



Serbisyo Sibil: Isang Daang Taong Paglilingkod

MC No. 23, s. 2001

MEMORANDUM CIRCULAR

- TO :** ALL HEADS OF DEPARTMENTS, BUREAUS, OFFICES AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENTS, INCLUDING STATE UNIVERSITIES AND COLLEGES AND GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS WITH ORIGINAL CHARTER
- SUBJECT:** PROHIBITION AGAINST THE TRANSFER OR DETAIL OF EMPLOYEES, APPOINTMENT OR HIRING OF NEW EMPLOYEES, CREATION OR FILLING OF NEW POSITIONS, PROMOTIONS OR GIVING OF SALARY INCREASES, REMUNERATION OR PRIVILEGE IN CONNECTION WITH THE AUGUST 14, 2001 PLEBISCITE TO RATIFY THE AMENDMENTS TO REPUBLIC ACT NO. 6734 OTHERWISE KNOWN AS THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO (ARMM)

On July 9, 2001, the Commission on Elections (COMELEC), pursuant to the powers vested upon it by the Constitution, the Omnibus Election Code (BP Blg. 881), and other election laws, promulgated Resolution No. 4496 as amended by Resolution No. 4514, prescribing the periods of prohibition and the specific acts prescribed against the transfer or detail of civil service employees (from June 30, 2001 [Saturday] to August 29, 2001 [Wednesday]), appointment or hiring of new employees, creation or filling of new positions, promotions or giving of salary increases, remuneration or privilege from July 15, 2001 (Sunday) to August 13, 2001 (Monday) in connection with the August 14, 2001 plebiscite to ratify the amendments to Republic Act No. 6734 otherwise known as the Organic Act for the Autonomous Region in Muslim

Mindanao (ARMM). However, the said prohibitions are limited within the ARMM area.

In this regard, the Civil Service Commission, pursuant to the powers vested upon it by the Constitution, the Administrative Code of 1987 and other pertinent laws, as the central personnel agency of the government, promulgated Resolution No. 01-1423 on Aug. 21, 2001. In said Resolution, the Commission prescribes the specific guidelines relative to the transfer, detail and issuance of appointments to civil service personnel, as follows:

I. The following personnel movement as defined in Memorandum Circular No. 40, s. 1998 are prohibited from **June 30, 2001 (Saturday) to August 29, 2001 (Wednesday)**:

1. The "transfer or detail" of officers and employees in the civil service.

Additionally, the following analogous personnel movements are also proscribed:

2. Reassignment
3. Secondment
4. Recall of detailed or reassigned employee

II. The following personnel movement are prohibited from **July 15, 2001 [Sunday] to August 13, 2001 [Monday]**:

- A. All appointments or hiring of new employees to vacant positions or newly created positions in an existing organizational unit, regardless of status, issued before or during the prohibited period, and made effective during or after the same period, regardless of the date of receipt by the Commission, including its Regional or Field Offices.
- B. All promotional appointments issued during the prohibited period, and made effective during or after the same period, regardless of the date of receipt by the Commission, including its Regional or Field Offices.

III. All giving of increases in salary or remuneration or privilege from July 15, 2001 (Sunday) to August 13, 2001.

Appointments through upgrading or reclassification, within the same period, shall also be disapproved since the same involve an increase of salary or remuneration.

Appointments through reappointment, renewal of temporary appointments, reinstatement and change of status shall not be prohibited within the period provided the employee concerned will not incur a gap in his/her service.

This Circular shall take effect immediately.



KARINA CONSTANTINO-DAVID
Chairman

August 22, 2001

FPG/KPZ/X3/Y11(D20)jrl
Limero/NDC-01-0826
OLA



Serbisyo Sibil: Isang Daang Taong Paglilingkod

RE: PROHIBITION AGAINST THE TRANSFER OR DETAIL OF CIVIL SERVICE EMPLOYEES, APPOINTMENT OR HIRING OF NEW EMPLOYEES, CREATION OR FILLING OF NEW POSITIONS, PROMOTIONS OR GIVING OF SALARY INCREASES, REMUNERATION OR PRIVILEGE IN CONNECTION WITH THE AUGUST 14, 2001 PLEBISCITE TO RATIFY THE AMENDMENTS TO REPUBLIC ACT NO. 6734 OTHERWISE KNOWN AS THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO

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RESOLUTION NO. 011423

WHEREAS, Section 12 (2), Title I, Book V of Executive Order No. 292, otherwise known as The Revised Administrative Code of 1987, provides that one of the powers and functions of the Commission is to “prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws”;

WHEREAS, Section 12 (3) of the same Law provides that the Commission shall “promulgate policies, standards and guidelines for the Civil Service and adopt plans and programs to promote economical, efficient and effective personnel administration in the government”;

WHEREAS, Section 12 (14) of the same Law provides that the Commission shall “take appropriate action on all appointments and other personnel matters in the Civil Service xxx”;

WHEREAS, on July 9, 2001, the Commission on Elections (COMELEC) promulgated Resolution No. 4496 as amended by Resolution No. 4514,, pursuant to the powers vested upon it by the Constitution, the Omnibus Election Code (BP Blg. 881), and other election laws, prescribing the period of prohibition against the transfer or detail of civil service employees from June 30, 2001 [Saturday] to August 29, 2001 [Wednesday] and the period of prohibition against appointment or hiring of new employees, creation or filling of new positions, and promotions or giving of salary increases, remuneration or privilege to civil service personnel from July 15, 2001 [Sunday] to August 13, 2001 [Monday].

NOW THEREFORE, in consideration of the foregoing, the Commission resolves, as it hereby resolves, to issue the following specific guidelines relative to the transfer, detail, issuance of appointments, promotion, giving of salary increases or other privileges of civil service personnel:

I. The following personnel movement as defined in Memorandum Circular No. 40, s. 1998 are prohibited from **June 30, 2001 (Saturday) to August 29, 2001 (Wednesday)**:

1. The "transfer or detail" of officers and employees in the civil service.

Additionally, the following analogous personnel movements are also proscribed:

2. Reassignment
3. Secondment
4. Recall of detailed or reassigned employee

II. The following personnel movement are prohibited from **July 15, 2001 [Sunday] to August 13, 2001 [Monday]**:

- A. All appointments or hiring of new employees to vacant positions or newly created positions in an existing organizational unit, regardless of status, issued before or during the prohibited period, and made effective during or after the same period, regardless of the date of receipt by the Commission, including its Regional or Field Offices.
- B. All promotional appointments issued during the prohibited period, and made effective during or after the same period, regardless of the date of receipt by the Commission, including its Regional or Field Offices.

III. All giving of increases in salary or remuneration or privilege from July 15, 2001 (Sunday) to August 13, 2001.

Appointments through upgrading or reclassification, within the same period, shall also be disapproved since the same involve an increase of salary or remuneration.

Appointments through reappointment, renewal of temporary appointments, reinstatement and change of status shall not be prohibited within the period provided the employee concerned will not incur a gap in his/her service.

All the foregoing prohibitions shall be limited to the ARMM Region.

Quezon City, **AUG 21 2001**


KARINA CONSTANTINO-DAVID
Chairman


JOSE F. ERESTAIN, JR.
Commissioner


J. WALDEMAR V. VALMORES
Commissioner

Attested by:


ARIEL G. RONQUILLO
Director III