



Republic of the Philippines
Civil Service Commission
Constitution Hills, Batasang Pambansa Complex, Diliman 1126 Quezon City

100 Years of Service;
Civil Service at its Best.

Mamamayan Muna

MC No. 2, s. 2005

MEMORANDUM CIRCULAR

TO : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS; AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : Revised Rules on Reassignment

Pursuant to CSC Resolution No. 041458, dated December 23, 2004, the Commission has ruled to amend Section 6 (a) of the Omnibus Rules on Appointments and Other Personnel Actions, to read as follows:

"Sec. 6. Other Personnel Movements. The following personnel movements which will not require issuance of an appointment shall nevertheless require an office order by duly authorized official:"

Reassignment – movement of an employee across the organizational structure within the same department or agency, which does not involve a reduction in rank, status or salary.

Reassignment shall be governed by the following rules:

1. These rules shall apply only to employees appointed to first and second level positions in the career and non-career services. Reassignment of third level appointees is governed by the provisions of Presidential Decree No. 1.
2. Personnel movements involving transfer or detail should not be confused with reassignment since they are governed by separate rules.
3. Reassignment of employees with **station-specific** place of work indicated in their respective appointments shall be allowed only for a maximum period of one (1) year. An appointment is considered **station-specific** when the particular office or station where the position is located is specifically indicated on the face of the appointment paper. Station-specific appointment does not refer to a specified plantilla item number since it is used for purposes of identifying the particular position to be filled or occupied by the employee.

4. If appointment is **not station-specific**, the one-year maximum period shall not apply. Thus, reassignment of employees whose appointments do not specifically indicate the particular office or place of work has no definite period unless otherwise revoked or recalled by the Head of Agency, the Civil Service Commission or a competent court.
5. If an appointment is not station-specific, reassignment to an organizational unit within the same building or from one building to another or contiguous to each other in one work area or compound is allowed. Organizational unit refers to sections, divisions, and departments within an organization.
6. Reassignment outside geographical location if with consent shall have no limit. However, if it is without consent, reassignment shall be for one (1) year only. Reassignment outside geographical location may be from one Regional Office (RO) to another RO or from the RO to the Central Office (CO) and vice-versa.
7. Reassignment is presumed to be regular and made in the interest of public service unless proven otherwise or if it constitutes constructive dismissal. Constructive dismissal exists when an employee quits his or her work because of the agency head's unreasonable, humiliating, or demeaning actuations, which render continued work impossible because of geographic location, financial dislocation and performance of other duties and responsibilities inconsistent with those attached to the position. Hence, the employee is deemed illegally dismissed. This may occur although there is no diminution or reduction in rank, status or salary of the employee.

Reassignment that constitutes constructive dismissal may be any of the following:

- a) Reassignment of an employee to perform duties and responsibilities inconsistent with the duties and responsibilities of his/her position such as from a position of dignity to a more servile or menial job;
- b) Reassignment to an office not in the existing organizational structure;
- c) Reassignment to an existing office but the employee is not given any definite duties and responsibilities;
- d) Reassignment that will cause significant financial dislocation or will cause difficulty or hardship on the part of the employee because of geographic location; and

- e) Reassignment that is done indiscriminately or whimsically because the law is not intended as a convenient shield for the appointing/disciplining authority to harass or oppress a subordinate on the pretext of advancing and promoting public interest.

Reassignment that results in constructive dismissal must be sufficiently established.

This Memorandum Circular takes effect immediately.



KARINA CONSTANTINO-DAVID
Chairman

04 January 2005

NLACAB/FCT/dolm:Station-Specific Appt



Republic of the Philippines
Civil Service Commission
Constitution Hills, Batasang Pambansa Complex, Diliman 1126 Quezon City

100 Years of Service,
Civil Service at its Best.

Maraming Mula

Re: Revised Rules on Reassignment

x ----- x

RESOLUTION NO. 041450

WHEREAS, Section 2 (1), Article IX-B of the 1987 Constitution, provides that the Civil Service embraces all branches, subdivisions, instrumentalities and agencies of the Government, including government-owned or controlled corporations with original charters:

WHEREAS, Section 12 (3), Chapter 3, Title I (A), Book V of the Administrative Code of 1987, 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), Chapter 3, Title I (A), Book V of the Administrative Code of 1987, provides that the Commission shall take appropriate action on all appointments and other personnel matters in the Civil Service:

WHEREAS, Section 6 (a), Rule III of the Revised Omnibus Rules on Appointments and Other Personnel Actions (CSC MC No. 40, s. 1998), defines reassignment as the movement of an employee from one organizational unit to another in the same department or agency which does not involve a reduction in rank, status or salary;

WHEREAS, the Commission recognizes the need to clarify further the rules on reassignment, particularly with regard to reassignment of appointees who hold station-specific appointments;

NOW, THEREFORE, the Commission **RESOLVES** to amend Section 6 (a) of the Revised Omnibus Rules on Appointments and Other Personnel Actions (CSC MC No. 40, s. 1998), to read as follows:

"Sec. 6. **Other Personnel Movements.** The following personnel movements which will not require issuance of an appointment shall nevertheless require an office order by a duly authorized official:"

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7. Reassignment is presumed to be regular and made in the interest of public service unless proven otherwise or if it constitutes constructive dismissal. Constructive dismissal exists when an official or employee quits his or her work because of the agency head's unreasonable, humiliating, or demeaning actuations, which render continued work impossible because of geographic location, financial dislocation and performance of other duties and responsibilities inconsistent with those attached



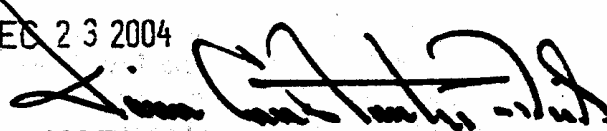
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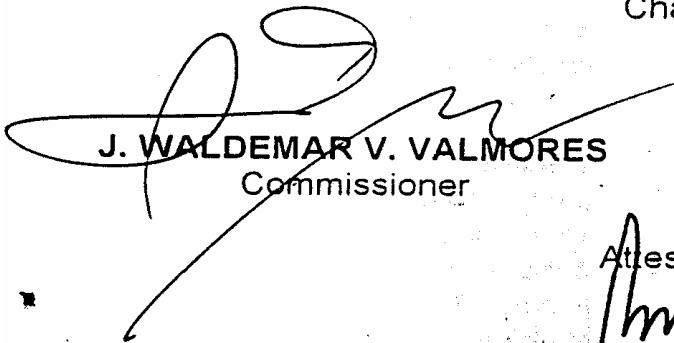
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- c) Reassignment to an existing office but the employee is not given any definite duties and responsibilities;
- d) Reassignment that will cause significant financial dislocation or will cause difficulty or hardship on the part of the employee because of geographic location; and
- e) Reassignment that is done indiscriminately or whimsically, because the law is not intended as a convenient shield for the appointing/disciplining authority to harass or oppress a subordinate on the pretext of advancing and promoting public interest.

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Quezon City, DEC 23 2004



KARINA CONSTANTINO-DAVID
Chairman

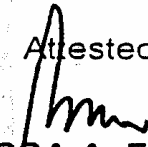


J. WALDEMAR V. VALMORES
Commissioner



CÉSAR D. BUENAFLOR
Commissioner

Attested By:



REBECCA A. FERNANDEZ
Director IV

Commission Secretariat and Liaison Office