions of the

Commission. They shall promote the development of a creative, productive and competitive workforce.

(b) The Chairperson shall be the chief executive officer and shall perform the following functions:

(1) Execute and administer the internal policies, decisions, orders, and resolutions approved by the Commission;

(2) Direct and supervise the operations and internal administration of the Commission;

(3) Sign appointments of subordinate public officers and employees made by the commission and enforce decisions on administrative discipline involving them;

(4) Submit the annual budget of the Commission to Congress for its approval;

(5) Transmit to the President, rules and regulations adopted by the Commission which require presidential attention including annual and other periodic reports;

(6) Delegate authority, in whole or in part, to other public officers and employees of the Commission, in accordance with the rules and regulations of the Commission; and

(7) Perform such other functions as may be provided by law.

## **Chapter 2. Organization and Structure**

**SEC. 21. *Offices in the Commission.*** - The Commission shall have the following offices:

- (a) Office of the Assistant Commissioners;
- (b) Commission Secretariat;
- (c) Office for Legal Affairs;
- (d) Examination, Recruitment, and Placement Office;
- (e) Personnel Policies and Standards Office;
- (f) Human Resource Development Office;
- (g) The Civil Service Institute;
- (h) Personnel Relations Office;
- (i) Public Assistance and Information Office;
- (j) Personnel Records Management Office;
- (k) Office for Planning;
- (l) Office for Financial and Assets Management;

- (m) Office for Personnel Management;
- (n) Regional Offices/Field Offices; and
- (o) Internal Audit Service.

**SEC. 22. *The Office of the Assistant Commissioners.*** - The Office of the Assistant Commissioners (OACs) shall provide technical support to the Commission in the areas of research, policy review and program development. This office shall also handle special projects and maintain external linkages as may be deemed necessary by the Commission.

**SEC. 23. *The Commission Secretariat.*** - The Commission Secretariat (COMSEC) shall take charge of programming and coordinating regular and special meetings of the Commission. Its function includes efficient information management and maintenance of all records, decisions, policies, pronouncements and issuances of the Commission.

COMSEC shall also be the main liaison between Central Office and the Regional Offices. This function includes coordination of all transactions of the Central offices with the Regional offices.

**SEC. 24. *The Office for Legal Affairs.*** - This office shall provide the Commission with legal advice and assistance in the exercise of its rule-making, policy formulation, prosecution, quasi-judicial and other functions.

**SEC. 25. *The Examination, Placement, and Recruitment Office.*** - The Examination, Placement, and Recruitment Office (ERPO) shall take charge of developing, enhancing, controlling, supervising, and coordinating pertinent schemes in the granting of civil service eligibility such as but not limited to the administration of Civil Service examinations. It shall also take charge of formulating programs, policies, standards, and guidelines in the certification and placement of civil service eligible.

**SEC. 26. *The Personnel Policies and Standards Office.*** - The Personnel Policies and Standards Office (PPSO) shall take charge of the formulation and periodic review of qualification-, performance- and promotion standards within the context of the merit and rewards policies of the various closed and open career systems.

It shall also develop policies, programs, and regulations relative to performance management, as well as the inspection and audit of personnel mechanisms in government agencies.

It shall administer, maintain and implement the position classification & compensation system.

**SEC. 27. *The Human Resource Development Office.*** - The Human Resource Development Office (HRDO) shall formulate, administer and evaluate HRD programs and policies relative to the development and retention of a qualified and competent workforce in the public service. It shall also be responsible for the innovation and modeling of best-practiced development interventions to enhance capacities and reinforce the service values of public servants.

**SEC. 28. *The Civil Service Institute.*** - This office shall be responsible for the design and administration of the Commission's human resource development and training programs.

**SEC. 29. *The Personnel Relations Office.*** - The Personnel Relations Office (PRO) shall take charge of all inter- and intra-public sector union concerns such as employee relation standards, conciliation, registration and accreditation of unions including advocacy work. It shall also serve as the secretariat for the Public Sector Labor Management Council (PSLMC), and conduct research and training on public sector unionism, as well as design and develop public sector labor education programs.

**SEC. 30. *The Public Assistance and Information Office.*** - The Public Assistance Information Office (PAIO) shall take charge of managing an effective information exchange system between the Commission and its internal and external publics. Its function includes maintaining strong linkages with media institutions/practitioners as well as undertaking special projects, such as the CSC anniversary celebration and the Honor Awards Program, necessary in carrying-out its dual role of information dissemination as well as feedback generation on operations, programs and thrusts of the Commission.

**SEC. 31. *The Personnel Records Management Office.*** - The Personnel Records Management Office (PRMO) shall formulate and implement policies, standards and regulations pertaining to the storage, maintenance, security control, and disposal of government personnel records and other related civil service documents. Management of such records includes maintenance of the resource center for computer-based information, the library, the archives, and the museum of the Commission.

PRMO shall also be responsible for the management of incoming and outgoing communications of the Commission.

**SEC. 32. *The Office for Planning.*** - The Office for Planning (OP) shall be responsible for the formulation, implementation and monitoring of the long-term Strategic Plans of the Commission. It shall provide technical support and assistance to the Commission on organizational planning, benchmarking and research and in the development of work programs and projects of the different Commission offices consistent with its mandate.

The Office for Planning shall also oversee the formulation and management of the Information Technology Plan that shall serve as the blueprint for the development, implementation, and maintenance of communication and information systems vital to the internal operations of the CSC as well as to the decision-making functions of the Commission.

**SEC. 33. *The Office for Financial and Assets Management.*** - The Office for Financial Assets and Management (OFAM) shall take charge of ensuring sound fiscal and asset management consonant with the annual, supplemental and special budgets of the Commission as contained in the General Appropriations Act.

**SEC. 34. *The Office for Personnel Management.*** - The Office for Personnel Management (OPM) shall take charge of formulating the development plan of the Commission, which includes sound policies on personnel management in the areas of recruitment and selection, employee welfare and discipline in the Commission.

**SEC. 35. *The Regional Offices/Field Offices.*** - The Regional Offices shall enforce Civil Service rules, policies and standards on personnel management within their respective regional jurisdictions. They shall provide technical advice and assistance to government offices and agencies regarding personnel administration such as but not limited to examination and placement, career development, appointments, filing/resolution of legal cases, audit, and other functions delegated by the Commission.

**SEC. 36. *The Internal Audit Service.*** - The Internal Audit Service (IAS) shall oversee the periodic evaluation of existing methods and procedures, including financial systems, in the Commission and on the basis of such, formulate plans and programs relative to fiscal discipline, and management improvement and productivity of the Commission.

### **Chapter 3. The Career Executive Service**

**SEC. 37. *The Career Executive Service.*** - A strong, stable, competent, well trained and highly motivated corps of career public managers that will provide effective support to national development shall constitute the Career Executive Service (CES). Entry and advancement in the CES shall be based on merit and fitness which shall include integrity, demonstrated managerial and executive competence, leadership and interpersonal qualities, technical expertise and other pertinent qualifications.

The CES shall be governed by a separate merit system characterized by rank rather than position; compensation based on rank and advancement to a higher rank on the basis of executive and technical expertise.

**SEC. 38. *Membership.*** - A person who meets such managerial experience, executive competence, and other requirements prescribed by the Commission through the CESB, shall be conferred appropriate rank and shall be included in the register of Career Executive Service Officers (CESOs).

**SEC. 39. *Career Executive Service Board.*** – The Career Executive Service Board (CESB) shall be an attached agency of the Commission. It shall be responsible for the development, maintenance and administration of the Career Executive Service.

**SEC. 40. *Composition of the Career Executive Service Board.*** – The CESB shall be composed of the following: the Chairperson of the Commission as Chairperson; the President of the Development Academy of the Philippines, ex-officio member; the Dean of the University of the Philippines-National College of Public Administration and Governance, ex-officio member; the president or duly designated representative of a nationwide association of career executive service officers; the president or duly designated representative of a nationwide association of personnel managers; and, two (2) other members who shall be appointed by the President of the Republic, and one of whom must be a retired CESO, both with terms of three (3) years.

Members of the CESB shall be provided with per diems and allowances as determined by the Commission.

**SEC. 41. *The Career Executive Service Secretariat.*** - The Career Executive Service Board (CESB) shall be assisted by the Career Executive Service Secretariat. It shall be headed by an Executive Director and assisted by a Deputy Executive Director both of whom

shall be appointed by the CESB, and shall be responsible for the implementation of the policies, rules, regulations, decisions, directives of the CESB.

**SEC. 42. *Rank Classification of Members of the Career Executive Service.*** -

Members of the CES shall be classified according to rank based on their personal proven competence, qualifications, broad levels of responsibility and other relevant considerations as determined by law and rules of the Board.

**SEC. 43. *Conferment of Appropriate Rank in the CES.*** - Conferment to appropriate rank in the CES shall be made by the President upon recommendation of the CESB. The issuance of appointments to appropriate ranks shall be made by the department or agency heads.

**SEC. 44. *Personnel Mechanisms.*** - The CESB shall develop policies, design standards and personnel mechanisms for the Career Executive Service.

**SEC. 45. *Compensation.*** - Members of the CES shall be compensated according to rank in accordance with the CES compensation plan and shall be provided with attractive salaries, fringe benefits and reasonable allowances to be paid by the employing agency. A CESO assigned to a CES position shall enjoy an added premium based on his/her rank and shall be granted a higher premium as his/her rank increases. However, in case a CESO occupies a CES position not appropriate to his/her rank, said officer shall receive the higher compensation. In no case shall a CESO receive compensation lower than that corresponding to the rank.

**SEC. 46. *Mobility.*** - CESOs may be assigned to any CES position.

**SEC. 47. *CES Resource List.*** - The CESB shall establish a CES resource list drawn from CESOs who may be cross-posted in various agencies to undertake special works or unique assignments within a specified timeframe, without diminution of compensation.

The CESB shall institutionalize systems for the promotion of core values in the CES, career development of its members, including cross-posting and mobility.

CESOs who may be involuntarily separated from their assignments shall, as far as practicable, be given new assignments commensurate to their qualifications.

**SEC. 48. *Administration of a Compensation Plan.*** - The CESB shall prepare, administer and periodically review a compensation plan for the CES, to maintain the high standard of public service and the quality of officers in the CES.

Salaries, allowances and other benefits of CES officers shall be provided by the employing agency at rates in accordance with the CES Compensation Plan.

**SEC. 49. *Security of Tenure.*** - CESOs shall enjoy performance-based security of tenure and shall not be removed from service except for cause and after due process.

**SEC. 50. *Discipline.*** - Investigation and adjudication of administrative complaints against members of the CES shall be governed by the provisions of this Code.

**SEC. 51. *Career Undersecretary and Assistant Secretary.*** - At least 50% of the total number of positions of Undersecretary and Assistant Secretary shall be a career with each level accordingly represented.

The President shall appoint CESOs to both career and non-career Undersecretary and Assistant Secretary positions.

Assignments to CES positions lower than assistant secretaries shall be made by the head of the agency or the appointing authority concerned and such shall be subject to approval by the commission.

## **BOOK II. PERSONNEL POLICIES AND STANDARDS**

### **Title I – On Employment**

#### **Chapter 1. Recruitment**

**SEC. 52. *Policy.*** - Recruitment in the civil service system shall be made on the basis of merit and fitness to perform the duties and assume the responsibilities of the position, to be determined as far as practicable by competitive examination administered by the Commission. Every Filipino citizen shall have equal access to or opportunities for public service regardless of, among others, religious belief, color, sex, sexual orientation, regional origin or ethnic affiliation. Measures shall be adopted to include qualified members of indigenous cultural communities, and other minority groups, and differently-abled persons for recruitment and selection.

**SEC. 53. *Kinds and Frequency of Civil Service Examinations.*** - Examinations may be written, oral, physical, testimonial based on performance or skills or a combination of these types. Examinations may take into consideration experience, education, aptitude, capacity, knowledge, character, physical fitness and other attributes of the applicant as may be determined by the Commission.

The Commission shall administer competitive examinations for all levels in the career service and grant corresponding civil service eligibilities to passers of the same.

The Commission shall conduct civil service examinations as often as the exigency of the service requires. Civil service special examinations may be conducted upon request of a particular department or agency, subject to rules and regulations promulgated by the Commission.

**SEC. 54. *Qualifications of Applicants to Civil Service Examinations.*** - Admission to civil service examinations shall be limited to citizens of the Philippines who satisfactorily meet the requirements prescribed by the Commission.

**SEC. 55. *Rating of Examination Papers and Civil Service Eligibility.*** - Unless otherwise prescribed by the Commission, every examinee who obtains a general rating of at least eighty (80%) percent shall be granted civil service eligibility.

**SEC. 56. *Simultaneous Release of Examination Results.*** - The results of an examination held in various locations on the same date shall be released simultaneously.

**SEC. 57. Registers of Civil Service Eligible.** - The Commission shall maintain a register of qualified eligible for each category of examination actually available for appointment. The register shall be the basis for certification and appointment in the civil service system.

**SEC. 58. Bar or Board Examinations as Eligibility.** - Successful examinees of bar or board examinations requiring completion of baccalaureate degrees or courses requiring not less than seventy-two (72) units of collegiate subjects or its equivalent as well as those registered under their respective boards to practice their professions without examination, shall automatically be considered civil service eligible. Their eligibilities shall be effective upon the release of examination results or the date of registration, as the case may be, by the Supreme Court or the Professional Regulation Commission.

**SEC. 59. Effectivity and Imprescriptibility of Civil Service Eligibility.** - Eligibilities resulting from civil service, bar or board examinations shall be effective on the date of the release of examination results. Other eligibilities granted by the Commission shall be effective on the date of the grant.

Civil service eligibilities shall be imprescriptible.

**SEC. 60. Invalidation of Civil Service Examination Results.** - The Commission shall have the authority to invalidate civil service examination results based on statistical improbability and other forms of irregularity as determined by the Commission.

**SEC. 61. Responsibilities in the Conduct of Examinations.** - The Commission may call upon all departments and agencies to extend the necessary support and assistance, and to make available such personnel, buildings, transportation, communication and such other facilities, that may be needed in the administration of the examinations.

**SEC. 62. Printing, Storage, Transportation and Distribution of Examination Materials.** - The printing, storage, transportation and distribution of examination materials shall be under the exclusive supervision and control of the Commission. The Commission shall determine and provide the necessary security measures for this purpose.

**SEC. 63. Examining Committees, Examiners and Investigators.** - The Commission may deputize persons to act as members of examining committees, examiners or investigators to perform such duties as the Commission may require. In the performance of such duties, they shall be under the exclusive control and supervision of the Commission. Such persons so deputized may be given allowances or per diem for their services to be paid out of funds allocated for the particular examination and at a rate to be determined by the Commission. Expenses for specialized examinations shall be allocated by the requesting department or agency.

## **Chapter 2. Selection and Appointment**

**SEC. 64. Selection Process.** - Each department or agency shall evolve its own selection process in accordance with standards and guidelines set by the Commission.

A Personnel Selection Board for all levels shall be established in each department or agency to assist the appointing authority in the judicious evaluation and selection of

personnel. The board shall be established in accordance with standards and guidelines set by the Commission.

**SEC. 65. *Requisites for Appointment.*** - Employment in the government service shall be made through appointment in accordance with the provisions of the Constitution, this Code, other laws and the rules and standards prescribed by the Commission.

**SEC. 66. *Merit and Fitness in Appointment.*** - Appointment in the civil service system shall be made only according to merit and fitness to be determined, as far as practicable, by competitive examination, except to positions which are policy determining, primarily confidential, or highly technical.

**SEC. 67. *Who May Appoint?*** - Appointment in the civil service system shall be issued only by those authorized by the Constitution or by law including those appointed in an acting capacity. Those who are designated cannot exercise the power to appoint.

**SEC. 68. *Qualifications for Appointment.*** - Appointment in the civil service system shall be limited to citizens of the Philippines who are at least eighteen (18) years of age and who meet the qualifications and none of the disqualifications prescribed for the position.

**SEC. 69. *Effectivity of Appointment.*** - An appointment shall take effect immediately upon its issuance by the appointing authority. If the appointee has assumed the duties of the position, he/she shall be entitled to receive salary at once without awaiting the approval of his/her appointment by the Commission. Such appointment cannot be withdrawn or cancelled by the appointing authority and shall remain in full force and effect unless disapproved by the Commission. However, an appointment issued through fraudulent means or in violation of law, shall be void from the beginning.

In the case of temporary appointment, the twelve (12) month period of its effectivity shall be reckoned from the date of issuance of the appointment and not from the date the appointee assumes the duties of the position.

No public officer or employee shall allow a person to render service without a copy of the appointment duly issued by the appointing authority. Those who allow such service in violation of this Section shall be personally liable for the salaries of the person concerned. Moreover, the services rendered by the said person shall not be credited as government service.

If the appointee does not assume office within thirty (30) days from date of receipt of approved appointment, said appointment shall be deemed automatically cancelled.

If the appointee is not allowed to assume office by the appointing authority in spite of the Commission's approval of the appointment, the appointing authority shall be held liable for contempt of the Commission. This is without prejudice to his liability under RA 3019 (*Anti-Graft and Corrupt Practices Act*) and other criminal and administrative sanctions.

**SEC. 70. *Appointment Form.*** - An appointment shall be issued in the form prescribed by the Commission.

**SEC. 71. *Submission of Appointments and Oaths of Office.*** - All appointments in the civil service system, except those issued by the President and those of the

Armed Forces of the Philippines, shall be submitted to the Commission for approval not later than thirty (30) days from the date of issuance thereof. Such approval shall be indicated below the signature of the appointing authority; otherwise, it shall be made effective thirty (30) days prior to the date of submission to the Commission.

Copies of appointments and oaths of office of those appointed by the President shall be submitted to the Commission for record purposes.

**SEC. 72. *Merit Promotion Plan.*** - Each department or agency shall establish a Merit Promotion Plan, in accordance with standards and guidelines prescribed by the Commission.

**SEC. 73. *Appropriate Civil Service Eligibility.*** - Appropriate civil service eligibility shall be required for permanent appointment to positions in the career service in accordance with the standards set by the Commission. Whenever there is a qualified civil service eligible willing and actually available for appointment, no appointment shall be issued to a person who is not an eligible, even in a temporary capacity. However, a temporary appointment may be issued to eligible who lacks any of the other requirements for appointment or, to non-eligible who meets all the other mandatory requirements for a particular position.

A person with a civil service eligibility acquired by passing an examination shall be qualified for a position requiring a lower level eligibility if he/she possesses the other requirements for appointment to such position.

**SEC. 74. *Qualification Standards.*** - Qualification standards shall be used: (a) as a basis for civil service examinations for positions in the career service; (b) as a guide in appointment and other personnel actions; (c) in the adjudication of protests against appointment; (d) in determining training needs; and (e) as an aid in inspection and audit of the agencies' personnel work programs.

Qualification standards shall be administered so as to continually provide incentives to public officers and employees towards professional growth.

The establishment, administration and maintenance of qualification standards shall be the responsibility of the department or agency concerned, as promulgated by the Commission.

### **Chapter 3. Status of Appointment**

**SEC. 75. *Appointment Status.*** – The status of an appointment shall be:

(a) **Permanent** - an appointment issued to a person who meets all the qualification requirements of the position. In no case shall a person who meets all the requirements for permanent appointment be issued a temporary appointment except to occupational groups of positions requiring additional or special qualifications, in which case, prior clearance to issue temporary appointment shall first be secured from the Commission. In case an appointment is erroneously issued, the Commission shall make the necessary rectification.

Whenever there is a qualified civil service eligible willing and actually available for appointment as certified by the Commission, a non-eligible shall not be appointed even in a temporary capacity to any vacant position in the career service.

(b) **Temporary** - an appointment issued to a person who does not meet eligibility or any of the other qualification requirements of the position: Provided, that there are no qualified eligible willing and actually available for appointment and that the appointment shall not exceed twelve (12) months.

A temporary employee shall not be removed except for cause during the one (1) year period; Provided, that he/she may be replaced at any time within the same period, only by a qualified civil service eligible. In the latter case, the appointing authority shall recall the temporary appointment and appoint the qualified civil service eligible.

(c) **Substitute** – an appointment issued to a person who has all the qualifications for permanent appointment but shall occupy a temporary vacancy while the regular occupant thereof is on an approved leave of absence for at least one month, on a scholarship grant, on secondment, out on official business, or is unable to perform the duties for at least a month.

(d) **Coterminous** – an appointment issued to a person whose entrance and continuity in the service is: (1) based on the trust and confidence of the appointing authority or of the head of the organizational unit where he/she is assigned; (2) limited by the duration of the project; or (3) co-existent with the life span of the agency or office created.

(e) **Contractual** – an appointment issued to a person for services in accordance with a special contract to undertake a specific work requiring special or technical skills unavailable in the employing agency, to be accomplished within one year. The contractual employee shall perform the specific work under his/her own responsibility with minimum direction and supervision from the hiring agency. No contractual appointments corresponding to plantilla positions shall be issued.

(f) **Casual** – an appointment issued to a person for services in an emergency or during a peak work period to positions which do not have regular items in the plantilla of personnel of the department or agency. A casual appointment shall not exceed twelve (12) months.

Casual employees who have been in the service for an aggregate of three (3) years who meet all the qualification requirements of existing staffing pattern positions shall be absorbed as regular employees in accordance with the budgetary limitations set by law and rules to be promulgated by the Commission.

(g) **Provisional** – an appointment issued to a teacher who meets all the requirements of the position except the eligibility but shall not exceed twelve (12) months.

In no case shall temporary, provisional, contractual and casual appointments exceed an aggregate number of three (3) years in the same position except in meritorious cases as determined by the Commission.

**SEC. 76. Job Orders/Contract of Services and Consultancy.** - The appointing authority may enter into service contracts such as job orders/contract of services and consultancies wherein no employer-employee relationship exists which contract shall be submitted to the Commission within thirty (30) days from execution of the contract for monitoring and record purposes.

**SEC. 77. Rationalizing Casual, Contractual Services, Consultancy, and Job Orders/Contract of Services.** - The Commission shall formulate policies in order to systematize and rationalize the hiring and expenditures for consultancy, casual and contractual services.

#### **Chapter 4. On Personnel Actions**

**SEC. 78. Personnel Action.** - denotes the movement of personnel within the civil service system. It shall include original appointment, promotion, transfer, reinstatement, reemployment, reappointment, renewal, change of status, upgrading or reclassification, demotion, and other related action. Personnel actions shall be in accordance with the rules, standards and regulations promulgated by the Commission.

A vacancy may be filled up by any of the following personnel actions: original appointment, promotion, transfer, renewal, demotion, reemployment, or reappointment.

**SEC. 79. Original Appointment.** - refers to the initial entry into the career service or non-career service.

The appointee shall undergo a probationary period of six (6) months during which he/she shall undergo a thorough assessment of his/her performance and conduct. His/her services can be terminated anytime during the said period for unsatisfactory conduct or want of capacity. The order of termination shall be served through personal notice or through constructive notice and shall no longer be appealable.

**SEC. 80. Promotion.** - is the movement of an employee to a higher position within the same department or agency with a corresponding increase in duties and responsibilities, usually accompanied by an increase in salary.

The pendency of an administrative case against any public officer or employee shall not be a bar to promotion.

**SEC. 81. Transfer.** - is the movement of an employee from one agency to another or from one position to another within the same agency which may involve a position of higher, equivalent, or lower rank, level or salary, without break in the service. Transfer requires the issuance of an appointment.

**SEC. 82. Reinstatement.** - is the automatic restoration of a person to a position from which he/she was illegally separated with back salaries including allowances and benefits except for representation and transportation allowances (RATA) and uniform allowance not to exceed five (5) years reckoned retroactively from the date of actual reinstatement.

**SEC. 83. Reemployment.** - is the appointment of a person who has been previously appointed to a position in the government service after separation therefrom. Reemployment presupposes a gap in the service.

**SEC. 84. Reappointment.** - is the issuance of an appointment during reorganization, devolution, or similar events. Reappointment presupposes no gap in the service.

**SEC. 85. *Renewal.*** - is the subsequent appointment issued immediately upon the expiration of a temporary, contractual or casual appointment, if a qualified eligible is not willing and actually available, as certified by the Commission. Renewal presupposes no gap in the service.

**SEC. 86. *Demotion.*** - is the movement from one position to another within the same department or agency involving the issuance of an appointment with diminution in duties, responsibilities, and status or rank. Demotion due to the exigency of the service shall not involve a reduction in pay: Provided, that such demotion shall require the consent of the public officer or employee concerned. Voluntary demotion and demotion as a penalty shall be at the hiring rate of the lower position.

**SEC. 87. *Reclassification.*** - is the appointment that comes as a result of a change in the classification of a regular position due to material and substantial changes in duties and responsibilities of the position without change in status and regardless of the qualifications of the holder of said position.

**SEC. 88. *Personnel Movements.*** - The issuance of an appointment is not needed in personnel movement involving any change in position title, rank, or status if the existing appointment does not specify the workstation. Such movement may include the following:

- (a) Change in item number only
- (b) Salary adjustment
- (c) Step-increment
- (d) Upgrading (same position)

Notice of such adjustment or movement shall be submitted to the Commission within thirty (30) days from issuance thereof.

Except for secondment, the following personnel movements do not require the issuance of appointments but shall require office orders:

(a) ***Reassignment*** - is the movement from one organizational unit to another in the same department or agency, without reduction in rank, status, or salary of the employee. Reassignment from the official workstation without the written consent of the employee shall not exceed one (1) year. Otherwise, the reassignment shall be illegal.

Reassignment which results in demotion in rank, status, or salary or which exceeds one year without the consent of the public officer or employee may be appealed to the commission. Pending the appeal, the reassignment of the public officer or employee shall be held in abeyance until resolved by the Commission.

Reassignment of low-salaried employees should not result in economic dislocation.

(b) ***Detail*** - is the temporary movement of a public officer or employee from one department or agency to another without the issuance of an appointment but with the consent of both the mother and receiving agencies and shall be allowed only for a maximum period of

one year; otherwise, the consent of the public officer or employee concerned shall be necessary. Detail shall not result in **a** reduction in rank, status, or salary.

The detail that results in demotion in rank, status, or salary or which exceeds one year without the consent of the public officer or employee may be appealed to the commission. Pending the appeal, detail of the public officer or employee shall be held in abeyance until the decision of the Commission.

The detailed employee shall carry his/her regular position in the mother agency and continue to receive his/her salary from the mother agency.

(c) **Job Rotation** - is the sequential movement of an officer or employee from one office to another or from one division to another within the same agency as a means for developing and enhancing the potential of people in an organization by exposing them to the other work functions of the agency. It shall be allowed only for a maximum period of one (1) year. However, job rotation exceeding one (1) year may be allowed with the consent of the officer or employee, any extension of which may be allowed with the consent of the officer or employee concerned.

(d) **Secondment** - is the movement of a public officer or employee from one department or agency to another upon mutual concurrence between the mother agency, the receiving agency, and the employee concerned which should be covered by a Memorandum of Agreement (MOA) in accordance with the guidelines that the Commission may promulgate. It is temporary in nature and may involve the same, reduction or increase in compensation and may or may not require the issuance of an appointment. The seconded employee shall be on leave without pay from the mother agency and shall be entitled to the compensation of the position to which he/she was seconded in the receiving agency unless otherwise specified in the MOA, the receiving agency shall shoulder all the benefits and emoluments of the seconded employee.

(e) **Designation** - is the imposition of additional duties to be performed by a public officer or employee which is temporary in nature and shall be allowed only for a maximum of one (1) year. The choice of who shall be the public officer or employee to be designated shall pass through regular Promotion and Selection Board (PSB) proceedings; provided, that next-in-rank public officers or employees shall be designated to the next higher position; provided further, that there are no qualified next-in-rank public officers or employees in the agency who are willing and actually available who can be appointed to the position.

The employee designated shall be entitled to the benefits accruing to the position but shall continue to receive the salary of the position to which he/she holds an appointment.

**SEC. 89. *Change of Status.*** - When a temporary public officer or employee acquires the appropriate eligibility or becomes fully qualified to the position to which he/she is appointed, the status of such appointment shall be changed from temporary to permanent without issuing another appointment. However, such change shall be reflected in the records of the Commission upon the notification by the agency concerned.

## Title II – Disputes Regarding Appointments and Other Personnel Actions

### Chapter 1. Contests on Appointments and Other Non-Disciplinary Cases

**SEC. 90. Who May Contest an Appointment?** - Any eligible qualified for the position may contest an appointment made in favor of one who is not qualified or whose appointment is issued not in accordance with law.

**SEC. 91. Adjudication of Contests on Appointments and Other Personnel Actions.** - All other cases on non-disciplinary personnel actions shall be adjudicated initially by the appointing authority, as prescribed by the Commission.

**SEC. 92. Appeals on Contests of Appointments, Personnel Actions, and Non-Disciplinary Cases.** - The decisions of heads of agencies on contests of appointments, personnel actions and non-disciplinary cases are appealable to the Commission.

## TITLE III - Agency Personnel Administration

### Chapter 1. Inter-Agency Relations

**SEC. 93. The Central Personnel Agency.** - The Commission, as the central personnel agency of the government, shall promulgate rules and regulations on personnel administration and management in the civil service system.

**SEC. 94. Responsibility for Personnel Administration.** - Each department or agency shall establish a personnel office to be headed by a Human Resource Management Officer (HRMO) who shall be responsible for the effective implementation of personnel regulations and policies.

Employee unions and organizations shall be consulted and represented in the development and implementation of the agency personnel mechanisms such as merit promotion plan, incentives and rewards program, performance appraisal system, incentives and rewards plan, training and development plan, grievance machinery, and occupational and health plan, in accordance with the rules and regulations promulgated by the Commission.

**SEC. 95. Council of Human Resource Management Officers.** - There shall be a Council of Human Resource Management Officers (HRMO) to be composed of HRMOs which shall serve as a clearing-house of information to stimulate the use of innovative methods of personnel management and advocate for sound personnel policies for good governance.

### Chapter 2. Local Government Personnel Administration

**SEC. 96. Responsibility for Local Government Personnel Administration.** - Each local government unit shall establish a personnel office for the implementation of personnel regulations and policies in accordance with the provisions of this Code, the Local Government Code, and rules, policies, standards, guidelines and regulations promulgated by the Commission.

**SEC. 97. HRMO Positions in LGUs.** - The position of HRMO shall be immediately mandatory for provincial and city governments, and first and second-class municipalities. Third- and fourth-class municipalities shall create the HRMO position within

three (3) years from the effectivity of this Code. While the fifth and sixth-class municipalities shall create the same within five (5) years.

### **Chapter 3. Position Classification and Compensation**

**SEC. 98. *Position Classification and Compensation System.*** - The Commission shall develop and administer the Position Classification and Compensation System (PCCS) which shall have two parts: The Position Classification Plan and the Compensation Plan. The Position Classification Plan shall consist of the occupational groups and classes to which positions are to be allocated or reallocated and the rules and regulations for implementation. The Compensation Plan shall consist of the salary schedule, policies relative to salaries, allowances, bonuses, and such other benefits accruing to the public officers and employees of the civil service system, and the rules and regulations for implementation.

**SEC. 99. *Basis for Position Classification and Compensation.*** - The classification and compensation of positions in the civil service system shall be based on the similarity of kind and level of work and the determination of the relative worth of these classes of positions.

**SEC. 100. *Coverage of the PCCS.*** - The PCCS shall apply to all positions in the civil service system whether permanent or temporary, appointive or elective on a full or part-time basis now existing or hereafter created.

### **Chapter 4. Personnel Inspection and Audit**

**SEC. 101. *Purpose.*** - The Commission shall conduct periodic inspections and audits of the personnel management programs of each department and agency to provide advice and assistance in the development of constructive policies, standards and procedures to improve all areas of personnel management.

**SEC. 102. *Scope.*** - The inspection and audit of the personnel management programs may include the following:

- (a) Organization and personnel management;
- (b) Formulation, issuance and implementation of personnel policies;
- (c) Recruitment and selection of employee;
- (d) Personnel action and employment status;
- (e) Career and employee development;
- (f) Performance evaluation systems;
- (g) Employee suggestions and incentive award;
- (h) Employee relations and service;
- (i) Discipline;
- (j) Personnel records and reporting;

- (k) Program evaluation; and
- (l) Employee organization.

**SEC. 103. *Submission of Audit Reports.*** - The Commission shall regularly submit its personnel audit reports to the units concerned, heads of departments, the Office of the President, and the Legislature.

## **BOOK III. HUMAN RESOURCE MANAGEMENT**

### **Title I - Human Resource Development**

#### **Chapter 1. Policy on Human Resource Development**

**SEC. 104. *Policy.*** - There shall be an integrated program on human resource development for all levels and ranks in the civil service system that shall provide equal opportunities for career development.

The Commission shall encourage all departments and agencies to develop and implement human resource development plans and programs to include, among others, training and development, performance appraisal, and incentives and awards for their personnel in accordance with Commission policies and standards.

#### **Chapter 2. Training and Development**

**SEC. 105. *Training and Development System.*** - The Commission shall promote opportunities for training in skills enhancement and capability-building programs, local and foreign scholarships, and other educational opportunities.

**SEC. 106. *Commission's Responsibilities for Training and Development.*** - The Commission shall be responsible for the development, administration and evaluation of government-wide training programs on public personnel administration, and shall issue the appropriate rules and regulations for the said training and development programs.

**SEC. 107. *Responsibilities for Local and Foreign Scholarships.*** - The Commission shall have the responsibility to administer service-wide local and foreign scholarship programs. It shall also develop policies, standards, procedures, and guidelines for the effective, efficient, and equitable distribution of all scholarship grants. However, foreign scholarship grants which are part of the overseas development assistance (ODA) shall be administered by an Inter-agency Committee co-chaired by the Commission and the National Economic and Development Authority.

**SEC. 108. *Inter-Agency Scholarship Committee.*** - The inter-agency scholarship committee shall be co-chaired by the Chairperson of the Commission and by the Director General of the National Economic and Development Authority (NEDA). The Committee Secretariat shall be based at the NEDA. The following agencies or their duly designated representatives who hold positions not lower than that of assistant secretary or its equivalent shall constitute the members:

- (a) Department of Foreign Affairs;
- (b) Department of Education;

- (c) University of the Philippines;
- (d) Commission on Higher Education; and the
- (e) Presidential Management Staff-Office of The President.

**SEC. 109. *Agency Responsibilities for Training and Development.*** - Each department or agency shall be responsible for the development, implementation, and evaluation of its training and development plan as well as its gender and development plan in accordance with policies and standards promulgated by the Commission.

To carry out these responsibilities, each agency shall establish its own Personnel Development Committee pursuant to the rules and regulations promulgated by the Commission.

**SEC. 110. *Technical Assistance and Consultative Services.*** - The Commission shall provide technical assistance and consultative services to all departments and agencies in the development, administration, and evaluation of their human resource development programs.

The Commission may also avail of advisory assistance from its accredited training institutions, professional organizations, public sector unions, federations, confederations and non-government organizations (NGOs) in connection with its human resource development policies and programs.

### **Chapter 3. Performance Appraisal**

**SEC. 111. *Performance Appraisal System.*** - The Commission shall promote the establishment of a Performance Appraisal System (PAS) for all appointive public officers and employees which shall be the basis for incentives, rewards and recognition, training and development, personnel actions, and administrative sanctions in all departments and agencies.

**SEC. 112. *Performance Appraisal Plan.*** - Each department or agency shall develop and use one or more appropriate Performance Appraisal Plans (PAP) for the various groups of positions therein.

All performance appraisal plans shall be in accordance with policies, standards and guidelines prescribed by the Commission.

### **Chapter 4. Incentives and Awards**

**SEC. 113. *Rewards System.*** - The Commission shall promote the establishment of a rewards system in the department and agencies. It shall include incentives, commendations and awards. The rewards system shall be granted individually or in groups, for outstanding performance, exemplary conduct on the job, inventions, ideas or suggestions, superior accomplishments and other extraordinary acts or services in the interest of the public.

The Commission shall evaluate the implementation of the rewards system in all departments and agencies.

**SEC. 114. *Merit and Rewards Plan.*** - Each department or agency shall develop a merit and rewards plan appropriate for its officers and employees in accordance with policies and standards promulgated by the Commission.

## **TITLE II - Personnel Relations in the Civil Service System**

### **Chapter 1. Personnel Relations**

**SEC. 115. *Declaration of Policy.*** - The Commission shall provide leadership and assistance in developing personnel relations programs in the civil service system in consultation with public officers and employees and/or their organizations with their respective departments and agencies.

The head of a department or agency shall be responsible for an effective personnel relations program in the department or agency.

**SEC. 116. *Grievance Machinery.*** - Each department or agency of the Government, with the assistance and approval of the Commission shall establish and administer a grievance machinery to promote wholesome and desirable relations among employees and between employees and management.

Employees shall have the right to have their grievances adjudicated as expeditiously and as fairly as possible.

A grievance may be filed by aggrieved employees or by the employee organization to which they belong in accordance with the guidelines issued by the Commission.

**SEC. 117. *Right to Organize.*** - Government employees may form, join or assist employee organizations of their own choice for the furtherance and protection of their interests. Government employees may also form, in conjunction with appropriate government authorities, employee management committees, work councils, and other forms of employee participation schemes.

However, uniformed personnel of the Philippine National Police (PNP), Bureau of Fire Protection (BFP), and Bureau of Jail Management and Penology (BJMP), cannot form or join rank-and-file employee organizations for purposes of collective negotiations.

Public officers and employees whose functions are primarily managerial or confidential in nature cannot form or join employee organizations for purposes of collective negotiations.

**SEC. 118. *Protection of the Right to Self-Organization.*** - Government employees shall not be discriminated against by reason of their membership in employee organizations or participation in the normal and legitimate activities of such organizations. Employment in the civil service system shall not be subject to the condition that the individual shall not form or join any employee's organizations.

Management shall not interfere in the establishment and administration of government employee organizations.

## Chapter 2. Employee Organization

**SEC. 119. *Registration of Rank-and-File Employee Organizations.*** - Rank-and-file employee organizations shall register with the Commission in accordance with the implementing guidelines to be promulgated by the Commission.

**SEC. 120. *Sole and Exclusive Employee Organization.*** - The duly registered employee organization in an agency that has the support of the majority of the total rank-and-file employees, shall be accredited by the Commission as the sole and exclusive employee representative. In cases when there are two (2) or more registered employee organizations in an agency, the Commission, upon petition, shall conduct a certification election and shall certify the employee organization that garnered the majority vote as the sole and exclusive representative of the rank-and-file employees in the said agency.

For this purpose, an agency shall refer to an office that has its own budgetary allocations as provided for in the General Appropriations Act, specifically its Table of Contents.

**SEC. 121. *Accreditation of Employee Federation in An Agency.*** - Registered employee organizations within a given agency may federate and shall be accredited as the sole and exclusive bargaining representative of the employees; Provided, its aggregate total membership constitutes the majority of the total rank-and-file employees in the agency.

**SEC. 122. *Collective Negotiations.*** - Except those that are fixed by law, terms and conditions of employment in the government service may be the subject of collective negotiations between duly accredited employee organizations and the appropriate government authorities.

Collective negotiation agreements shall be registered with the Commission.

## Chapter 3. Settlement of Disputes

**SEC. 123. *Definition of terms.*** - For purposes of this Code, the following terms shall be defined as follows:

A. ***Arbitration*** - refers to the process whereby a third party (the individual arbitrator), a board of arbitrators, or an arbitration court not acting as a court, is empowered to make a decision that disposes of the dispute.

1. Voluntary - a method of settling dispute/s where both parties agree to submit the dispute before an arbitrator or panel of arbitrators chosen by both parties. The voluntary arbitrators shall render a decision after a proper hearing of the issues. The decision of the arbitrator shall be final and binding on the contending parties.
2. Compulsory – a method resorted to when the dispute has become hardened and irreconcilable and remains unresolved after exhausting all the available remedies under existing laws and procedures.

B. ***Conciliation*** - refers to the process whereby a third party (the conciliator) brings the disputing parties together, encourages them to discuss their differences, and assists them in developing their own proposed solutions.

C. ***Mediation*** - refers to the process whereby a third party (mediator) is more active in assisting the disputing parties to reach acceptable solutions to the problem/s and help them develop or come out with an acceptable solution. The mediator may submit proposal/s for the settlement of a dispute.

**SEC. 124. *Settlement of Disputes Within an Agency.*** - Disputes within employee organizations, between and among employee organizations, and between employee organizations and management shall be settled through conciliation, mediation, and arbitration. The Commission shall be responsible in providing conciliation and mediation services. In case any dispute remains unresolved, the Commission shall certify the same to the Public Sector Labor Management Council (PSLMC), which shall resolve and settle it within the period of sixty (60) days from receipt thereof.

However, the parties may opt to submit the issue for voluntary arbitration, the decision of which shall be final and unappealable.

#### **Chapter 4. Public Sector Labor-Management Council**

**SEC. 125. *Public Sector Labor-Management Council (PSLMC).*** - Public Sector Labor-Management Council (PSLMC) is hereby constituted to be composed of the following:

- (a) Chairperson, Civil Service Commission – Chairperson;
- (b) Secretary, Department of Labor and Employment - Vice Chairperson
- (c) Secretary, Department of Finance – Member;
- (d) Secretary of Justice – Member;
- (e) Secretary, Department of Budget and Management – Member; and
- (f) One (1) employee representative each from the National Government Agencies (NGAs), the Government-owned and Controlled Corporations (GOCCs), the Local Government Units (LGUs), and the State Colleges and Universities (SUCs), to be chosen by the employee organizations concerned.

The ex-officio members may designate their permanent alternates who hold positions not lower than an assistant secretary or its equivalent.

The employee representatives, who may also designate their permanent alternates, shall serve for a term of two (2) years or until their successors shall have been appointed or elected. In no case, however, shall anyone of them serve under holdover capacity for more than one (1) year.

The PSLMC may deputize public officers and employees of the Commission and of other departments and agencies to investigate and hear cases brought before it for arbitration. It may likewise deputize any national or local law enforcement agency or instrumentality of the government which shall act under its direct and immediate supervision, to enforce and execute its decisions, orders, and rulings.

The PSLMC shall implement and administer the provisions of this Chapter. For this purpose, the PSLMC shall promulgate the necessary rules and regulations to implement this Chapter.

**SEC. 126. *Original and Exclusive Jurisdiction of the PSLMC.*** - The PSLMC shall have original and exclusive jurisdiction to hear and decide the following cases:

- (a) Unfair public sector labor and management practice;
- (b) Representation issue;
- (c) Disputes arising in the course of the conduct of collective negotiations;
- (d) Disputes on issues resulting from the implementation of the grievance machinery;
- (e) Determination of the presence or absence of a strike;
- (f) Inter-employee organization dispute;
- (g) Intra-employee organization dispute;
- (h) Employee organization election of officers;
- (i) Disputes on issues resulting from the implementation of the provisions of the Collective Negotiations Agreement; and
- (j) Other analogous acts may be determined by the PSLMC.

These cases may be referred to the PSLMC by any of the parties to the dispute or the PSLMC may, *motu proprio*, take cognizance of the same whenever the interest of the service so demands.

When the main issue of a particular case is the consequence of a strike or other concerted activities and the PSLMC has already assumed jurisdiction over the same, no administrative or disciplinary action shall be instituted by the agency concerned against any employee involved therein until the final resolution of the case.

**SEC. 127. *Unfair Public Sector Labor and Management Practice.*** - The following shall constitute unfair public sector labor and management practice on the part of the agency:

- (a) Interfering with, restraining or coercing employees in the exercise of their right to self-organization;
- (b) Requiring as a condition of employment that an employee shall not form or join an employee organization or shall withdraw from one to which he/she belongs;
- (c) Discriminating in regard to work schedules, places of assignment, and other terms and conditions of employment in order to encourage or discourage membership in any employee organization;

(d) Terminating the services or discriminating against any employee for having signed or filed an affidavit, petition or complaint or given any information or testimony against the head of the agency or members of top management;

(e) Refusing to collectively negotiate in good faith with the accredited employee organization;

(f) Violating any of the provisions of the Collective Negotiation Agreement; and

(g) Other analogous acts as may be determined by the PSLMC

The following shall constitute unfair public sector labor and management practice on the part of the employee organization:

(a) Restraining or coercing any employee to form or join an employee organization or its activities. The employee organization shall have the right to prescribe its own rules on the acquisition or retention of membership;

(b) Causing or attempting to cause the agency head or other officers to discriminate against an employee who has not joined or has withdrawn membership from the employee organization;

(c) Refusing to collectively negotiate in good faith with management;

(d) Violating any of the provisions of the Collective Negotiation Agreement; and

(e) Other analogous acts as may be determined by the PSLMC.

The heads of offices and the other officers of the agency as well as officers and members of an employee organization, who participate in or authorize unfair public sector labor and management practice shall be held administratively liable and shall be imposed a fine of not less than P10,000.00, or suspension not exceeding one year, or both for such participation or grant of authority without prejudice to civil and criminal liability.

**SEC. 128. *Writ of Preliminary Injunction or Temporary Restraining Order.*** –

The PSLMC, after notice and hearing, may issue a writ of preliminary injunction or temporary restraining order which shall not last for more than twenty (20) days from issuance thereof when, on the basis of the allegations in the petition, it is established that the acts complained of involving or arising from any employee-management dispute, if not restrained or performed immediately, may cause grave or irreparable injury to any party or render ineffectual any decision of the PSLMC in favor of the party.

The PSLMC shall require the petitioner to post a bond and the writ of preliminary injunction or temporary restraining order shall become effective only upon the approval of the bond which shall answer for any damage that may be suffered by the party enjoined if it is finally determined that the petitioner is not entitled to the ancillary relief prayed for.

**SEC. 129. *Grounds for Contempt.*** - The PSLMC may cite a person for contempt on any of the following grounds:

(a) Disobedience or resistance to a lawful order, decision, ruling, summons or subpoena or any other issuance of the PSLMC; or

(b) Unlawful interference with the proceedings of the PSLMC, improper conduct tending directly or indirectly to impede, obstruct, delay or hamper the implementation of any order, decision or ruling of the PSLMC.

The person so cited for contempt whether direct or indirect shall be punished by a fine of not more than P1,000.00 for every act of contempt. Each day of defiance or disobedience or non-enforcement of any issuance of the PSLMC as mentioned shall constitute separate acts of contempt of the PSLMC.

**SEC. 130. *PSLMC Decision.*** - Decisions of the PSLMC are final and executory unless a motion for reconsideration is filed by the aggrieved party within fifteen (15) calendar days from receipt of the decision and only on the basis of palpable or patent errors. The PSLMC shall not entertain any second motion for reconsideration.

Decisions of the PSLMC may be elevated to the Court of Appeals.

## **Chapter 5. The Right to Strike**

**SEC. 131. *Right to Engage in Strike.*** - The right of the duly accredited employee organization to strike, consistent with national interest and public service, shall be recognized and respected: Provided, the striking organization shall ensure an effective skeletal workforce whose movement and services shall not be hampered or restricted as are necessary to guarantee the proper and adequate delivery of public service.

In view of the peculiar character of public service and considering that public office is a public trust, the right of employees to strike may be allowed only as a last resort and subject to the limitations herein provided.

**SEC. 132. *Who Can Strike?*** - Rank-and-file employees of the agency where the accredited employee organization belongs may join the strike subject to the provisions of this code. Employees who join the strike shall not be entitled to payment of salary for the period that they are on strike.

**SEC. 133. *Government Employees Who Are Prohibited to Strike.*** - The following are not allowed to strike due to exigency in public service, public safety and national interest:

(a) Defense and security services including officers and employees belonging to the Armed Forces of the Philippines (AFP), police, fire protection, jail management and those engaged in the custody of prisoners and detainees;

(b) Medical and allied services including doctors, nurses, medical therapists and paramedics;

(c) Public utility services such as power and water supply, transportation, air traffic controllers, radar and radio controllers, lighthouse keepers and harbor pilots; and

(d) Other analogous services to be determined by the Commission taking into consideration public service and national interest.

**SEC. 134. *Grounds for Strike.*** - A strike may be declared on the following grounds:

- (a) Unfair public sector labour and management practices committed by the management as provided for in this Code;
- (b) Mismanagement or abuse of the management of the agency; and
- (c) Graft and corruption.

**SEC. 135. *Notice of Dispute.*** - The existence of a dispute which may be the ground of an impending strike must first be brought to the Commission in the form of a notice of dispute for either conciliation and mediation or the parties may submit the same for voluntary arbitration. In either case, the notice of dispute must be in accordance with the requirements and procedures as may be prescribed by the Commission which shall settle the dispute within sixty (60) days from date of receipt of the said notice. In cases when the parties opt for voluntary arbitration, the agreement thereof shall be final and executory between the parties concerned.

**SEC. 136. *Certification to the PSLMC.*** - In the event the dispute is not settled within the sixty (60)-day period prescribed in the preceding Section or in case of failure to arrive at a resolution of the dispute through conciliation or mediation, the Commission shall certify the dispute to the PSLMC for settlement and resolution.

**SEC. 137. *Requirement of Strike Vote and Notice to Strike.*** - Immediately upon certification of the dispute to PSLMC as provided in the preceding section, the accredited employee organization may call a vote in order to declare a strike. The decision to declare a strike must be approved by a majority vote of the total rank-and-file employees of the agency where the duly accredited employee organization belongs. The same shall be obtained through secret ballot in a meeting called for the purpose. The duly accredited employee organization shall file with the PSLMC the results of the strike vote and the notice to strike, copy furnish the head of agency, at least thirty (30) days before the date of the intended strike and during the said 30-day period no strike shall be held. Only disputes or issues raised in the said notice shall be the subject of the strike.

**SEC. 138. *Remedial Actions by the PSLMC.*** - When a dispute has been referred to the PSLMC, it shall exert all efforts to settle the same through various modes of dispute settlement in order to prevent the impending strike.

When there is a strike in a government agency, which affects national interest or public service, the PSLMC may issue a return-to-work order and/or certify the same for compulsory arbitration. A return-to-work order shall have the effect of automatically stopping the strike.

For this purpose, the contending parties are strictly enjoined to comply with such order as are issued by the PSLMC, under pain of disciplinary action.

**SEC. 139. *Prohibited Activities.*** -

- (a) No dispute which occurred prior to the notice to strike, which was not raised in the said notice, may be the subject of succeeding strikes.

(b) No person engaged in the strike shall commit any act of violence, coercion or intimidation or obstruct the free ingress to or egress from the agency's premises for lawful purposes or obstruct public thoroughfares.

(c) No person shall obstruct, impede, or interfere with, by force, violence, coercion, threats, or intimidation any peaceful strike, or shall aid or abet such obstruction or interference.

(d) No employee organization may declare a strike without first having filed the notice required under SEC. 137 and the necessary strike vote first having been obtained and filed with the PSLMC;

(e) No employee organization may go on strike without ensuring and maintaining an effective skeletal force.

## **BOOK IV. PERSONNEL BENEFITS AND PRIVILEGES, DAYS AND HOURS OF WORK, AND OFFICIAL RECORDS**

### **Title I - Personnel Benefits and Privileges**

#### **Chapter 1. Health and Other Services**

**SEC. 140. *Policy.*** - The health, welfare, safety, and security of every person in the civil service system shall be the concern of the government. To this end, a comprehensive occupational health program including medical, dental, and other health services shall be established, maintained, and made accessible for all personnel in the civil service system. Each department or agency shall make provisions out of their existing budgets for personnel health, welfare, medical, and counseling services and leave benefits and promote and develop occupational safety, sports, and recreation programs, and similar services.

**SEC. 141. *Safety and Accident Prevention.*** - Each department or agency shall develop and maintain a continuing occupational safety and accident prevention program for its personnel.

**SEC. 142. *Personnel Counseling.*** - Each department or agency shall provide personnel counseling services, including pre-retirement counseling.

**SEC. 143. *Personnel Recreation.*** - Each department or agency shall provide facilities for sports, recreational and cultural activities and shall encourage voluntary personnel participation.

#### **Chapter 2. Leave Benefits**

**SEC. 144. *Entitlement to Leave Privileges.*** - Appointive personnel of the government, whether permanent, temporary, contractual or casual as well as elective officers, who render the required number of office hours shall be entitled to an annual fifteen (15)-day vacation and fifteen (15)-day sick leave with full pay exclusive of Saturdays, Sundays, and public holidays.

**SEC. 145. *Leave of Absence of Part-time Personnel.*** - Public officers and employees rendering service on a part-time basis are entitled to vacation and sick leave benefits proportionate to the number of hours they served.

**SEC. 146. *Leave of Absence of Personnel on Rotation Basis.*** - Public officers and employees on a rotation basis shall be entitled to vacation and sick leave corresponding to the length of service they rendered.

**SEC. 147. *Forced/Mandatory Vacation Leave.*** - All appointive and elective public officers and employees of the government with ten (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.

**SEC. 148. *Accumulation and Commutation of Leave.*** - Vacation and sick leave shall be cumulative and commutative. Except for personnel covered by special laws, commutation of leave credits shall be exclusive of Saturdays, Sundays, and holidays.

Public officers and employees whose off days do not fall on a Saturday or a Sunday shall have their leaves of absence computed exclusive of their off days.

**SEC. 149. *Rehabilitation Leave.*** - Qualified public officers and employees are entitled to rehabilitation leave for illnesses and/or injuries that are job-related or which resulted from or were aggravated by their working environment. Such leave, which should not exceed six (6) months, shall be with full pay and benefits and shall not be charged against accumulated vacation or sick leave credits of the personnel concerned. The cost of initial medical expenses such as emergency/paramedic services and initial ambulance or transport services shall be borne by the agency of the public officer and employee concerned. Substantive and long-term medical expenses for therapeutic and rehabilitation purposes shall be borne by the Philippine Health Insurance Corporation; the Employee Compensation Commission (ECC) and the Government Service Insurance System (GSIS) as the case may be and whenever applicable.

**SEC. 150. *Teachers' Leave.*** - Other than those designated for continuous duty and those covered by special charters, schoolteachers in government elementary and secondary schools shall be entitled to vacation pay. They shall be entitled to service credits for services rendered during the vacation period, including Saturdays, Sundays, and holidays, in accordance with the rules and regulations prescribed by the Commission.

Teachers shall also be entitled to annual seven (7) days of sick leave, which shall be non-cumulative and non-commutative.

**SEC. 151. *Leave of Elective Officers.*** - All elective officers shall be entitled to leave credits granted to appointive officers and the cumulation and commutation of the money value thereof.

**SEC. 152. *Leave Credits of Public Officers and Employees Covered by Special Leave Laws.*** - The leave credits of the following personnel are covered by special laws:

- (a) Justices of the Supreme Court, Court of Appeals, and Sandiganbayan;
- (b) Judges of Regional Trial Courts, Municipal Trial Courts, Metropolitan Trial Courts, Court of Tax Appeals and Shari'a Circuit Court; and Shari'a District Court;
- (c) The Chairperson and Commissioners of the Constitutional Commissions;

- (d) Filipino personnel in the Foreign Service; and
- (e) Other personnel covered by special laws.

**SEC. 153. *Maternity Leave.*** - Women in the government service, of whatever civil and employment status and regardless of the length of service shall, in addition to the vacation and sick leave granted them, be entitled to maternity leave of sixty (60) calendar days for normal delivery and seventy-eight (78) calendar days for delivery by cesarean section for the first four deliveries or miscarriages.

**SEC. 154. *Paternity Leave.*** - A married man in the government service shall be entitled to paternity leave of seven (7) working days for the first four (4) deliveries or miscarriages of his legitimate spouse with whom he is cohabiting.

The paternity leave shall be non-cumulative and non-commutative.

**SEC. 155. *Adoption Leave.*** - Public officers and employees who legally adopt a child below seven (7) years of age as of the date the child is placed with them shall be entitled to adoption leave in the manner herein provided:

- (a) Married individuals who are both in government shall be entitled to thirty (30) calendar days for the adoptive mother and seven (7) calendar days for the adoptive father.
- (b) Solo parents of whatever gender or civil status shall be entitled to thirty (30) calendar days.

Availment of adoption leave shall commence from the date the child is placed with the adoptive parents, which shall not be earlier than the date of the decree of adoption. Adoption leave shall be non-commutative and non-cumulative.

**SEC. 156. *Parental Leave for Solo Parents.*** - In addition, to leave privileges under existing laws, parental leave of not more than seven (7) working days every year until the child reaches the age of eighteen (18) years shall be granted to public officers and employees who are solo parents and have rendered service of at least one (1) year.

Parental leave shall be non-commutative and non-cumulative.

**SEC. 157. *Special Leaves.*** - Government public officers and employees, except those covered by special leave laws, are entitled to special leaves, to mark personal milestones and/or attend to filial and domestic responsibilities, not exceeding an aggregate of three (3) days in accordance with guidelines to be set by this Commission.

Special leaves shall be non-commutative and non-cumulative.

**SEC. 158. *Study Leave and Sabbatical Leave.*** - Qualified public officers and employees may be granted study and sabbatical leave, subject to the rules and regulations promulgated by the Commission.

**SEC. 159. *Commutation and Monetization of Leave Credits.*** - Accumulated leave credits can either be commuted or monetized subject to the rules and regulations prescribed by the Commission.

**SEC. 160. *Effect of Reemployment on Commuted Leave.*** - Public officers and employees whose leave credits have been commuted following their separation from the service and were thereafter reemployed may refund the money equivalent of the unspent portion of the commuted leave credits. In all cases, leave credits to start from zero balance.

**SEC. 161. *Transfer of Leave Credits of Appointive Personnel and Elective Officers.*** - When appointive public officers and employees transfer from one entity to another, they can have their accumulated vacation and/or sick leave credits commuted or transferred to their new office.

The second option can only be exercised by the person concerned when there are no gaps in their service. However, a gap of not more than one (1) month may be allowed provided the same is not due to the fault of the personnel concerned.

The abovementioned options of commutation or transfer of accumulated leave credits can also be availed of by an elective officer assuming another elective post. However, these options are not applicable to the transfer of Armed Forces of the Philippines (AFP) uniformed personnel to civilian positions.

**SEC. 162. *Prescriptive Period for Transfer of Leave Credits.*** - The option to transfer accumulated leave credits can be exercised within one (1) year only from the effective date of transfer of the appointive personnel to their new office, or to the assumption of the elective officers in their new post.

**SEC. 163. *Leave Without Pay.*** - In no case shall leave without pay be granted in excess of one (1) year or if the public officer or employee concerned still has leave credits with pay.

**SEC. 164. *Terminal Leave.*** - Terminal leave refers to the total accumulated leave credits of personnel, the monetary value of which shall be based not necessarily on the latest salary rate but on the highest salary rate received at any time during the period of employment in the government service.

### **Chapter 3. Retirement Benefits**

**SEC. 165. *Payment of Retirement Benefits on the Day of Retirement.*** - All personnel are entitled to receive their retirement benefits provided for under existing laws on the day of their retirement. The last agency employer shall ensure that all the retirement documents are in order six (6) months prior to the retirement of the said personnel. All concerned agencies of the government shall render assistance in this regard.

All public officers and employees with pending administrative and disciplinary cases who were eventually exonerated or cleared therefrom shall be entitled to payment of retirement benefits immediately a day after the promulgation of the decision.

**SEC. 166. *Rate of Interest for Delay in Payment.*** - Should the retiree, through no fault of his/her own, fail to receive the benefits on the day of retirement, the same shall earn interest at the prevailing legal rate.

The retirement benefits of those who were eventually exonerated or cleared from administrative, and disciplinary cases shall likewise earn interest at the prevailing legal rate computed from the date of retirement to the date of promulgation of the decision.

**SEC. 167. *Liability for Delay.*** - Agencies or their personnel who caused the delay in the retiree's receipt of retirement benefits shall upon complaint of the retiree or the successor in interests, be liable for the payment of the interest mentioned in the immediately preceding Section. This is without prejudice to the filing of administrative and criminal cases against the personnel responsible for the said delay.

Complaints against delays in the release of retirement benefits shall be filed with the Commission within one (1) year from the date of retirement.

The Commission shall promulgate rules and mechanisms to enforce this provision.

## **Title II - Official Records and Work Days and Hours**

### **Chapter 1. Personnel Records Information System**

**SEC. 168. *Policy.*** - A government-wide personnel records system shall be established, administered, and maintained by the Commission.

Each department or agency through its human resource management office, shall establish, manage and maintain personnel records and statistics of all its personnel.

**SEC. 169. *Records of Employment.*** - The Commission shall keep and maintain official records of all elective and appointive personnel regardless of their employment status. The Commission shall likewise maintain statistics on their employment, accession and separation.

### **Chapter 2. Work Days and Hours**

**SEC. 170. *Observance of Work Days and Hours.*** - It shall be the duty of each head of the agency to require all personnel to strictly observe the prescribed office hours and to wear identification cards, nameplates, or the like bearing clearly and legibly their respective names and positions when dealing directly with the public in the performance of their respective duties or whenever they are within the premises of the office. When the head of an agency allows government personnel to leave the office during office hours and not for official business or official time, the same shall be reflected in their time records and charged to their vacation leave credits.

**SEC. 171. *Daily Record of Attendance.*** - Each head of department or agency shall require a daily record of attendance of all personnel including those serving in the field or on board a vessel, to be kept on the proper form and, whenever possible, registered on the Bundy clock or any mechanical, electrical, or electronic device.

Service "in the field" or "on board a vessel" shall refer to service rendered outside the office which is the usual place of work.

**SEC. 172. *Recording of Attendance by Senior Public officers.*** - Agency heads, and third-level positions shall record times of arrival at and times of departure from official workstations. Absences from office shall likewise be properly recorded in the agency.

**SEC. 173. *Liabilities.*** - Falsification or irregularities in the keeping of time records will render the personnel concerned administratively liable without prejudice to criminal prosecution as the circumstances warrant.

**SEC. 174. *Forty-Hour Workweek Requirement.*** - Personnel of all departments and agencies except those covered by special laws shall render not less than forty (40) hours of work a week, exclusive of time for lunch. As a general rule, such hours shall be from eight (8) o'clock in the morning to twelve (12) o'clock noon and from one (1) o'clock to five (5) o'clock in the afternoon, all days except Saturdays, Sundays, and holidays. However, in the interest of the service, heads of agencies, particularly those with frontline services, shall adopt measures to ensure that continuous service is available even during the 12:00 noon to 1:00 p.m. period.

In the exigency of the service, or when necessary by the nature of the work of a particular agency, the rescheduling or shifting of the work schedule of a particular agency for a number of working days less than the required five (5) days may be allowed by the head of agency provided that government personnel render a total of forty (40) hours a week and provided further that the public is assured of continuous delivery of service from eight (8) in the morning to five (5) in the afternoon for the duration of the entire workweek.

**SEC. 175. *Flexible Working Hours.*** - Flexible working hours shall be enforced subject to the discretion of the head of the agency. In no case shall the weekly working hours be reduced in the event the agency adopts the flexi-time schedule. In the adoption of flexi-time, core working hours shall be prescribed taking into consideration the needs of the service.

**SEC. 176. *Non-regular Working Hours.*** - A work schedule that deviates from that which is provided in Section 175 hereof or that which extends well into the night may also be allowed upon the discretion of the head of the office, the need of the service, or the health and welfare of the person concerned; Provided, that the forty (40)-hour workweek exclusive of meal time, will not be reduced.

**SEC. 177. *Flexible Working Place.*** Public officers and employees may be allowed to work away from their official workstations subject to the discretion of the head of agency and the nature of the functions of their positions. The Commission shall issue the rules and regulations to govern the adoption of a flexi-workplace. In no case shall the adoption thereof affect the availability and the accessibility of government services.

**SEC. 178. *Persons in the Teaching Service.*** - All persons in the teaching service, primary and secondary levels, are covered by the forty (40)-hour work-week requirement and shall render not more than six (6) hours of teaching load every school day.

**SEC. 179. *Performance of Duties in Excess of Forty Hours of Those in Special Occupational Groups.*** - When the nature of duties to be performed or the interest of the public service so requires, the head of department or agency may require any or all of the personnel to work in excess of the forty (40) hours, on Saturdays, Sundays and public holidays, with either additional compensation or compensatory time/days-off; or the accumulation of leave credits.

**SEC. 180. *Compensation for Authorized Work Beyond Forty Hours.*** - When the interest of public service so requires, the daily hours of work for personnel 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 forty (40) hours a week must be properly compensated by payment of overtime whenever funds are available for the purpose or through the grant of compensatory time or day/s-off or through the accumulation of leave credits.

**SEC. 181. *Compensatory Time or Day/s Off.*** - Grant of compensatory time or day/s off shall be allowed for overtime services rendered subject to the rules to be promulgated by the Commission.

## **BOOK V. DISCIPLINE**

### **Title I - Administrative Discipline**

#### **Chapter 1. General Provisions**

**SEC. 182. *Disciplinary Action.*** - No public officer or employee in the civil service system shall be disciplined, suspended or removed from office except for cause as provided for by law and after due process.

The following shall be grounds for disciplinary action:

- (a) Conduct prejudicial to the best interest of the service;
- (b) Discourtesy in the course of official duties;
- (c) Disgraceful or immoral conduct;
- (d) Dishonesty;
- (e) Drunkenness;
- (f) Engaging directly or indirectly in partisan political activities by one holding a non-political office;
- (g) Engaging in or supporting acts of insurrection, rebellion, sedition, and other crimes against public order as defined in Title Three, Book Two of the Revised Penal Code and commission of crimes against national security and the law of nations as defined in Title One, Book Two, Chapters One, Two, and Three of the Revised Penal Code;
- (h) Engaging in prohibited activities under Section 139 of this Code;
- (i) Falsification of official documents;
- (j) Final conviction of a crime involving moral turpitude;
- (k) Gambling prohibited by law;
- (l) Illegal strike;
- (m) Inefficiency and incompetence in the performance of official duties;
- (n) Insubordination;

- (o) Neglect of duty;
- (p) Nepotism;
- (q) Oppression;
- (r) Pursuit of private business, vocation or profession in violation of civil service law, rules and regulations;
- (s) Refusal to perform official duty or unjust refusal to render overtime service;
- (t) Sexual Harassment;
- (u) Tardiness;
- (v) Unauthorized absences;
- (w) Unauthorized use of government resources or properties;
- (x) Unfair public sector labor and management practice;
- (y) Unjustifiable delays in the payment of employee benefits;
- (z) Violation of reasonable office rules and regulations; and
- (aa) All other grounds for disciplinary action provided or may be provided for by law.

## **Chapter 2. Disciplinary Jurisdiction**

**SEC. 183. *Original Jurisdiction.*** - The heads of departments, agencies, bureaus and instrumentalities of the national government, constitutional offices, the proper disciplining authority of state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, and local government units.

They shall also retain original jurisdiction over public officers and employees who are already separated from the service but who, while still in the service committed an offense.

**SEC. 184. *Original Jurisdiction of the Commission.*** - The Commission shall have exclusive administrative disciplinary jurisdiction over its public officers and employees. It shall have concurrent original disciplinary jurisdiction over public officers and employees of the departments, agencies, bureaus, state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, local government units.

The Commission may, *motu proprio*, initiate the investigation and filing of administrative charges against public officers and employees who violate the provisions of this Code and other pertinent civil service laws, rules, and regulations. For this purpose, the Commission shall conduct fact-finding investigations and require through the issuance of subpoena *duces tecum* and similar processes the production of government records necessary to resolve the case.

**SEC. 185. *Original Jurisdiction of Bureau or Department-wide, Regional Office Head.*** - The heads of bureaus or department-wide regional offices shall have disciplinary jurisdiction over offenses committed by their subordinate public officers and employees.

### **Chapter 3. Procedures in Disciplinary Cases**

#### **SEC. 186. *Commencement of Administrative Proceedings and Answer.*** -

(a) Administrative proceedings may be commenced *motu proprio* against a subordinate public officer or employee by the proper disciplining authority or head of department or agency or upon a sworn written complaint of any other person. The complaint shall be accompanied by sworn statements covering the charges and those of the witnesses together with documentary evidence if any.

(b) On the basis of the sworn written complaint and supporting papers filed by any other person, the disciplining authority shall require the person complained of to explain why no administrative case should be filed. If the disciplining authority does not find a *prima facie* case, the complaint shall be dismissed; otherwise, a formal charge shall be issued in accordance with the provisions of this Code. The respondent shall be furnished with copies of the complaint, sworn statements, and other documents submitted.

(c) In administrative proceedings initiated by the disciplining authority or head of a department or agency, the formal charge shall be issued only after the disciplining authority finds a *prima facie* case in accordance with the provisions of this Code.

**SEC. 187. *Issuance of a Formal Charge.*** - The formal charge shall state the specifications of the offense and shall require the respondent to submit an answer in writing and under oath together with supporting sworn statements covering his/her defense and those of witnesses together with the documentary evidence if any. The respondent shall be allowed at least seventy-two (72) hours but not more than five (5) days from receipt of the formal charge to submit an answer and the affidavits of the witnesses if any, and shall be informed of his/her right to counsel and to indicate whether or not he/she elects a formal investigation. In cases when the respondent submits a request for clarification, a bill of particulars, or a motion to dismiss which are obviously designed to delay the administrative proceedings, the same shall be considered as the answer.

#### **SEC. 188. *Formal Investigation.*** -

(a) If the respondent has elected a formal investigation, the disciplining authority or the duly authorized representative shall conduct the formal investigation with a notice issued within five (5) days from receipt of the answer.

(b) Complainant and respondent may avail themselves of the services of counsel and may require the attendance of witnesses by *subpoena ad testificandum* and the production of documentary evidence through the compulsory process of *subpoena duces tecum*.

(c) Even if the respondent does not request a formal investigation, such investigation shall be conducted when, on the basis of the allegations in the complaint and the answer of the respondent, including supporting documents, the merits of the case cannot be decided judiciously without conducting such investigation.

(d) The formal investigation shall be commenced not earlier than five (5) days nor later than ten (10) days from receipt of the respondent's answer. The investigation shall be conducted to ascertain the truth without strictly adhering to technical rules applicable to judicial proceedings. Hearings shall be continuously held and the investigation terminated, if possible, within ten (10) days from its commencement, especially for grave offenses, unless the period is extended by the disciplining authority in meritorious cases.

(e) The direct evidence for the complainant and the respondent shall consist of the sworn statements and documents submitted in support of the complaint or answer, as the case may be, without prejudice to the presentation of additional evidence deemed necessary but unavailable at the time of the filing of the complaint or answer, upon which cross-examination by the respondent and the complainant, respectively, shall be based.

**SEC. 189. *Report of Investigation and Record of Case.*** - The hearing officer shall submit to the disciplining authority the report of the investigation within ten (10) days from the termination of the investigation. The report shall contain the findings and recommendations together with the complete record of the case which shall be properly and securely bound, all pages numbered consecutively, and with a table of contents.

**SEC. 190. *Decision.*** - The proper disciplining authority shall render a decision within the period and in the form and content as provided for in this Code.

**SEC. 191. *Preventive Suspension.*** - Notwithstanding any provision of law to the contrary, the proper disciplining authority may preventively suspend a respondent formally charged with dishonesty, oppression, grave misconduct, or gross neglect in the performance of duty, if there are reasons to believe that respondent is guilty of the charges which would warrant removal from office and that there is a great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence. In no case shall preventive suspension exceed ninety (90) days or last for the duration of the investigation, whichever is shorter.

**SEC. 192. *Lifting of Preventive Suspension Pending Administrative Investigation.*** - When the administrative case against the respondent under preventive suspension is not decided by the disciplining authority within the period of ninety (90) days after the date of suspension, the respondent shall be automatically reinstated in the service; Provided, that when the delay in the disposition of the case is due to the fault, negligence or petition of the respondent, the period of delay shall not be included in computing the period of suspension herein provided.

#### **Chapter 4. Decision**

**SEC. 193. *When to Render Decision.*** - The proper disciplining authority exercising original jurisdiction and those exercising appellate jurisdiction shall render their decisions within sixty (60) days from the date of the submission of the case for decision.

**SEC. 194. *Form and Content of Decision.*** - The decision, properly designated as such and under the signature of the proper disciplining authority, shall contain the charge, the name of the respondent, the position and office of the respondent, a brief statement of the material and relevant facts, findings, offense committed and the penalty imposed.

**SEC. 195. *Service of Decision.* -**

(a) A copy of the decision shall be served on the complainant and the respondent through their respective counsel, if any, within five (5) days from its promulgation.

(b) Disciplining authorities shall furnish their superiors with a copy of the decision within five (5) days from the date of its promulgation.

**SEC. 196. *Finality of Decision.* -**

(a) Without prejudice to the power of review by the Commission, and its powers to decide cases on appeal as provided for in this Code, the decisions of the heads of departments, agencies, and instrumentalities of the National Government and the disciplining authority of state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, and local government units, shall be final and executory if the penalty imposed is a suspension of not more than thirty (30) working days or a fine of not more than thirty (30) working days' pay.

(b) Without prejudice to the power of review by the Commission and its powers to decide cases on appeal provided for in this Code, the decision of the head of the bureau or department-wide regional office shall be final and executory, if the penalty imposed is a suspension of not more than thirty (30) working days or a fine of not more than thirty (30) working days' pay.

(c) The decision in a disciplinary case becomes final upon expiration of the period within which to file a motion for reconsideration and no such motion is filed.

**SEC. 197. *Execution of Decision.* -**

(a) The decisions of heads of agencies and other disciplining authorities shall be immediately executory upon receipt of a copy thereof by the parties concerned, even pending appeal.

(b) Decisions of the disciplining authority in disciplinary cases shall be immediately executory unless a motion for reconsideration is seasonably filed, in which case the execution of the decisions shall be held in abeyance pending resolution of the motion.

(c) The filing and pendency of a petition for *certiorari* with the Supreme Court shall not stop the immediate execution of the decision of the Commission, unless the Court issues a restraining order or a writ of preliminary injunction. For this purpose, no other Courts can issue a temporary restraining order or a writ of preliminary injunction against the Commission.

**Chapter 5. Administrative Penalties**

**SEC. 198. *Penalties That May Be Imposed.* -** Heads of departments and agencies and other disciplining authorities may impose the penalty of reprimand or censure, fine in an amount not exceeding six (6) months' salary, suspension without pay for not more than one (1) year, demotion in rank or pay, or dismissal from the service.

**SEC. 199. *Imposition of Penalties.* -**

(a) In meting out punishment, the same penalties shall be imposed for similar offenses and only one (1) penalty shall be imposed in each case. In the imposition of these penalties, the disciplining authority shall take into consideration the circumstances which may either exonerate the respondent from any liability, or mitigate or aggravate the offense.

(b) In the imposition of the proper penalties, the administrative offenses or causes for disciplinary action mentioned in this Code shall be categorized into light, less grave, and grave.

(c) The Commission shall promulgate rules and regulations on the classification of administrative offenses into light, less grave and grave and shall prescribe the corresponding principal and accessory penalties, such as cancellation of eligibility, forfeiture of retirement benefits, disqualification for employment, reinstatement or re-employment, disqualification for promotion and bar from any civil service examination.

**SEC. 200. *Effect of Administrative Penalties.* -** The penalty of dismissal shall result in the separation of the respondent from the service. Dismissal shall carry with it the cancellation of civil service eligibilities, forfeiture of retirement benefits, disqualification from employment in the government whether appointive or elective, and disqualification to run for any public office even if the case is pending on appeal.

Although decisions imposing the penalty of dismissal are immediately executory, no permanent appointment pending appeal shall be issued to replace the dismissed employee. In the interest of the service, however, the designation may be resorted to until the case is resolved with finality.

The penalties of demotion, suspension, and fine shall disqualify the respondent from receiving certain benefits or from promotion for a period based on the gravity of the penalty imposed in accordance with the rules prescribed by the Commission.

**SEC. 201. *Effect of Death on Pending Cases.* -** Pending disciplinary cases shall be deemed terminated upon the death of the respondent without prejudice to a civil action that may be instituted by the government except when the proceedings have been concluded and the case is ready for decision, or when the administrative case involves misappropriation of public funds and property or other grave offenses. The same shall be decided for the sole purpose of determining whether the heirs of the respondent are entitled to monetary benefits arising out of his employment.

**SEC. 202. *Effect of Exoneration and Other Penalties.* -** Upon exoneration, the respondent shall be restored to his/her former position without loss of seniority and other rights or to a comparable or equivalent position in case of reorganization. He/She shall also be entitled to payment of back salaries and other benefits for a period not exceeding five (5) years including the period of his/her preventive suspension.

## **Chapter 6. Administrative Remedies**

**SEC. AUTONUM 203. *Appeal.* -** An appeal may be filed with the proper authority within fifteen (15) days from receipt of the decision, together with a notice of appeal to the disciplining authority who rendered the decision. It shall state the appellant's date of receipt of

the decision and the date of the resolution on the motion for reconsideration, if any, together with the grounds for appeal and the arguments in support thereof.

**SEC. 204. *Where to Appeal.*** - The appellant may appeal to the following:

(a) In case of decisions rendered by heads of departments, agencies, state universities and colleges, provinces, cities, and municipalities and instrumentalities of the national government and the disciplining authority of government-owned or -controlled corporations with original charters, where the penalty imposed is a suspension of more than thirty (30) working days or a fine equivalent to more than thirty (30) working days' salary, the appeal shall be brought before the Commission; and

(b) In case of decisions of the head of bureaus or department-wide regional offices, the appeal shall initially be made to the department secretary and then to the Commission if the penalty imposed is a suspension of more than thirty (30) working days or a fine equivalent to more than thirty (30) working days' salary.

**SEC. 205. *Motion for Reconsideration.*** - A motion for reconsideration may be filed during the period for filing an appeal on the following grounds:

- (a) Newly discovered evidence that could materially affect the decision rendered;
- (b) The decision is not supported by the evidence on record; or
- (c) Errors of law or irregularities have been committed prejudicial to the interest of either party.

Only one (1) motion for reconsideration shall be entertained, which shall be resolved within thirty (30) days from receipt. A motion for reconsideration shall suspend the running of the period of appeal.

**SEC. 206. *Remand of Cases Due to Lack of Due Process.*** - If the case on appeal with the Commission is remanded to the proper disciplining authority for further investigation due to lack of due process, the said disciplining authority shall finish the investigation within three (3) calendar months from the date of receipt of the records from the Commission, unless the investigation is delayed due to the fault, negligence or petition of the respondent, or an extension is granted by the Commission in meritorious cases. The period of delay shall not be included in the computation of the prescribed period.

The disciplining authority shall render its decision within fifteen (15) days from the termination of the investigation. If at the end of said period, the disciplining authority fails to decide the case, the Commission shall vacate and set aside the appealed decision and declare the respondent exonerated of the charge. If the respondent is under preventive suspension, he/she shall be immediately reinstated and shall be entitled to back salaries and other benefits.

**SEC. 207. *Petition for Review.*** - The Commission may review decisions rendered by its regional offices and other disciplining authorities dismissing a complaint for lack of a *prima facie* case, subject to rules and regulations the Commission may prescribe.

**SEC. 208. *Penalties for Contempt.*** - In case of refusal or failure to comply with its decisions, orders, rulings or processes and proceedings, the Commission may impose a penalty of fine of not less than P1,000.00 per day until compliance, or suspension from office without pay for a period of not more than thirty (30) days, or both as the circumstances may warrant.

**SEC. 209. *Removal of Administrative Penalties or Disabilities.*** - Upon recommendation of the Commission, the President may commute or remove administrative penalties or disabilities imposed upon public officers or employees in disciplinary cases, subject to such terms and conditions as he/she may impose in the interest of the service.

## **Title II - Prohibitions**

### **Chapter 1. Limitation on Appointments**

**SEC. 210. *Appointment of Elective Officers.*** - Except as provided for in the Constitution, no elective officer shall be eligible for appointment or designation in any capacity to any public office or position during his/her tenure.

**SEC. 211. *Candidate Who Lost in an Election.*** - No candidate who lost in any election shall, within one (1) year after such election, be appointed in any capacity to any office in the government or any state university and college, government-owned and -controlled corporations with original charters or created under special laws, and local government units. Neither can they be hired within the same period as consultants or under contracts of services/job orders in said entities.

**SEC. 212. *Resignation Before Election.*** - A person who resigned from the service within three (3) months before any election and engaged in any political activity shall not be eligible for re-employment in the government during the six (6)-month period following such election.

#### **SEC. 213. *Prohibition Against Holding Another Office or Employment.*** -

Unless otherwise allowed by law or by the primary functions of the position, no appointive officer shall hold any other office or employment in the government or any subdivision, agency or instrumentality thereof, state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, and local government units.

**SEC. 214. *Prohibition During Election Period.*** - No appointment, whether original, transfer, reemployment, reappointment, renewal, promotion or demotion, regardless of status, except in the case of reinstatement, shall be issued ninety (90) days before any national or local election except barangay and Sangguniang Kabataan elections and until the assumption of the newly-elected or reelection appointing officer. No consultancy, job order ,or contract of service shall also be entered into during the said period.

However, in the exigency of the service and subject to the authority by the Commission, the appointing authority may issue appointments after the election and until the assumption of the newly elected or reelection appointing officer provided the following concur:

- (a) A vacancy occurred during the prohibited period;

(b) There is a need to fill up the vacancy immediately in order not to prejudice public service and/or endanger public safety;

(c) The appointee is qualified;

(d) The appointment has gone through the usual requirements like publication, regular screening by the Personnel Selection Board, and concurrence by the Sangguniang, as the case may be.

All appointments issued before the prohibited period shall take effect immediately, notwithstanding any provisions in the appointment to the contrary and the appointee shall assume the position within thirty (30) days from issuance thereof. Failure of the appointee to assume the position within said period shall make the appointment ineffective.

**SEC. 215. *Prohibition Against Appointments by an Outgoing Appointing Authority.*** - No appointment in national agencies, state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, shall be made by any outgoing appointing authority within three (3) months before the end of his/her term of office or retirement. This prohibition shall also apply to outgoing appointing authorities who have previously manifested their intention to resign from office. In this case, the prohibition shall commence from the date of formal manifestation to resign but shall not be more than three (3) months from the effective date of resignation.

However, in the exigency of the service, interim appointments may be issued which shall not exceed three (3) months from the time the appointing authority ceases to hold office.

This prohibition shall embrace all kinds of appointments whether original, transfer, reemployment, reappointment, renewal, casual, contractual promotion or demotion, regardless of status.

**SEC. 216. *Supervision by Non-career personnel.*** - Subject to the rules to be promulgated by the Commission, no consultant, contractual or non-career personnel shall be designated to any position exercising control and supervision over regular and career personnel in the government.

**SEC. 217. *Contract of Service.*** - A person issued a contract of service shall not discharge duties pertaining to a career or non-career service position. The agency may, however, enter into a contract of service to undertake a piece of work for the government for a specific period.

**SEC. 218. *Ecclesiastic.*** - No priest, preacher, minister, or other religious teachers, or dignitary as such, shall be employed in the civil service system except when such priest, preacher, minister, or dignitary is assigned to the Armed Forces of the Philippines, the Philippine National Police or to any penal or correctional institution, or any government orphanage or leprosarium.

**SEC. 219. *Nepotism.*** - The act of issuing an appointment in the national, or in any branch or instrumentality thereof, or in state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, or local government units to a person who is related within the third (3rd) civil degree of

consanguinity or affinity to the appointing or recommending authority, the chief of bureau or office, or of the person exercising immediate supervision over him/her, is hereby prohibited.

The following positions are exempt from the operation of the law and rules on nepotism:

- (a) Primarily confidential;
- (b) Highly technical;
- (c) Policy-determining; and
- (d) Teacher and professorial staff;

The term 'teacher' shall refer only to those actually performing classroom instruction in both public elementary and secondary schools. 'Professorial staff' shall denote members of the faculty of state universities or colleges primarily engaged in academic activities such as teaching in the tertiary level, research, and curriculum development, among others. The designation of professorial staff to non-professorial/non-academic positions shall not be covered by this exemption.

The restrictions mentioned in this Section shall not be applicable to a member of any family, who, after appointment to any position in an office or bureau, contracts marriage with another employee in the same office or bureau, or those who were affected by reorganization in which event the employment or retention therein of both husband and wife may be allowed.

The prohibition shall not also apply in case of promotion if the person to be promoted occupies a career and next-in-rank position, or to those devolved to local government units or who were affected by reorganization or to any member of a personnel selection board.

## **Chapter 2. Other Prohibitions**

**SEC. 220. *Political Activity.*** - Civil servants may become members of political parties, express their views on current political problems or issues, and support the candidates of their choice. However, they may neither engage in any electioneering nor may they use official authority to influence or coerce the political activity of any person or organization.

**SEC. 221. *Appointment of Military Personnel in the Civil Service System.*** - It shall be unlawful for any member of AFP in the active service to be appointed or designated in any capacity to any civilian position in the government, state universities and colleges, government-owned and -controlled corporations with original charters or created under special laws, and local government units.

**SEC. 222. *Additional or Double Compensation.*** - No elective or appointive public officer or employee shall receive additional, double, or indirect compensation unless specifically authorized by law, nor accept any present, emolument, office, or title of any kind from any foreign government unless allowed by law.

Pensions, gratuities, or honoraria shall not be considered additional, double, or indirect compensation.

**SEC. 223. *Detail or Reassignment.*** - Except when the exigencies of the service require, no public officer or employee of the government shall be detailed or reassigned three (3) months before any local or national election.

**SEC. 224. *Courtesy Resignation.*** - It shall be unlawful for any public officer, elective or appointive, to require public officers and employees within his/her jurisdiction to submit courtesy resignations for whatever reason or purpose.

**SEC. 225. *Appointment and/or Transfer of Officers and Employees of Oversight Agencies.*** Unless allowed by the Commission in meritorious cases, heads of oversight agencies and their staff are prohibited from transferring or being appointed to any position in the department/agency/office/local government unit which his/her unit is assigned or designated to oversee within one (1) year after termination of such assignment or designation.

## **BOOK VI. MISCELLANEOUS PROVISIONS**

### **Title I - Termination of Employment**

#### **Chapter 1. Modes of Termination**

**SEC. 226. *Modes of Termination.*** - The following are modes of terminating employment in the government;

(a) Resignation - A public officer or employee shall be considered separate from the service effective on the date of acceptance of the resignation by the officer authorized to do so.

(b) Candidacy - An appointive public officer or employee shall be *ipso facto* separated from the service on the date of filing of the certificate of candidacy for an elective position.

(c) Death - Upon proof of death, the public officer or employee shall automatically be recorded as separated from the service.

(d) Permanent Disability - In case of permanent disability which shall render the public officer or employee incapable of performing the official duties, the department or agency head may terminate such public officer or employee.

(e) Expiration of Period of Employment - The services of a public officer or employee appointed for a fixed period, or for a specific project or whose appointment is coterminous with the appointing officer shall be terminated upon the expiration of the period of employment, completion of the project, or at the end of the term of the appointing officer, unless otherwise earlier validly separated.

(f) Dropped from the Service - A public officer or employee who goes on leave without proper authority or fails to return to duty after the expiration of the authorized leave, without valid reasons, and for other grounds under existing rules, shall be dropped from the service in accordance with the regulations promulgated by the Commission.

(g) Conviction - The services of the public officer and employee shall be considered terminated upon conviction by final judgment of a crime where the penalty carries with it the

accessory penalty of perpetual or temporary absolute or special disqualification to hold public office.

(h) Retirement - Any public officer or employee who reaches the compulsory retirement age and meets the service requirement shall be retired under the provisions of the Retirement Law unless his/her services are extended by the Commission in accordance with its rules and regulations. Optional retirement pursuant to law likewise terminates official relations.

(i) Expiration of Temporary Appointment - The services of a public officer or employee with a temporary appointment shall automatically be terminated upon the expiration of the appointment.

(j) Disapproval of Appointment - The services of a public officer or employee is considered terminated upon the final disapproval of the appointment by the Commission.

**SEC. 227. *Reduction in Force.*** - The head of a department or agency may reduce its staff due to lack of work or funds or due to a change in the scope or nature of an agency's program, or as a result of the reorganization, subject to the rules and regulations which the Commission shall prescribe.

## **Title II - Fees and Authority to Administer Oaths**

### **Chapter 1. Fees**

**SEC. 228. *Authority to Collect Fees.*** - The Commission may collect and charge fees for civil service examinations, certification of civil service ratings, service records, appeals in disciplinary and non-disciplinary cases, training courses, seminars, and workshops in personnel management, and for services rendered on other civil service matters. For this purpose, the Commission shall prescribe standard and reasonable rates for such examinations, certifications, training courses, seminars and workshops, and other activities or services, the fees for which are not provided by law or regulation. No fees shall be collected in examinations given for the selection of scholars.

### **Chapter 2. Authority of Public Officers to Administer Oaths, Take Testimony, and Prosecute Cases in Court.**

**SEC. 229. *Who May Administer Oaths?*** - The Chairperson and Members of the Commission, public officers occupying third-level positions, and other public officers and employees of the Commission and other departments or agencies designated in writing by the Chairperson, may administer oaths as may be necessary for a transaction of an official business and take testimony in connection with any authorized investigation.

## **Title III - Fiscal Autonomy and Use of Appropriations and Income**

### **Chapter 1. Fiscal Autonomy**

**SEC. AUTONUM 230. *Fiscal Autonomy.*** - The Commission shall enjoy fiscal autonomy. It shall determine the number of its annual budget requirements for its operating expenses, and capital outlays which shall be proposed to Congress in accordance with existing

budget laws. Its approved annual appropriations shall be automatically and regularly released.

The Commission shall have the flexibility to utilize its appropriations, and its income, for operating and capital expenses, acquisition, supplies, repairs, and maintenance of office equipment and facilities subject to provisions of law.

## **Chapter 2. Authority to Use Appropriations and Income.**

**SEC. 231. *Authority to Use Appropriations and Income.*** - The Commission is hereby authorized to use such sums appropriated in the annual appropriations act, including all balances of existing certifications, to accounts payable of prior years which have not yet been reverted to unappropriated surplus, within a period of two (2) years, as are necessary to carry out the provisions of this Code. The Commission is also authorized to augment any item in its appropriations from savings actually released for any official purpose at its discretion.

The Commission is further authorized to directly use its income derived from fees, the cost for services it may assess and levy, and such other proceeds generated in the performance of its functions for its operating expenses, for personnel and organizational development as well as acquisition, repair, and maintenance of office equipment, facilities, and supplies.

## **Title IV - Transitory Provisions**

### **Chapter 1. Funding**

**SEC. 232. *Funding.*** - Funds needed to carry out the provisions of this Code shall be taken from funds available in the Commission or in the absence or insufficiency thereof, from any lump sum appropriations to be included in the annual General Appropriations Act. The appropriation shall cover the operating expenses of the Commission including the salaries, allowances and other emoluments of all its public officers and employees in its central, regional and field offices and for its projects and activities, subject to the accounting of such expenditures.

### **Chapter 2. Final Provisions**

**SEC. 233. *Abolished Offices.*** - All Commission public officers and employees whose offices are abolished by virtue of the provisions of this Code shall be absorbed in the central, regional, and field offices of the Commission with no diminution of status, rank, and salary.

**SEC. AUTONUM 234. *Liability of Appointing Authority.*** - No person employed in the civil service system in willful violation of this Code shall be entitled to receive payments from the government. The appointing authority responsible for such unlawful employment shall be personally liable for the pay that would have accrued had the employment been lawful. The disbursing public officers shall make payment to the employees of such amount from the salary of the public officers so liable.

**SEC. 235. *Liability of Disbursing Public Officers.*** - Except as may otherwise be provided by law, it shall be unlawful for a treasurer or other fiscal public officer or employee to

deduct any amount for contributions or payment of obligations other than those due to the government or its instrumentalities.

**SEC. 236. *Vested Rights.*** - Except as otherwise provided in this Code, rights vested or acquired under the provisions of the Civil Service Law, rules and regulations, and any other Act prior to the effectivity of this Code shall be respected.

**SEC. 237. *Criminal Liability.*** - Whoever makes any appointment or employs any person in willful violation of any provision of this Code or the rules and regulations issued thereunder; or whoever commits fraud, deceit, or intentional misrepresentation of material facts concerning any civil service matter; or whoever violates, or refuses or neglects to comply with any final decision or order of the Commission, shall, upon conviction, be punished by a fine not exceeding Ten Thousand Pesos (P10,000.00) or by imprisonment of not less than three (3) years nor more than five (5) years or both at the discretion of the court.

The same penalty of fine or imprisonment or both as provided above and permanent disqualification from holding public office shall be imposed upon any appointing authority who willfully violates any of the provisions of this Code including failure to abide by the rules promulgated by the Commission or to implement a Commission reappointment order.

**SEC. 238. *Authority to Issue Rules.*** - The Commission shall promulgate rules and regulations and set guidelines and standards to implement the provisions of this Code which shall become effective thirty (30) days after its publication in a national newspaper of general circulation.

**SEC. 239. *Repealing Clause.*** - Republic Act No. 2260, Republic Act No. 6040, Presidential Decree No. 807, Presidential Decree No. 1, Presidential Decree No. 1409, Executive Order No. 135, series of 1987, Executive Order No. 180 and Book V, Title 1, Subtitle A on the Civil Service Commission of Executive Order No. 292, series of 1987, and Section 2 of RA 6758 are hereby repealed. Section 24 of RA 6770, Sections 63, 77, and 79 of RA 7160, Section 1 of RA 8190, and Section 21 of RA 8551, are hereby amended or modified accordingly; and all laws, decrees, orders, circulars, rules, and regulations or any part thereof which are contrary to or inconsistent with any provision of this Code are hereby repealed or modified accordingly.

**SEC. 240. *Supplemental Applications.*** - The Rules of Court shall have a supplemental application to this Code.

**SEC. 241. *Separability.*** - If any provision of this Code or its application to any person or circumstances is declared invalid, such declaration shall not affect the other provisions of this Code.

**SEC. 242. *Construction in Favor of Employees.*** - All doubts in the implementation and interpretation of the provisions of this Code including its implementing rules and regulations shall be resolved in favor of employees.

**SEC. 243. *Effectivity.*** - This Code shall take effect thirty (30) days following its publication in the *Official Gazette* or in a national newspaper of general circulation in the Philippines.



# BATAS PAMBANSA BLG. 232

## AN ACT PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF AN INTEGRATED SYSTEM OF EDUCATION

### I. GENERAL PROVISIONS

#### Chapter 1 Preliminary Matters

**Section 1. Title.** – This Act shall be known as the “Education Act of 1982.”

**Section 2. Coverage.** – This Act shall apply to and govern both formal and non-formal systems in public and private schools in all levels of the entire educational system.

#### Chapter 2 Declaration of Basic State Policy and Objectives

**Section 3. Declaration of Basic Policy.** – It is the policy of the State to establish and maintain a complete, adequate, and integrated system of education relevant to the goals of national development. Toward this end, the government shall ensure, within the context of a free and democratic system, the maximum contribution of the educational) system to the attainment of the following national developmental goals:

To achieve and maintain an accelerating rate of economic development and social progress; To assure the maximum participation of all the people in the attainment and enjoyment of the benefits of such growth; and To achieve and strengthen national unity and consciousness and preserve, develop and promote desirable cultural, moral and spiritual values in a changing world.

The State shall promote the right of every individual to relevant quality education, regardless of sex, age, creed, socio-economic status, physical and mental conditions, racial or ethnic origin, and political or other affiliation. The State shall therefore promote and maintain equality of access to education as well as the enjoyment of the benefits of education by all its citizens.

The State shall promote the right of the nation’s cultural communities the exercise of their right to develop themselves within the context of their cultures, customs, traditions, interests, and belief, and recognizes education as an instrument for their maximum participation in national development and in ensuring their involvement in achieving national unity.

**Section 4. Declaration of Objectives.** – The educational system aims to:

Provide a broad general education that will assist each individual in the peculiar ecology of his own society, to (a) attain his potential as a human being; (b) enhance the range and quality of individual and group participation in the basic functions of society, and (c) acquire the essential educational foundation of his development into a productive and versatile citizen;

Train the nation's manpower in the middle-level skills required for national development;

Develop the professions that will provide leadership for the nation in the advancement of knowledge for improving the quality of human life; and

Respond effectively to changing needs and conditions of the nation through a system of educational planning and evaluation.

Towards the realization of these objectives, and pursuant to the Constitution, all educational institutions shall aim to inculcate the love of the country, teach the duties of citizenship, and develop moral character, personal discipline, and scientific, technological, and vocational efficiency.

Furthermore, the educational system shall reach out to educationally deprived communities, in order to give meaningful reality to their membership in the national society, enrich their civic participation in the community and national life, and unify all Filipinos into a free and just nation.

## **II. THE EDUCATIONAL COMMUNITY**

### **Chapter 1 Preliminary Provisions**

**Section 5. Declaration of Policy and Objectives.** – It is likewise declared government policy to foster, at all times, a spirit of shared purposes and cooperation among the members and elements of the educational community, and between the community and other sectors of society, in the realization that only in such an atmosphere can the true goals and objectives of education be fulfilled.

Moreover, the State shall:

Aid and support the natural right and duty of parents in the rearing of the youth through the educational system.

Promote and safeguard the welfare and interests of the students by defining their rights and obligations, according to their privileges, and encouraging the establishment of sound relationships between them and the other members of the school community.

Promote the social and economic status of all school personnel, uphold their rights, define their obligations, and improve their living and working conditions and career prospects.

Extend support to promote the viability of those institutions through which parents, students, and school personnel seek to attain their educational goals.

**Section 6. Definition and Coverage.** – “Educational community” refers to those persons or groups of persons as such or associated with institutions involved in organized teaching and learning systems.

The members and elements of the educational community are:

“Parents” or guardians or the head of the institution or foster home which has custody of the pupil or student.

“Students,” or those enrolled in and who regularly attend an educational institution of secondary or higher level or a person engaged in formal study.

“Pupils” are those who regularly attend a school of elementary level under the supervision and tutelage of a teacher.

“School personnel,” or all persons working for an educational institution, which includes the following:

“Teaching or academic staff,” or all persons engaged in actual teaching and/or research assignments, either on a full-time or part-time basis, in all levels of the educational system.

“School administrators,” or all persons occupying policy-implementing positions having to do with the functions of the school at all levels.

“Academic non-teaching personnel,” or those persons holding some academic qualifications and performing academic functions directly supportive of teachings, such as registrars, librarians, guidance counselors, researchers, research assistants, research aides, and similar staff.

“Non-academic personnel,” or all other school personnel not falling under the definition and coverage of teaching and academic staff, school administrators, and academic non-teaching personnel.

“Schools,” or institutions recognized by the State which undertake educational operations.

**Section 7. Community Participation.** – Every educational institution shall provide for the establishment of appropriate bodies through which the members of the educational community may discuss relevant issues, and communicate information and suggestions for assistance and support of the school and for the promotion of their common interest.

Representatives from each subgroup of the educational community shall sit and participate in these bodies, the rules and procedures of which must be approved by them and duly published.

## **Chapter 2 Rights**

**Section 8. Rights of Parents.** – In addition to other rights under existing laws, all parents who have children enrolled in a school shall have the following rights:

The right to organize by themselves and/or with teachers for the purpose of providing a forum for the discussion of matters relating to the total school program, and for ensuring the full cooperation of parents and teachers in the formulation and efficient implementation of such programs.

The right to access to any official record directly relating to the children who are under their parental responsibility.

**Section 9. Rights of Students in School.** – In addition to other rights, and subject to the limitations prescribed by law and regulations, students and pupils in all schools shall enjoy the following rights:

The right to receive, primarily through competent instruction, relevant quality education in line with national goals and conducive to their full development as persons with human dignity.

The right to freely choose their field of study subject to existing curricula and to continue their course therein up to graduation, except in cases of academic deficiency, or violation of disciplinary regulations.

The right to school guidance and counseling services for making decisions and selecting the alternatives in fields of work suited to his potentialities. The right of access to his own school records, the confidentiality of which the school shall maintain and preserve.

The right to the issuance of official certificates, diplomas, transcripts of records, grades, transfer credentials, and other similar documents within thirty days from the request.

The right to publish a student newspaper and similar publications, as well as the right to invite resource persons during assemblies, symposia, and other activities of similar nature.

The right to free expression of opinions and suggestions, and to effective channels of communication with appropriate academic and administrative bodies of the school or institution.

The right to form, establish, join and participate in organizations and societies recognized by the school to foster their intellectual, cultural, spiritual, and physical growth and development, or to form, establish, join and maintain organizations and societies for purposes not contrary to law.

The right to be free from involuntary contributions, except those approved by their own organizations or societies.

**Section 10. Rights of all School Personnel.** – In addition to other rights provided for by law, the following rights shall be enjoyed by all school personnel:

The right to free expression of opinion and suggestions, and to effective channels of communication with appropriate academic and administrative bodies of the school or institution.

The right to be provided with free legal service by the appropriate government office in the case of public school personnel, and through the school authorities concerned in the case of private school personnel, when charged in administrative, civil, and/or criminal proceedings by parties other than the school or regulatory authorities concerned for actions committed directly in the lawful discharge of professional duties and/or in defense of school policies.

The right to establish, join and maintain labor organizations and/or professional and self-regulating organizations of their choice to promote their welfare and defend their interests. The right to be free from involuntary contributions except those imposed by their own organizations.

**Section 11. Special Rights and/or Privileges of Teaching or Academic Staff.** – Further to the rights mentioned in the preceding Section, every member of the teaching or academic staff shall enjoy the following rights and/or privileges:

The right to be free from compulsory assignments not related to their duties as defined in their appointments or employment contracts, unless compensated, therefore, conformably to existing law.

The right to intellectual property is consistent with applicable laws.

Teachers shall be deemed persons in authority when in the discharge of lawful duties and responsibilities, and shall, therefore, be accorded due respect and protection.

Teachers shall be accorded the opportunity to choose alternative career lines either in school administration, in classroom teaching, or others, for purposes of career advancement.

**Section 12. Special Rights of School Administrators.** – School administrators shall, in accordance with existing laws, regulations, and policies of the Ministry of Education,

Culture and Sports, be accorded sufficient administrative discretion necessary for the efficient and effective performance of their functions.

School administrators shall be deemed persons in authority while in the discharge of lawful duties and responsibilities, and shall therefore be accorded due respect and protection.

**Section 13. Rights of Schools.** – In addition to other rights provided for by law, schools shall enjoy the following:

The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems.

The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be the subjects of the study and research.

### **Chapter 3** **Duties and Obligations**

**Section 14. Duties of Parents.** – In addition to those provided for under existing laws, all parents shall have the following duties and obligations:

Parents, individually or collectively, through the school systems, shall help carry out the educational objectives in accordance with national goals. Parents shall be obliged to enable their children to obtain elementary education and shall strive to enable them to obtain secondary and higher education in the pursuance of the right formation of the youth. Parents shall cooperate with the school in the implementation of the school program's curricular and co-curricular

**Section 15. Duties and Responsibilities of Students.** – In addition to those provided for under existing laws, every student shall:

Exert his utmost to develop his potential for service, particularly by undergoing an education suited to his abilities, in order that he may become an asset to his family and to society.

Uphold the academic integrity of the school, endeavor to achieve academic excellence, and abide by the rules and regulations governing his academic responsibilities and moral integrity.

Promote and maintain the peace and tranquility of the school by observing the rules of discipline, and by exerting efforts to attain harmonious relationships with fellow students, the teaching and academic staff, and other school personnel.

Participate actively in civic affairs and in the promotion of the general welfare, particularly in the social, economic, and cultural development of his community and in the attainment of a just, compassionate, and orderly society.

Exercise his rights responsibly in the knowledge that he is answerable for any infringement or violation of the public welfare and of the rights of others.

**Section 16. *Teachers' Obligations.*** – Every teacher shall:

Perform his duties to the school by discharging his responsibilities in accordance with the philosophy, goals, and objectives of the school.

Be accountable for the efficient and effective attainment of specified learning objectives in pursuance of national development goals within the limits of available school resources.

Render regular reports on the performance of each student and to the latter and the latter's parents or guardians with specific suggestions for improvement.

Assume the responsibility to maintain and sustain his professional growth and advancement and maintain professionalism in his behavior at all times.

Refrain from making deductions in students' scholastic ratings for acts that are clearly not manifestations of poor scholarship.

Participate as an agent of constructive social, economic, moral, intellectual, cultural and political change in his school and the community within the context of national policies.

**Section 17. *School Administrators' Obligations.*** – Every school administrator shall:

Perform his duties to the school by discharging his responsibilities in accordance with the philosophy, goals, and objectives of the school.

Be accountable for the efficient and effective administration and management of the school.

Develop and maintain a healthy school atmosphere conducive to the promotion and preservation of academe freedom and effective teaching and learning, and to the harmonious and progressive school-personnel relationship.

Assume and maintain professional behavior in his work and in dealing with students, teachers, academic non-teaching personnel, administrative staff, and parents or guardians.

Render adequate reports to teachers, academic non-teaching personnel, and non-academic staff on their actual performance in relation to their expected performance and counsel them on ways of improving the same.

Observe due process, fairness, promptness, privacy, constructiveness, and consistency in disciplining his teachers and other personnel.

Maintain adequate records and submit required reports to the Ministry of Education, Culture, and Sports.

**Section 18. Obligations of Academic Non-Teaching Personnel.** – Academic non-teaching personnel shall:

Improve himself professionally by keeping abreast of the latest trends and techniques in his profession. Assume, promote and maintain a professional attitude towards his work, students, teachers, administrators and administrative staff and relate with them in a supportive and cordial manner. Promote and maintain an atmosphere conducive to service and learning.

### **III – THE EDUCATIONAL SYSTEMS**

#### **Chapter 1 Formal Education**

**Section 19. Declaration of Policy.** – The State recognizes that formal education, or the school system, is society's primary learning system, and therefore the main instrument for the achievement of the country's educational goals and objectives.

**Section 20. Definition.** – "Formal Education" refers to the hierarchically structured and chronologically graded learnings organized and provided by the formal school system and for which certification is required in order for the learner to progress through the grades or move to higher levels. Formal education shall correspond to the following levels:

Elementary Education – the first stage of compulsory, formal education primarily concerned with providing basic education and usually corresponding to six or seven grades, including preschool programs.

Secondary Education – the stage of formal education following the elementary level concerned primarily with continuing basic education and expanding it to include the learning of employable gainful skills, usually corresponding to four years of high school.

Tertiary Education – post-secondary schooling is higher education leading to a degree in a specific profession or discipline.

**Section 21. *Objectives of Elementary Education.*** – The objectives of elementary education are:

To provide the knowledge and develop the skills, attitudes, and values essential to personal development and necessary for living in and contributing to a developing and changing social milieu;

To provide learning experiences that increase the child's awareness of and responsiveness to the changes in and just demands of society and to prepare him for constructive and effective involvement;

To promote and intensify the child's knowledge of, identification with, and love for the nation and the people to which he belongs; and

To promote work experiences that develop the child's orientation to the world of work and creativity and prepare him to engage in honest and gainful work.

**Section 22. *Objectives of Secondary Education.*** – The objectives of secondary education are:

To continue to promote the objectives of elementary education; and

To discover and enhance the different aptitudes and interests of the student so as to equip him with skills for the productive endeavor and/or prepare him for tertiary schooling.

**Section 23. *Objectives of Tertiary Education.*** – The objectives of tertiary education are:

To provide a general education program that will promote national identity, cultural consciousness, moral integrity, and spiritual vigor;

To train the nation's manpower in the skills required for national development;

To develop the professions that will provide leadership for the nation; and

To advance knowledge through research work and apply new knowledge for improving the quality of human life and responding effectively to changing societal needs and conditions.

## Chapter 2

### Non-formal Education and Specialized Educational Services

**Section 24. Specialized Educational Service.** – The State further recognizes its responsibility to provide, within the context of the formal education system, services to meet the special needs of certain clientele. These specific types, which shall be guided by the basic policies of the State embodied in the General Provisions of this Act, include:

“Work Education,” or “Practical Arts,” is a program of basic education which aims to develop the right attitudes towards work; and

“technical-vocational education,” post-secondary but non-degree programs leading to one-two, or three-year certificates in preparation for a group of middle-level occupations.

“Special Education,” is the education of persons who are physically, mentally, emotionally, socially, or culturally different from the so-called “normal” individuals that they require modification of school practices/services to develop them to their maximum capacity; and

“Non-formal Education,” any organized school-based educational activities undertaken by the Ministry of Education, Culture and Sports and other agencies aimed at attaining specific learning objectives for a particular clientele, especially the illiterates and the out-of-school youth and adults, distinct from and outside the regular offerings of the formal school system.

The objectives of non-formal education are as follows:

To eradicate illiteracy and raise the level of functional literacy of the population;

To provide unemployed and underemployed youth and adults with appropriate vocational/technical skills to enable them to become more productive and effective citizens; and

To develop among the clientele of non-formal education proper values and attitudes necessary for personal, community, and national development.

## Chapter 3

### Establishment of Schools

**Section 25. Establishment of Schools.** – All schools shall be established in accordance with the law. The establishment of new national schools and the conversion of existing schools from elementary to national secondary schools or from secondary to national secondary or tertiary schools shall be by law: *Provided*, That any private school proposed to be established must incorporate as a non-stock educational corporation in accordance with the provisions of the Corporation Code of the Philippines. This requirement to incorporate may be waived in the case of family-administered preschool institutions.

Government assistance to such schools for educational programs shall be used exclusively for that purpose.

**Section 26. *Definition of Terms.*** – The terms used in this Chapter are deemed as follows:

“Schools” are duly established institutions of learning or educational institutions.

“Public Schools” are educational institutions established and administered by the government.

“Private Schools” are educational institutions maintained and administered by private individuals or groups.

**Section 27. *Recognition of Schools.*** – The educational operations of schools shall be subject to the prior authorization of the government and shall be affected by recognition. In the case of government-operated schools, whether local, regional, or national, recognition of educational programs and/or operations shall be deemed granted simultaneously with the establishment.

In all other cases, the rules and regulations governing recognition shall be prescribed and enforced by the Ministry of Education, Culture and Sports defining therein who are qualified to apply, providing for a permit system, stating the conditions for the grant of recognition and for its cancellation and withdrawal, and providing for related matters.

**Section 28. *Effects of Recognition; Punishable Violations.*** – The issuance of a certificate of recognition to a school shall have the following effects:

It transforms the temporary permit into a permanent authority to operate;

It entitles the school or college to give the students who have completed the course for which recognition is granted, a certificate, title, or diploma; and

It shall entitle the students who have graduated from said recognized course or courses to all the benefits and privileges enjoyed by graduates in similar courses of studies in all schools recognized by the government.

Operation of schools and educational programs without authorization, and/or the operation thereof in violation of the terms of recognition, are hereby declared punishable violations subject to the penalties provided in this Act.

**Section 29. *Voluntary Accreditation.*** – The Ministry shall encourage programs of voluntary accreditation for institutions that desire to meet standards of quality over and above the minimum required for State recognition.

## Chapter 4

### Internal Organization of School

**Section 30. *Organization of Schools.*** – Each school shall establish the such internal organization as will best enable it to carry out its academic and administrative functions, subject to limitations provided by law. Each school shall establish such arrangements for the peaceful settlement of disputes between or among the members of the educational community.

**Section 31. *Governing Board.*** – Every government college or university established as a tertiary institution and every private school shall have a governing board pursuant to its charter or to the Corporation Code of the Philippines, as the case may be.

**Section 32. *Personnel Transactions.*** – The terms and conditions of employment of personnel in government schools shall be governed by the Civil Service, budgetary and compensation laws and rules.

In private schools, disputes arising from employer-employee relations shall fall under the jurisdiction of the Ministry of Labor and Employment as provided for by law and regulations: *Provided*, That in view of the special employment status of the teaching and academic non-teaching personnel, and their special roles in the advancement of knowledge, standards set or promulgated jointly by the Ministry of Education, Culture and Sports and by the Ministry of Labor and Employment shall be applied by the Ministry of Labor and Employment: *Provided, further*, That every private school shall establish and implement an appropriate system within the school for the prompt and orderly settlement of personnel disputes at the school level, subject to the provisions of Articles 262 and 263 of the Labor Code.

## Chapter 5

### School Finance and Assistance

**Section 33. *Declaration of Policy.*** – It is hereby declared to be the policy of the State that the national government shall contribute to the financial support of educational programs pursuant to the goals of education as declared in the Constitution. Towards this end, the government shall:

Adopt measures to broaden access to education through financial assistance and other forms of incentives to schools, teachers, pupils and students; and Encourage and stimulate private support to education through, *inter alia*, fiscal and other assistance measures.

## A. Funding of Public Schools

**Section 34. National Funds.** – Public schools shall continue to be funded primarily from national funds: *Provided*, that local governments shall be encouraged to assume the operation of local public schools on the basis of national fund participation and adequate revenue sources which may be assigned by the national government for the purpose.

**Section 35. Financial Aid and Assistance to Public Secondary Schools.** – The national government shall extend financial aid and assistance to public secondary schools established and maintained by local governments, including barangay high schools.

**Section 36. Share of Local Government.** – Provinces, cities and municipalities and barangays shall appropriate funds in their annual budgets for the operation and maintenance of public secondary schools on the basis of national fund participation.

**Section 37. Special Education Fund.** – The proceeds of the Special Education Fund accruing to local governments shall be used exclusively for the purposes enumerated in Section 1 of Republic Act No. 5447, and in accordance with rules and regulations issued by the Ministry of Education, Culture and Sports and the Ministry of the Budget. Said proceeds shall be considered a local fund and shall be subject to Presidential Decree No. 477, Presidential Decree No. 1375, and other applicable local budget laws and regulations.

**Section 38. Tuition and other School Fees.** – Secondary and post-secondary schools may charge tuition and other school fees, in order to improve facilities or to accommodate more students.

**Section 39. Income from other Sources.** – Government-supported educational institutions may receive grants, legacies, donations and gifts for purposes allowed by existing laws.

Furthermore, income generated from production activities and from auxiliary enterprises may be retained and used for schools concerned in accordance with rules and regulations jointly issued consistently with pertinent appropriation and budgetary laws by the Ministry of the Budget, the Ministry of Education, Culture and Sports and the Commission on Audit.

## B. Funding of Private Schools

**Section 40. Funding of Private Schools.** – Private schools may be funded from their capital investments or equity contributions, tuition fees and other school charges, grants, loans, subsidies, passive investment income and income from other sources.

**Section 41. Government Assistance.** – The government, in recognition of their complementary role in the educational system, may provide aid to the programs of private schools in the form of grants or scholarships, or loans from government financial institutions: *Provided*, That such programs meet certain defined educational requirements and standards and contribute to the attainment of national development goals.

**Section 42. Tuition and Other School Fees.** – Each private school shall determine its rate of tuition and other school fees or charges. The rates and charges adopted by schools pursuant to this provision shall be collectible, and their application or use authorized, subject to rules and regulations promulgated by the Ministry of Education, Culture and Sports.

**Section 43. Income from. Other Sources.** – Any private school duly recognized by the government, may receive any grant and legacy, donation, gift, bequest, or devise from any individual, institution, corporation, foundation, trust or philanthropic organization, or research institution or organization as may be authorized by law.

Furthermore, private schools are authorized to engage in any auxiliary enterprise to generate income primarily to finance their educational operations and/or to reduce the need to increase students' fees.

**Section 44. Institutional Funds.** – The proceeds from tuition fees and other school charges, as well as other income of schools, shall be treated as institutional funds. Schools may pool their institutional funds, in whole, or in part, under joint management for the purpose of generating additional financial resources.

## C. Incentives to Education

**Section 45. Declaration of Policy.** – It is the policy of the State in the pursuit of its national education development goals to provide an incentive program to encourage the participation of the community in the development of the educational sector.

**Section 46. Relating to School Property.** – Real property, such as lands, buildings, and other improvements thereon used actually, directly, and exclusively for educational purposes shall be subject to the real property tax based on an assessment of fifteen percent of the market value of such property: *Provided*, That all the proceeds from the payment thereof shall accrue to a special private education thereof shall accrue to a special private education fund which shall be managed and disbursed by a local private school board which shall be constituted in each municipality or chartered city with private educational institutions with the mayor or his representative as chairman and not more than two representatives of the institutional taxpayers, and, likewise, not more than two residents of the municipality or chartered city who are alumni of any of the institutional taxpayers as members: *Provided*,

*further, That fifty percent of the additional one percent tax on real estate property provided for under Republic Act 5447, shall accrue to the special private education fund: Provided, finally, That in municipalities or chartered cities wherein the number of private institutions with individual enrollment of pupils and students over five thousand exceeds fifteen, the members of the private school board shall be increased to not more than fourteen members determined proportionately by the Minister of Education, Culture and Sports. The private school board shall adopt its own rules which shall enable it to finance the annual programs and projects of each institutional taxpayer for the following purposes; student-pupil scholarships; improvement of instructional, including laboratory, facilities, and/or equipment; library books and periodicals acquisition; and extension service in the community, in that order of priority.*

**Section 47. Relating to Gifts or Donations to Schools.** – All gifts or donations in favor of any school, college, or university recognized by the Government shall not be subject to tax: *Provided,* such gifts or donations shall be for the improvement of classrooms and laboratory or library facilities, and shall not inure to the benefit of any officer, director, official, or owner or owners of the school, or paid out as salary, adjustments or allowance of any form or nature whatsoever, except in support of faculty and/or professorial chairs.

**Section 48. Relating to Earnings from Established Scholarship Funds.** – All earnings from the investment of any duly established scholarship fund of any school recognized by the government, constituted from gifts to the school, and/ or from contributions or other resources assigned to said fund by the school, if said earnings are actually used to fund additional scholarship grants to financially deserving students shall be exempt from tax until the scholarship fund is fully liquidated, when the outstanding balance thereof shall be subject to tax.

**Section 49. School Dispersal Program.** – All gains realized from the sale, disposition or transfer of property, real or personal, of any duly established private school, college or university, in pursuance of a school dispersal program of the government or of the educational institution as approved by the government, shall be considered exempt from tax if the total proceeds of the sale are reinvested in a new or existing duly established school, college, or university located in the dispersal site, within one (1) year from the date of such sale, transfer or disposition; otherwise, all taxes due on the gains realized from the transaction shall immediately become due and payable.

**Section 50. Conversion to Educational Foundations.** – An educational institution may convert itself into a non-stock, non-profit educational foundation, in accordance with the implementing rules to be issued jointly by the Ministry of Education, Culture and Sports and the Ministry of Finance.

In the case of stock corporations, if for any reason its corporate existence as an educational institution ceases and is not renewed, all its net assets after the liquidation of the liabilities and other obligations may be conveyed and transferred to any non-profit educational institution or successor non-profit educational institution or to be distributed by a court to another organization to be used in such manner as in the judgment of the said court will best accomplish the general purposes for which the dissolved organization was organized, or to the State.

#### **D. Assistance to Students**

**Section 51. *Government Assistance to Students.*** – The government shall provide financial assistance to financially disadvantaged and deserving students. Such assistance may be in the form of State scholarships, grants-in-aid, assistance from the Educational Loan Fund, or subsidized tuition rates in State colleges and universities.

All the above and similar assistance programs shall provide for reserve quotas for financially needed but academically qualified students from the national cultural communities.

**Section 52. *Grant of Scholarship Pursuant to Existing Laws.*** – Educational institutions shall be encouraged to grant scholarships to students pursuant to the provisions of existing laws and such scholarship measures as may hereafter be provided for by law.

**Section 53. *Assistance from the Private Sector.*** – The private sector, especially educational institutions, business, and industry, shall be encouraged to grant financial assistance to students, especially those undertaking research in the fields of science and technology or in such projects as may be necessary within the context of national development.

### **IV. THE MINISTRY OF EDUCATION, CULTURE, AND SPORTS**

#### **Chapter 1 General Provisions**

**Section 54. *Declaration of Policy.*** – The administration of the education system and, pursuant to the provisions of the Constitution, the supervision and regulation of educational institutions are hereby vested in the Ministry of Education, Culture and Sports, without prejudice to the provisions of the charter of any state college and university.

**Section 55. *Organization.*** – The Ministry shall be headed by the Minister of Education, Culture and Sports who shall be assisted by one or more Deputy Ministers.

The organization of the Ministry shall consist of (a) the Ministry Proper composed of the immediate Office of the Minister, and the Services of the Ministry, (b) the Board of Higher

Education, which is hereby established, (c) the Bureau of Elementary Education, the Bureau of Secondary Education, the Bureau of Higher Education, the Bureau of Technical and Vocational Education, and the Bureau of Continuing Education, which is hereby established, (d) Regional offices and field offices, (e) the National Scholarship Center and such other agencies as are now or may be established pursuant to law, and (f) the cultural agencies, namely: the National Library, the National Historical Institute, the National Museum, and the Institute of National Language. Such of the above offices as are created or authorized to be established under this provision, shall be organized and staffed and shall function, subject to the approval of the President, upon recommendation of the Minister of Education, Culture and Sports in consultation with the Presidential Commission on Reorganization.

**Section 56.** The National Board of Education is hereby abolished, and its appropriations, personnel, records, and equipment are hereby transferred to the Office of the Minister of Education, Culture and Sports.

**Section 57. Functions and Powers of the Ministry.** – The Ministry shall:

Formulate general education objectives and policies, and adopt long-range educational plans;

Plan, develop and implement programs and projects in education and culture;

Promulgate rules and regulations necessary for the administration, supervision and regulation of the educational system in accordance with declared policy;

Set up general objectives for the school system;

Coordinate the activities and functions of the school system and the various cultural agencies under it;

Coordinate and work with agencies concerned with the educational and cultural development of the national cultural communities; and

Recommend and study legislation proposed for adoption.

**Section 58. Report to the Batasang Pambansa.** – The Minister of Education, Culture and Sports shall make an annual report to the Batasang Pambansa on the implementation of the national basic education plan, the current condition of the education sector, the effectiveness of the education programs, the adequacy or deficiency of the appropriations and status of expenditures, the impact of education on the different regions, the growth of enrollment, the adequacy of academic facilities, the concentration of low income groups, or the supply of teaching and non-teaching personnel, with such comments and appropriate recommendations thirty (30) days before the opening of its regular session.

## Chapter 2

### Board of Higher Education

**Section 59. Declaration of Policy.** – Higher education will be geared towards the provision of better-quality education, the development of middle and high-level manpower, and the intensification of research and extension services. The main thrust of higher education is to achieve equity, efficiency, and high quality in the institutions of higher learning both public and private so that together they will provide a complete set of program offerings that meet both national and regional development needs.

**Section 60. Organization of the Board of Higher Education.** – The Board of Higher Education is reconstituted as an advisory body to the Minister of Education, Culture and Sports. The Board shall be composed of a Deputy Minister of Education, Culture, and Sports designated as Chairman and four other members to be appointed by the President of the Philippines upon nomination by the Minister of Education, Culture, and Sports for a term of four years. The four members shall have distinguished themselves in the field of higher education and development either in the public or private sector. In the initial appointment of the non-*ex officio* members, the first appointee shall serve for a term of four years; the second for a term of three years; the third for a term of two years, and the fourth for a term of one year. The Director of the Bureau of Higher Education shall participate in the deliberation of the Board but without the right to vote. The Bureau of Higher Education shall provide the Board with the necessary technical and staff support: *Provided*, That the Board may create technical panels of experts in the various disciplines as the need arises.

**Section 61. Functions of the Board of Higher Education.** – The Board shall:

Make policy recommendations regarding the planning and management of the integrated system of higher education and the continuing evaluation thereof. Recommend to the Minister of Education, Culture and Sports steps to improve the governance of the various components of the higher education system at national and regional levels. Assist the Minister of Education, Culture, and Sports in making recommendations relative to the generation of resources and their allocation for higher education.

## Chapter 3

### The Bureaus

**Section 62. Bureau of Elementary Education.** – The Bureau shall perform the following functions:

Conduct studies and formulate, develop, and evaluate programs and educational standards for elementary education;

Undertake studies necessary for the preparation of prototype curricular designs, instructional materials, and teacher training programs for elementary education; and

Formulate guidelines to improve elementary school physical plants and equipment, and general management of these schools.

**Section 63. Bureau of Secondary Education.** – The, Bureau shall perform the following functions:

Conduct studies and formulate, develop and evaluate programs and educational standards for secondary education;

Develop curricular designs, prepare instructional materials, and prepare and evaluate programs to upgrade the quality of the teaching and non-teaching staff at the secondary level;

Formulate guidelines to improve the secondary school physical plants and equipment, and general management of these schools.

**Section 64. Bureau of Technical mid-Vocational Education.** – The Bureau shall perform the following:

Collaborate with other agencies in the formulation of manpower plans;

Conduct studies, formulate, develop and evaluate post-secondary vocational-technical programs and recommend educational standards for these programs;

Develop curricular designs and prepare instructional materials, prepare and evaluate programs to upgrade the quality of teaching and non-teaching staff, and formulate guidelines to improve the physical plant and equipment of post-secondary vocational-technical schools.

**Section 65. Bureau of Higher Education.** – The Bureau of Higher Education shall perform the following functions:

Develop, formulate and evaluate programs, projects, and educational standards for higher education;

Provide staff assistance to the Board of Higher Education in its policy formulation and advisory functions;

Provide technical assistance to encourage institutional development programs and projects;

Compile analyze and evaluate data on higher education; and

Perform other functions provided for by law.

**Section 66. Bureau of Continuing Education.** – As the main implementing arm of the non-formal education programs of the Ministry, the Bureau shall provide learning programs or activities that shall:

Serve as a means of meeting the learning needs of those unable to avail themselves of the educational services and programs of formal education;

Provide opportunities for the acquisition of skills necessary to enhance and ensure continuing employability, efficiency, productivity, and competitiveness in the labor market;

Serve as a means for expanding access to educational opportunities to citizens of varied interests, demographic characteristics, and socio-economic origins or status.

## **Chapter 4 Regional Offices**

**Section 67. Functions.** – A regional office shall:

Formulate the regional plan of education based on the national plan of the Ministry taking into account the specific needs and special traditions of the region;

Implement education laws, policies, plans, programs, rules and regulations of the Ministry or agency in the regional area;

Provide economical, efficient, and effective education services to the people in the area.

## **V. MISCELLANEOUS PROVISIONS**

### **Chapter 1 Penal and Administrative Sanctions**

**Section 68. Penalty Clause.** – Any person upon conviction for an act in violation of Section 28, Chapter 3, Title. III above shall be punished with a fine of not less than two thousand pesos (P2,000.00) nor more than ten thousand pesos (P10,000.00) or imprisonment for a maximum period of two (2) years, or both, in the discretion of the court.

If the act is committed by a school corporation, the school head together with the person or persons responsible for the offense or violation shall be equally liable.

**Section 69. Administrative Sanction.** – The Minister of Education, Culture and Sports may prescribe and impose such administrative sanction as he may deem reasonable and appropriate in the implementing rules and regulations promulgated pursuant to this Act for any of the following causes:

Mismanagement of school operations;  
Gross inefficiency of the teaching or non-teaching personnel;

Fraud or deceit committed in connection with the application for a Ministry permit or recognition;

Failure to comply with conditions or obligations prescribed by this Code or its implementing rules and regulations; and

Unauthorized operation of a school, course, or any component thereof, or any violation of the requirement governing advertisements or announcements of educational institutions.

Sanctions against the schools shall be without prejudice to the interest of the students, teachers, and employees.

## **Chapter 2** **Administrative Provisions**

**Section 70. Rule-making Authority.** – The Minister of Education, Culture and Sports charged with the administration and enforcement of this Act, shall promulgate the necessary implementing rules and regulations.

**Section 71. Separability Provision.** – Any part or provision of this Act which may be held invalid or unconstitutional shall not affect its remaining parts or provisions.

**Section 72. Repealing Clause.** – All laws or parts thereof inconsistent with any provision of this Act shall be deemed repealed or modified, as the case may be.

**Section 73. Effectivity.** – This Act shall take effect upon its approval.

Approved, September 11, 1982.

## CODE OF ETHICS FOR PROFESSIONAL TEACHERS

Pursuant to the provisions of paragraph (e), Article 11, of R. A., No. 7836, otherwise known as the Philippines Professionalization Act of 1994, and Paragraph (a), section 6, P.D. No. 223, as amended, the Board for Professional Teachers hereby adopt the Code of Ethics for Professional Teachers.

### **PREAMBLE**

Teachers are duly licensed professionals who possess dignity and a reputation with high moral values as well as technical and professional competence in the practice of their noble profession, they strictly adhere to, observe, and practice this set of ethical and moral principles, standards, and values.

### **ARTICLE I SCOPE AND LIMITATIONS**

**Section 1.** The Philippine Constitution provides that all educational institutions shall offer quality education for all competent teachers committed to its full realization. The provision of this Code shall apply, therefore, to all teachers in schools in the Philippines.

**Section 2.** This Code covers all public and private school teachers in all educational institutions at the preschool, primary, elementary, and secondary levels whether academic, vocational, special, technical, or non-formal. The term "teacher" shall include industrial arts or vocational teachers and all other persons performing supervisory and /or administrative functions in all schools at the aforesaid levels, whether on a full-time or part-time basis.

### **ARTICLE II THE TEACHER AND THE STATE**

**Section 1.** The schools are the nurseries of the future citizens of the state; each teacher is a trustee of the cultural and educational heritage of the nation and is under obligation to transmit to learners such heritage as well as to elevate national morality, promote national pride, cultivate the love of country, instill allegiance to the constitution and for all duly constituted authorities, and promote obedience to the laws of the state.

**Section 2.** Every teacher or school official shall actively help carry out the declared policies of the state, and shall take an oath to this effect.

**Section 3.** In the interest of the State and of the Filipino people as much as of his own, every teacher shall be physically, mentally, and morally fit.

**Section 4.** Every teacher shall possess and actualize a full commitment and devotion to duty.

**Section 5.** A teacher shall not engage in the promotion of any political, religious, or other partisan interest, and shall not, directly or indirectly, solicit, require, collect, or receive any money or service or other valuable material from any person or entity for such purposes

**Section 6.** Every teacher shall vote and shall exercise all other constitutional rights and responsibilities.

**Section 7.** A teacher shall not use his position or facial authority or influence to coerce any other person to follow any political course of action.

**Section 8.** Every teacher shall enjoy academic freedom and shall have the privilege of expounding the product of his research and investigations; provided that, if the results are inimical to the declared policies of the State, they shall be brought to the proper authorities for appropriate remedial action.

### **ARTICLE III THE TEACHER AND THE COMMUNITY**

**Section 1.** A teacher is a facilitator of learning and of the development of the youth; he shall, therefore, render the best service by providing an environment conducive to such learning and growth.

**Section 2.** Every teacher shall provide leadership and initiative to actively participate in community movements for moral, social, educational, economic, and civic betterment.

**Section 3.** Every teacher shall merit reasonable social recognition for which purpose he shall behave with honor and dignity at all times and refrain from such activities as gambling, smoking, drunkenness, and other excesses, much less illicit relations.

**Section 4.** Every teacher shall live for and with the community and shall, therefore, study and understand local customs and traditions in order to have a sympathetic attitude, therefore, refrain from disparaging the community.

**Section 5.** Every teacher shall help the school keep the people in the community informed about the school's work and accomplishments as well as its needs and problems.

**Section 6.** Every teacher is an intellectual leader in the community, especially in the barangay, and shall welcome the opportunity to provide such leadership when needed, to extend counseling services, as appropriate, and to actively be involved in matters affecting the welfare of the people.

**Section 7.** Every teacher shall maintain harmonious and pleasant personal and official relations with other professionals, with government officials, and with the people, individually or collectively.

**Section 8.** A teacher possesses the freedom to attend church and worships as appropriate, but shall not use his positions and influence to proselyte others.

## **ARTICLE IV A TEACHER AND THE PROFESSION**

**Section 1.** Every teacher shall actively ensure that teaching is the noblest profession, and shall manifest genuine enthusiasm and pride in teaching as a noble calling.

**Section 2.** Every teacher shall uphold the highest possible standards of quality education, shall make the best preparations for the career of teaching, and shall be at his best at all times and in the practice of his profession.

**Section 3.** Every teacher shall participate in the Continuing Professional Education (CPE) program of the Professional Regulation Commission, and shall pursue such other studies as will improve his efficiency, enhance the prestige of the profession, and strengthen his competence, virtues, and productivity in order to be nationally and internationally competitive.

**Section 4.** Every teacher shall help, if duly authorized, to seek support from the school, but shall not make improper misrepresentations through personal advertisements and other questionable means.

**Section 5.** Every teacher shall use the teaching profession in a manner that makes it dignified means for earning a decent living.

## **ARTICLE V THE TEACHERS AND THE PROFESSION**

**Section 1.** The teacher shall, at all times, be imbued with the spirit of professional loyalty, mutual confidence, faith in one another, self-sacrifice for the common good, and full cooperation with colleagues. When the best interest of the learners, the school, or the profession is at stake in any controversy, teachers shall support one another.

**Section 2.** A teacher is not entitled to claim credit or work, not of his own, and shall give due credit for the work of others which he may use.

**Section 3.** Before leaving his position, a teacher shall organize for whoever assumes the position such records and other data as are necessary to carry on the work.

**Section 4.** A teacher shall hold inviolate all confidential information concerning associates and the school, and shall not divulge to anyone documents that have not been officially released or remove records from the files without permission.

**Section 5.** It shall be the responsibility of every teacher to seek correctives for what may appear to be unprofessional and unethical conduct of any associates. However, this may be done only if there is incontrovertible evidence for such conduct.

**Section 6.** A teacher may submit to the proper authorities any justifiable criticism against an associate, preferably in writing, without violating the right of the individual concerned.

**Section 7.** A teacher may apply for a vacant position for which he is qualified; provided that he respects the system of selection on the basis of merit and competence; provided, further, that all qualified candidates are given the opportunity to be considered.

## **ARTICLE VI THE TEACHER AND HIGHER AUTHORITIES IN THE PROFESSIONS**

**Section 1.** Every teacher shall make it his duty to make an honest effort to understand and support the legitimate policies of the school and the administration regardless of personal feelings or private opinions and shall faithfully carry them out.

**Section 2.** A teacher shall not make any false accusations or charges against superiors, especially under anonymity. However, if there are valid charges, he should present such under oath to a competent authority.

**Section 3.** A teacher shall transact all official business through channels except when special conditions warrant a different procedure, such as when special conditions are advocated but are opposed by immediate superiors, in which case, the teacher shall appeal directly to the appropriate higher authority.

**Section 4.** Every teacher, individually or as part of a group, has a right to seek redress against injustice to the administration and to the extent possible, shall raise grievances within acceptable democratic processes. In doing so, they shall avoid jeopardizing the interest and the welfare of learners whose right to learn must be respected.

**Section 5.** Every teacher has a right to invoke the principle that appointments, promotions, and transfers of teachers are made only on the basis of merit and needed in the interest of the service.

**Section 6.** A teacher who accepts a position assumes a contractual obligation to live up to his contract, assuming full knowledge of employment terms and conditions.

## **ARTICLE VII SCHOOL OFFICIALS TEACHERS AND OTHER PERSONNEL**

**Section 1.** All school officials shall at all times show professional courtesy, helpfulness, and sympathy towards teachers and other personnel, such practices being standards of effective school supervision, dignified administration, responsible leadership and enlightened directions.

**Section 2.** School officials, teachers, and other school personnel shall consider it their cooperative responsibility to formulate policies or introduce important changes in the system at all levels.

**Section 3.** School officials shall encourage and attend to the professional growth of all teachers under them such as recommending them for promotion, giving them due recognition for meritorious performance, and allowing them to participate in conferences in training programs.

**Section 4.** No school officials shall dismiss or recommend for dismissal a teacher or other subordinates except for cause.

**Section 5.** School authorities' concern shall ensure that public school teachers are employed in accordance with pertinent civil service rules, and private school teachers are issued contracts specifying the terms and conditions of their work; provided that they are given, if qualified, subsequent permanent tenure, in accordance with existing laws.

## **ARTICLE VIII THE TEACHERS AND LEARNERS**

**Section 1.** A teacher has a right and duty to determine the academic marks and the promotions of learners in the subject or grades he handles; such determination shall be in accordance with generally accepted procedures of evaluation and measurement. In case of any complaint, teachers concerned shall immediately take appropriate actions, of serving due process.

**Section 2.** A teacher shall recognize that the interest and welfare of learners are of first and foremost concern, and shall deal justifiably and impartially with each of them.

**Section 3.** Under no circumstance shall a teacher be prejudiced nor discriminated against by the learner.

**Section 4.** A teacher shall not accept favors or gifts from learners, their parents, or others in their behalf in exchange for requested concessions, especially if undeserved.

**Section 5.** A teacher shall not accept, directly or indirectly, any remuneration from tutorials other than what is authorized for such service.

**Section 6.** A teacher shall base the evaluation of the learner's work only on merit and quality of academic performance.

**Section 7.** In a situation where mutual attraction and subsequent love develop between teacher and learner, the teacher shall exercise utmost professional discretion to avoid scandal, gossip, and preferential treatment of the learner.

**Section 8.** A teacher shall not inflict corporal punishment on offending learners nor make deductions from their scholastic ratings as a punishment for acts that are clearly not manifestations of poor scholarship.

**Section 9.** A teacher shall ensure that conditions contributing to the maximum development of learners are adequate, and shall extend needed assistance in preventing or solving learners' problems and difficulties.

## **ARTICLE IX THE TEACHERS AND PARENTS**

**Section 1.** Every teacher shall establish and maintain cordial relations with parents, and shall conduct himself to merit their confidence and respect.

**Section 2.** Every teacher shall inform parents, through proper authorities, of the progress and deficiencies of learners under him, exercising utmost candor and tact in pointing out learners' deficiencies and in seeking parent's cooperation for the proper guidance and improvement of the learners.

**Section 3.** A teacher shall hear parents' complaints with sympathy and understanding, and shall discourage unfair criticism.

## **ARTICLE X THE TEACHER AND BUSINESS**

**Section 1.** A teacher has the right to engage, directly or indirectly, in legitimate income generation; provided that it does not relate to or adversely affect his work as a teacher.

**Section 2.** A teacher shall maintain a good reputation with respect to financial matters such as in the settlement of his debts and loans in arranging satisfactorily his private financial affairs.

**Section 3.** No teacher shall act, directly or indirectly, as an agent of, or be financially interested in, any commercial venture which furnishes textbooks and other school commodities in the purchase and disposal of which he can exercise official influence, except only when his assignment is inherent, related to such purchase and disposal; provided they shall be in accordance with the existing regulations; provided, further, that members of duly recognized teachers cooperatives may participate in the distribution and sale of such commodities.

## **ARTICLE XI THE TEACHER AS A PERSON**

**Section 1.** A teacher is, above all, a human being endowed with life for which it is the highest obligation to live with dignity at all times whether in school, in the home, or elsewhere.

**Section 2.** A teacher shall place a premium upon self-discipline as the primary principle of personal behavior in all relationships with others and in all situations.

**Section 3.** A teacher shall maintain at all times a dignified personality that could serve as a model worthy of emulation by learners, peers, and all others.

**Section 4.** A teacher shall always recognize the Almighty God as a guide of his own destiny and of the destinies of men and nations.

## **ARTICLE XII DISCIPLINARY ACTIONS**

**Section 1.** Any violation of any provisions of this code shall be sufficient ground for the imposition against the erring teacher of disciplinary action consisting of revocation of his Certification of Registration and License as a Professional Teacher, suspension from the practice of teaching profession, reprimand or cancellation of his temporary/special permit

under causes specified in Sec. 23, Article III or R.A. No. 7836, and under Rule 31, Article VIII, of the Rules and Regulations Implementing R.A. 7836.

### **ARTICLE XIII EFFECTIVITY**

**Section 1.** This Code shall take effect upon approval by the Professional Regulation Commission and after sixty (60) days following its publication in the official Gazette or any newspaper of general circulation, whichever is earlier.

## **PHILIPPINE ASSOCIATION OF STATE UNIVERSITIES AND COLLEGES (PASUC)**

### **REVISED CCE GUIDELINES**

#### **TASKS**

1. Review of the guidelines for purposes of determining adequacy

Review of the subsection of the guidelines in terms of:

- a. Relevance
- b. Completeness
- c. Clarity

#### **EXPECTED RESULT**

Updated CCE Guidelines that are more responsive to the requirements of the actual operation

All supporting documents shall be certified as

- True photocopy
- Relevant

By the head of the agency or his authorized representative

1.0 Educational Qualification ..... 85 pts.

1.1 Highest relevant academic degree or educational attainment

Supporting Document(s):

- a. Transcript of Records and/or
- b. Diploma/Certificate

1.1.1 Doctorate .....85

1.1.2 Master's Degree .....65

1.1.3 LLB, MD .....65

N.B.: MD is considered a doctorate if the holder is licensed and teaching in a College of Medicine.

LLB is considered a Master's degree if holder is a bar passer and teaching professional subjects.

1.1.4 Diploma Course (Above a Bachelor's Degree) .....	55
1.1.5 Bachelor's Degree	
a. Four Years.....	45
b. Exceeding Four Years .....	45 plus 5 pts. for every year over 4 years

N.B.: Graduates of DVM, Engineering, and DDM programs are considered bachelor's degree holders with additional points for years beyond 4.

1.1.6 a. 3-year Post Secondary Course .....	30
b. Special Courses (Non-degree).....	25

## 1.2 Additional equivalent degree earned related to the present position

Supporting Document(s):

- a. Transcript of Records and/or
- b. Diploma
- c. Approved curriculum (as needed)

1.2.1 Master's Degree.....	4
1.2.2 Bachelor's Degree.....	3

## 1.3 Additional credits earned (maximum of 10 pts)

Supporting Document(s):

- a. Official class card
  - b. Report of grades from the Registrar's Office
- |   |   |
|---|---|
| 1.3.1 For every 3-unit credit earned towards..... | 3 |
| an approved higher degree course .....            | 1 |

## 2.0 Experience and Length of Service..... 25 pts.

N.B.: The experience and services of a faculty designated to an administrative position like Vice President, Dean, Director, etc. shall be credited only once, whichever is highest, within the period of his/her designation.

### 2.1 Academic Experience

Supporting Document(s):

- a. Service record
- b. Appointment

2.1.1 For every year of full –time academic service in a state institution of higher learning.....	1.00
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2.1.2 For every year of full-time academic service in an Institution of higher learning other than SUC; service in a public or private research institution ..... 0.75

2.2 Administrative experience

Supporting Document(s):

- a. Service record
- b. Appointment and/or designation

2.2.1 For every full-time year of administrative experience as:

- a. President..... 3.0
- b. Vice President..... 2.5
- c. Dean/Director/School Superintendent..... 2.0
- d. Principal/Supervisor/Department Chairperson/Head of Unit ..... 1.5

N.B.: The credit as head of unit is given to a faculty-rank holder designated to any administrative or supervisory position.

i. For every year of relevant full-time professional and technical experience as:

- a. Manager/Entrepreneur/Consultant ..... 1.50
- b. Supervisor/Head of Unit..... 1.00
- c. Rank and File..... 0.50

Supporting Document(s):

- a. Service record
- b. Appointment and/or Designation
- c. SEC/DTI registration for entrepreneur

ii. For every year of experience in the public and private institution as:

- a. Cooperating Teacher ..... 0.75
- b. Basic Education Teacher ..... 0.50

3.0 Professional Development Achievement and Honors ..... 90 pts.

3.1 Discoveries, patented inventions, innovations, publications and other creative works (maximum of 30 points)

3.1.1 For every cost and time saving innovation, patented invention and creative work as well as discovery of an educational, technical, scientific and/or cultural value  
2 to 7 pts

Sub-categories under 3.1.1 are as follows:

#### A. Inventions

These are original patented (or must have a patent pending) works that have direct contributions to education, science, and technology. The basis for the weight is the patent score.

Supporting Document(s):

- a. Patent
- b. Certificate of patent pending

<u>Criteria</u>	<u>Credits</u>
1. If patented	- Multiply patent score by the weight assigned according to the criterion of utility.
2. If patent pending	- Multiply patent by weight according to utility.

N.B. : Per invention or discovery the following additional criteria and points allocations are prescribed:

Commercial utility on:

- an international scale ..... 7
- a national scale ..... 5
- an institutional scale ..... 2

➤ The accrediting bodies for these factors on the international and national scale are:

Science and Technology	- NSTA
Education	- DECS

- For the institutional level, a University Committee shall accredit.
- The patent paper/document must be presented to ascertain the patent score.
- Credit points are divided equally among two or more individuals claiming credit for the same invention.

#### B. Discoveries

Discovery must be the first of its kind or not of common knowledge. It shall be the result or product of the research of an individual or a group of faculties.

**Supporting Document(s):**

- a. Full description of the discovery
- b. Confirmation of an international or national agency/organization/association of experts
- c. Evidences of dissemination and utilization

<b><u>Criteria</u></b>	<b><u>Credits</u></b>
1. Originality, educational impact, documentation	60% of 7 (.6 x 7)
2. Evidence of wide dissemination, e.g. exhibits, publication	40% of 7 (.4 x 7)

N.B.: Where there is more than one proponent the points are to be divided equally among them. If only one factor (e.g., [1]) is satisfied, credit is awarded only for that factor.

**C. Creative work has to satisfy one or more of the following criteria:**

- |  |                   |
|--|-------------------|
| 1. Originality                                 | 25% of 2 - 7 pts. |
| 2. Acceptability and recognition               | 25% of 2 - 7 pts. |
| 3. Relevance and value                         | 25% of 2 - 7 pts. |
| 4. Documentation and evidence of dissemination | 25% of 2 - 7 pts. |

**Supporting Document(s):**

- a. Full description of the creative work
- b. Evidences that shall satisfy the criteria for evaluation
- c. Appropriate certification from the duly organized committee establishing the value of the output

N.B.: The scale of 2 – 7 is distributed on the basis of competitiveness, thus –

International .....	7
National.....	5
Institutional .....	2

Credits are divided among two or more claimants. Examples of creative works are published articles, literary items, musical compositions and/or arrangement, painting, sculpture, and other performing arts.

**D. Research results and innovations consist of improvements/modifications made on existing design, process or product.**

Supporting Document(s):

- a. Full description of the research/creative work
- b. Evidence that shall satisfy the criteria for evaluation

The criteria for rating and the points for each criterion are:

- |   |               |
|---|---------------|
| 1. Use of indigenous materials                              | 20% of 7 pts. |
| 2. Relevance and value to education, science and technology | 20% of 7 pts. |
| 3. Cost/time/energy/saving                                  | 20% of 7 pts. |
| 4. Acceptability of peers                                   | 20% of 7 pts. |
| 5. Dissemination/documentation                              | 20% of 7 pts. |

3.1.2 For every published book: original, edited, or compiled, copyrighted/published within the last ten years

Supporting Document(s):

- a. Copy of the Book
  - a. As Single Author ..... 3-7
  - b. As Co-author ..... 2-5
  - c. As Reviewer..... 1-4
  - d. As Translator..... 1-4
  - e. As Editor ..... 1-3
  - f. As Compiler..... 1-2

The factors and their weights are:

1. Textbooks, including Science and Technology and References

<b><u>Role</u></b>	<b><u>Tertiary</u></b>	<b><u>High School</u></b>	<b><u>Elementary</u></b>
Single Author	7 pts.	5 pts.	3 pts.
Co-author	5	3	2
Reviewer	4	2	1
Translator	4	2	1
Editor	3	2	1
Compiler	2	1	1

3.1.3 For every scholarly research/ monograph/ educational technical articles in a technical/scientific/professional journal.

Supporting Document(s):

a. Copy of the journal

- |                        |   |
|------------------------|---|
| a. International ..... | 5 |
| b. National.....       | 3 |
| c. Local .....         | 2 |

3.1.4 For every instructional manual/audio-visual material 1

Supporting Document(s):

- a. Copy/Sample of the material
- b. Certificate of utilization

Under this item are modules, laboratory manuals, operation manuals, workbooks, and teaching guides, approved by the department or college for instructional purposes. Also included in this category are software, prototypes, and Computer Aided Instruction materials. Submissions under this category should cover the course content per syllabus.

<b><u>Role</u></b>	<b><u>Credit</u></b>
Single author or maker	Full
Co-author, co-maker	Half

3.2 For expert services, training and active participation in professional/technical activities (maximum of 30 pts.)

3.2.1 Training and Seminars (maximum of 10 pts.)

3. 2.1.1 For every training course with a duration of at least one year (pro-rated for less than a year in accordance with the formula  $P = [(No. of Days) / 251^*] \times$  full credit and not to exceed the full credit)

- |                        |   |
|------------------------|---|
| a. International ..... | 5 |
| b. National.....       | 3 |
| c. Local .....         | 2 |

\* DBM Circular No. 2002-1

3.2.1.2 For certified relevant field training (maximum of 5 pts.) 1/120 hrs.

For participation in conferences, seminars, workshops

- a. International ..... 3
- b. National..... 2
- c. Local ..... 1

N.B. Very short training cannot be considered as a seminar.

3.2.2. Expert services rendered (maximum of 20 pts.)

- 3.2.2.1 For serving as a short-term consultant/expert in an activity of an educational, technological, professional scientific or cultural nature (foreign or local) sponsored by the government or other agencies.

Supporting Document(s):

- a. Memo of Agreement/Contract/Office Order pertaining to the consultancy work
- b. Acknowledgement of output
  - a. International .. 5
  - b. National..... 3
  - c. Local..... 2

- 3.2.2.2 For services rendered as a trainer, coordinator, lecturer, resource person, or guest speaker in conferences, workshops, and/or training courses for professionals.

- a. International .. 5
- b. National..... 3
- c. Local..... 2

Supporting Document(s):

- a. Certificate of appreciation/participation

- 3.2.2.3 For expert services as adviser in doctoral dissertations, masteral and undergraduate thesis (maximum of 10 pts.)

- a. Doctoral Dissertation..... 5
- b. Masteral Thesis ..... 0.50
- c. Undergraduate Thesis ..... 0.25

3.2.2.4 For certified services as a member of the Board of Examiners in the Professional Regulations Commission (PRC) or in the Civil Service Commission (CSC) ..... 1.00

Supporting Document(s):

- a. Appointment or contract
- b. Identification card

3.2.2.5 For expert services in accreditation/quality assurance work as a member of the Board of Directors, Accreditor, Member of the Technical Committee or Consultant Group in regional or national agencies ..... 1.00

3.2.2.6 For expert service as a testing officer in trade skill certification .. 1.00

3.2.2.7 For services as coach/trainer of students in official activities and adviser of accredited student organizations not to exceed 1 point per year..... 1.00

N.B. For purposes of pro-rating, a year is at least 251 days, not to exceed 12 months.

3.3 Membership in professional organizations/honor societies and honors received (maximum of 10 pts.)

3.3.1 For current individual membership in relevant professional organization(s)

Supporting Document(s):

- a. Certificate of membership/Identification card/Official receipt of membership
- b. Copy of the official load of faculty

a. Learned Society

Full Member ..... 2  
Associate Member ... 1

b. Honor Society.....1

c. Scientific Society .....1

d. Professional

Officer ..... 1  
Member ..... 0.5

N.B.: Learned society is an organization where the members are chosen by invitation and in recognition of their being considered learned in a scientific area of knowledge, e.g. National Research Council

An honor society is a society of academic scholars, e.g. Phi Delta Kappa., Gamma Sigma Delta

Professional/Scientific organizations are national bodies or professional practitioners in a specific field or science, e.g., Philippine Inventors Society, Philippine Society for Mechanical Engineers

The PDS of the faculty shall be filed for the purpose of checking if the membership was already credited.

### 3.3.2 For academic honors earned:

Supporting Document(s):

- a. A certificate or copy of a permanent record of the school

#### 3.3.2.1 Undergraduate Degree

- a. Summa Cum Laude ..... 5
- b. Magna Cum Laude..... 3
- c. Cum Laude ..... 1

#### 3.3.2.2 Graduate Degree

- a. Highest Honors/With Distinction, or Equivalent ..... 3.0

### 3.3.3 Scholarship/Fellowship. This may be degree or non-degree granting.

Supporting Document(s):

- a. Certificate of scholarship/fellowship award
- b. Proof of completion of fellowship program or activity

#### a. International, competitive

- Doctorate ..... 5
- Master's ..... 4
- Non-degree ..... 3

#### b. International, non-competitive

- Doctorate ..... 3
- Master's ..... 2
- Non-degree ..... 2

c. National/Regional, competitive

Doctorate .....	3
Master's .....	2
Non-degree .....	1

d. National/Regional, non-competitive

Doctorate .....	2
Master's .....	1
Local, competitive or	
Non-competitive.....	1

N.B.: Competitive means the use of a selection/ screening process or scheme for awarding a scholarship.

3.4 For every award of distinction received in recognition of achievement in relevant areas of specialization/ profession and/or assignment of the faculty concerned.

Supporting Document(s):

a. A copy of the citation

a. International .....	5
b. National.....	3
c. Local .....	2

N.B. There should be evidence of search/competition.

The award-giving body must have a recognized mandate to search for and confer the award or recognition. Service awards are considered local awards. The credits are given for 10, 20, 30, 40 years of service per circular of the Commission Civil Service.

3.5 Community outreach (maximum of 5 pts.)

Supporting Document(s):

- An Office Order pertaining to the services rendered
- Certificate/Acknowledgement of completion of project or activity

3.5.1 For every year of participation in service-oriented projects in the community ..... 1.0

N.B.: These are activities related to participation in community projects on top of official duties and are voluntary in nature, with no additional compensation received. One year is operationalized to be equivalent to at least 251 days, not to exceed 12 months per program per clientele.

- a. Examples are voluntary services in scouting, cooperatives, Red Cross, Kabataang Barangay, etc.
- b. Activities are undertaken as officer/member of any professional, social, educational, or other similar
- c. Organizations that have already been credited in this instrument shall no longer be considered.

### 3.6 Professional Examinations

#### 3.6.1 For every relevant licensure and other professional examinations passed (maximum of 10 pts.)

Supporting Document(s):

- a. Certificate of licensure
  - b. Rating Slip
  - c. Skill certificate/Identification card
- |   |   |
|---|---|
| a. Engineering, Accounting, Medicine, .....<br>Law, Teacher's Board, etc.   | 5 |
| b. Career Executive Service Officer's.....<br>Examination/Career Service Executive<br>Examination   | 3 |
| c. Marine Board/Seaman Certificate, Master.....<br>Plumber Certificate, etc., Plant Mechanic<br>Certificate, Professional Radio Operator<br>Certificate | 2 |
| d. Other Trade Skill certificates.....  | 1 |

N.B. Section b is only applicable to the faculty-rank holders designated to supervisory/executive positions.