



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION IV-A CALABARZON

17 February 2020

REGIONAL CIRCULAR

No. 2020- 01

**SUBJECT : UNIFORM RULES AND REGULATIONS IN THE HIRING AND RENEWAL OF
CONTRACTS OF SERVICES (COS) IN DILG RIV-A (CALABARZON)**

RATIONALE:

Civil Service Commission (CSC), Commission on Audit (COA) and Department of Budget and Management (DBM) Joint Circular No. 1 s. 2017 dated 15 June 2017 was issued to have a uniform/standard rules and regulations governing Contracts of Service in the Government.

This will serve as guiding principle in the hiring of individuals as Contract of Services to perform specific jobs or to supplement the current manpower. Although the CSC clarifies that COS and JOs are not covered by CSC laws, rules and regulations, and that services rendered will not be considered as government service, this Agency, prescribes and adheres the rules and regulations governing the hiring and renewal of COS, hence this Circular.

PURPOSE:

This Circular is issued to prescribe a uniform rules and regulations in the hiring and renewal of COS and Jos in the Department.

COVERAGE:

All Cos for hiring and renewal by this Department, whether in the Regional Office and Provincial Offices, are covered by this Circular.

DEFINITION OF TERMS:

PARTICULARS	DEFINITION
Contract of Services	Engagement of the services of an individual, private firm, other government agency, non-governmental agency or international organization as consultant, learning service provider or technical expert to undertake special project or job within a specific period.
Contractor of Service Provider	Refers to an individual, a government agency, and private or non-government entity, duly registered and recognized by authorized government agencies to provide consultancy services in their respective field of expertise.



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Institutional Contract	Refers to the agreement between the government agency and contractor or service provider duly registered and recognized by authorized government agencies to provide services such as janitorial, security, consultancy, and other support services.
Support Services	May include janitorial, security, driving, data encoding, equipment and grounds maintenance and other services that support the day to day operations of the agency.

PROHIBITIONS:

1. Hiring under Contract of Services shall be limited to consultants, learning service providers, and/or other technical experts to undertake special project or job within a specific period. The project or job is not part of the regular functions, or the expertise is not available in the Department, or it is impractical or more expensive for the government agency to directly undertake the service provided by the individual;
2. COS should not be made to perform functions which are part of the job description of the Department's regular employees;
3. COS should not be designated to positions exercising control or supervision over regular and career employees;
4. COS' services are not covered by CSC laws, rules and regulations, thus, not creditable as government service and further do not enjoy the benefits enjoyed by the permanent employees, such as PERA/ADCOM, RATA, 13th and 14th month pay; and,
5. Concerned offices are not allowed to hire COS without approved organizational structure and staffing pattern by the Department Secretary or his authorized representative.

QUALIFICATION STANDARD REQUIREMENT:

Although COS are not covered by CSC laws, rules and regulations, the Department strictly observed the standard minimum requirement of each position based on the Qualification Standard set by this Department and approved by the Civil Service Commission under Resolution No. 97-0404 dated January 24, 1997 and CSC Memorandum Circular No. 1, s. 1997 dated 24 January 1997.



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In order to have uniformity of the minimum requirement of the positions, Project Management Offices (PMOs) and other concerned offices, are directed to closely coordinate with the FAD-Personnel Section, before hiring COS.

PROCEDURES:

The following procedures shall be observed by the concerned operating offices and PMOs in hiring and renewal of COS:

1. An establishment of an Organizational Structure and Staffing Pattern (OSSP) as provided by the DILG Central Office in coordination with the respective PMOs and concerned offices;
2. An organization structure and staffing pattern from the Central Office;
3. Once approved, a recommendation of individuals, with attached Terms of Reference of each individuals for hiring must be submitted to the DILG RIV-A (CALABARZON) Review and Evaluation Committee for assessment and evaluation;
4. After duly posting and publishing the vacant positions, the DILG RIV-A Review and Evaluation Committee shall convene to conduct assessment and screening process for the renewal and hiring of employees/applicants in accordance with the CSC rules and regulations;
5. After assessment and evaluation, submit to the FAD-Personnel Section for preparation of Contracts Agreement;
6. FAD-Personnel Section submits the COS Agreement to the FAD-Budget Section for funding approval;
7. FAD-Budget Section recommends for approval the contracts/agreement to the Regional Director;
8. Approved Contracts/Agreements shall be forwarded to the FAD-Personnel Section for other pertinent documents requirements and for record purposes;
9. Concerned COS completes the requirement and submits the notarized contracts/agreement; and
10. Concerned operating offices furnish copies of the contracts/agreements together with the required documents to the Office of the Commission on Audit (COA), FAD- Budget Section, Accounting Section, and Personnel Section for filing purposes.



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FUNCTIONS AND RESPONSIBILITIES:

OFFICE CONCERNED	RESPONSIBILITIES AND FUNCTIONS
DILG RIV-A Review and Evaluation Committee	<ul style="list-style-type: none">• Review and evaluate proposal of the operating units for hiring of personnel thru COS vis-à-vis technical expertise, experience, qualification and salary grade;• Submit assessment report with recommendation for consideration and/or approval of the COS/Jos; and,• Ensure that the contract/agreement shall not violate any existing CSC, COA, and DBM laws, rules and regulations.
FAD-Budget Section	<ul style="list-style-type: none">• Applies standards for a unified Position Allocation and Compensating COS positions guided by the Salary Standardization Law;• Certifies availability of funds
FAD- Personnel Section	<ul style="list-style-type: none">• Evaluates the qualifications, based on the QS approved by the CSC of the individuals being recommended for hiring and renewal;• Prepares the Contracts of Service/Job Orders Agreement in accordance with the provisions set forth by the CSC, DBM, and COA;• Reviews the COS/JOs Contract/Agreement as to the completeness of the supporting documents;• Reviews the Terms of References submitted by the offices concerned as against the COS/JOs agreement;• Indorses the COS/JOs agreement to the top management for signature and approval;• Furnishes the Commission on Audit (COA), copy of the Contract of Services/Job Order agreement; and,• Enrollment of the concerned COS/JOs on the biometric machine to reflect their record of attendance (Regional Office); FAS in case of the Provincial Office
FAD-Budget Section/ FAD-Accounting Section	<ul style="list-style-type: none">• Processes the Disbursement Voucher and Obligation Request and Status of the concerned COS/Jos as payment of their salaries;• Assists in the registration of Tax Declaration (if applicable) with the BIR;• Checks the veracity of the submitted accomplishment report attached on the voucher and ORS as supporting documents for payment of salaries;• And does other related financial actions pertaining to COS and JOs.
PMOs and other concerned offices with COS	<ul style="list-style-type: none">• Prepares the Terms of Reference and make sure that the functions to be performed by the COS are not part of the duties and responsibilities performed by the COS is not



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	<p>part of the regular functions of the Department, or the expertise is not available in the Department, or it is impractical or more expensive for the Department to directly undertake the service provided by the individual or institutional contractor;</p> <ul style="list-style-type: none">• Evaluates initially the qualifications and competencies of the individuals being recommended for hiring and renewal; and,• Recommends to the Regional Director, thru FAD-Personnel Section, the names of the individuals being recommended for hiring and renewal, following the template, viz: <table><tr><th>NAME</th><th>POSITION</th><th>SG</th><th>QS</th><th>REMARKS</th></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>	NAME	POSITION	SG	QS	REMARKS					
NAME	POSITION	SG	QS	REMARKS							
Individuals under COS/Jos	<ul style="list-style-type: none">• Accomplish completely the Personal Data Sheet (PDS) with the following supporting documents, before submission to their respective heads of the offices or projects/programs, to wit:<ol style="list-style-type: none">1. NBI Clearance2. Drug Test Result3. Terms of Reference signed by the concerned COS/JOs, noted by their respective Programs/Project Managers/Heads.										

REFERENCES:

The Department shall be governed by the following issuances issued by the difference government agencies in the hiring and renewal of COS and Jos, to wit:

- CSC, COA and DBm Joint Circular No. 1, s. 2017 dated 15 June 2017 re: Rules and Regulations Governing Contract of Service and Job Order Workers in the Government; and,
- GPPB Resolution No. 09-2012 and GPPB Policy opinion 2012-11-21 (Applicability of RA 9184 and its IRR in the Engagement of Individuals under Job Order or Contract of Service;

For strict compliance and guidance.

FAD: CSC/MCAG



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