



MC No. 9, s. 2010

**MEMORANDUM CIRCULAR**

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

**SUBJECT :** Rules on the Transfer or Geographical Reassignment of  
Public Health Workers and Public Social Workers

Pursuant to CSC Resolution No. 100667 dated April 6, 2010, the Commission adopted a policy on appeal towards the proper implementation of Sections 6 ( c ) of R.A. No. 7305 and 18 of R.A. No. 9433 on the transfer or geographical reassignment of public health workers and public social workers, the decretal portion of which reads:

*“NOW THEREFORE the Commission RESOLVES as it hereby RESOLVED to promulgate the following rules governing the appeals on reassignment of public health workers and public social workers.*

*Section 1. Appeals on Reassignment of Public Health Workers and Public Social Workers- Appeals on the reassignment of public health workers and public social workers are primarily governed by Sections 6 (c) of Republic Act No. 7305 and 18 of Republic Act No. 9433, respectively.*

*Section 2. Where to File Appeal- The appeals shall be filed directly with the Commission Proper within fifteen (15) days from the receipt of the order of reassignment.*

*Section 3. Effect of Filing of an Appeal on the Reassignment –The filing of an appeal on the reassignment by the concerned public health worker or public social worker shall automatically hold in abeyance the implementation of the order of reassignment.*

*For this purpose, the appellant shall furnish a notice of appeal to the appointing authority or official who ordered the reassignment copy furnished CSCROs or CSCFOs concerned. The notice of appeal shall serve as notice to the concerned appointing authority or official to hold in abeyance the implementation of the order of reassignment.*

*Section 4. Duty of CSCROs – The Civil Service Commission Regional Offices (CSCROs) are directed to monitor compliance with Section 3 herein with respect to appeals on reassignments of public health workers and public social workers of agencies within their territorial jurisdiction.*

*Section 5. Repealing Clause- All previous rules inconsistent herewith are deemed repealed or modified accordingly.*

*Section 6. Effectivity – These rules shall take effect after fifteen (15) calendar days from the date of publication in a newspaper of general circulation.*

All concerned are enjoined to conform to these procedures.

  
FRANCISCO T. DUQUE III, MD, MSc  
Chairperson

13 MAY 2010

AGR/X36Y31/j90  
Reassignment of PHW-MC  
Note:

CSC Res No. 10-0667 dated April 6, 2010 was published in the Philippine Star on May 5, 2010



Re: Appeals on the Reassignment of  
Public Health Workers and Public Social Workers

X-----X

RESOLUTION NO. 100667

**WHEREAS**, Section 6 of Republic Act No. 7305, also known as “The Magna Carta of Public Health Workers” provides for the rule on the transfer or geographical reassignment of public health workers.

**WHEREAS**, the same Section 6 (c) of RA No. 7305 provides that *“a public health worker shall not be transferred and/or reassigned, except when made in the interest of public service, in which case, the employee concerned shall be informed of the reasons therefore in writing. If the public health worker believes that there is no justification for the transfer and/or reassignment, he/she may appeal his/her case to the Civil Service Commission, which shall cause his/her transfer and/or reassignment to be held in abeyance;”*

**WHEREAS**, Section 6 (c) of RA No. 7305 has been essentially reproduced in Section 18 of Republic Act No. 9433, also known as the Magna Carta for Public Social Workers, which reads, as follows: *“SECTION 18. Reassignment of Public Social Workers. — Except in the interest of public service, no transfer or geographical reassignment shall be made or effected without written notice to a public social worker: Provided, That said written notice, stating the reasons for the reassignment, shall be made at least thirty (30) days prior to the date of transfer or reassignment: Provided, further, That if the public social worker believes that there is no justification for the transfer and/or reassignment, he/she may appeal his/her case to the CSC, which shall cause his/her transfer and/or reassignment to be held in abeyance x x x.”*

**WHEREAS**, Section 12 (11), Chapter 3, Title I, Subtitle A, Book V of Executive Order No. 292, also known as the Administrative Code of 1987 provides that the Commission shall hear and decide administrative cases instituted by or brought before it directly or on appeal, including contested appointments, and review decisions and actions of its offices and of the agencies attached to it;

**WHEREAS**, Section 12 (2) of the same chapter of EO No. 292 further provides that the Commission shall prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws;

**WHEREAS**, the Commission recognizes the need to adopt a policy on appeal towards the proper implementation of Sections 6 (c) of RA No. 7305 and 18 of RA No. 9433

**NOW THEREFORE** the Commission **RESOLVES** as it hereby **RESOLVED** to promulgate the following rules governing the appeals on reassignment of public health workers and public social workers.

Section 1. **Appeals on Reassignment of Public Health Workers and Public Social Workers-** Appeals on the reassignment of public health workers and public social workers are primarily governed by Sections 6 (c) of Republic Act No. 7305 and 18 of Republic Act No. 9433, respectively.

**Section 2. Where to File Appeal-** The appeals shall be filed directly with the Commission Proper within fifteen (15) days from the receipt of the order of reassignment.

**Section 3. Effect of Filing of an Appeal on the Reassignment** –The filing of an appeal on the reassignment by the concerned public health worker or public social worker shall automatically hold in abeyance the implementation of the order of reassignment.

For this purpose, the appellant shall furnish a notice of appeal to the appointing authority or official who ordered the reassignment, **copy furnished CSCROs or CSCFOs concerned.** The notice of appeal shall serve as notice to the concerned appointing authority or official to hold in abeyance the implementation of the order of reassignment.

**Section 4. Duty of CSCROs** – The Civil Service Commission Regional Offices (CSCROs) are directed to monitor compliance with Section 3 herein with respect to appeals on reassignments of public health workers and public social workers of agencies within their territorial jurisdiction.

**Section 5. Repealing Clause-** All previous rules inconsistent herewith are deemed repealed or modified accordingly.

**Section 6. Effectivity** – These rules shall take effect after fifteen (15) calendar days from the date of publication in a newspaper of general circulation.

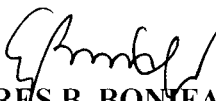
Quezon City 06 APR 2010

  
**FRANCISCO V. DUQUE III**  
Chairman

  
**CESAR D. BUENAFLOR**  
Commissioner

  
**MARY ANN Z. FERNANDEZ-MENDOZA**  
Commissioner

Attested by:

  
**DOLORES B. BONFACIO**  
Director IV  
Commission Secretariat and Liaison Office