

2017 RACCS

Presented by

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About the 2017 RACCS

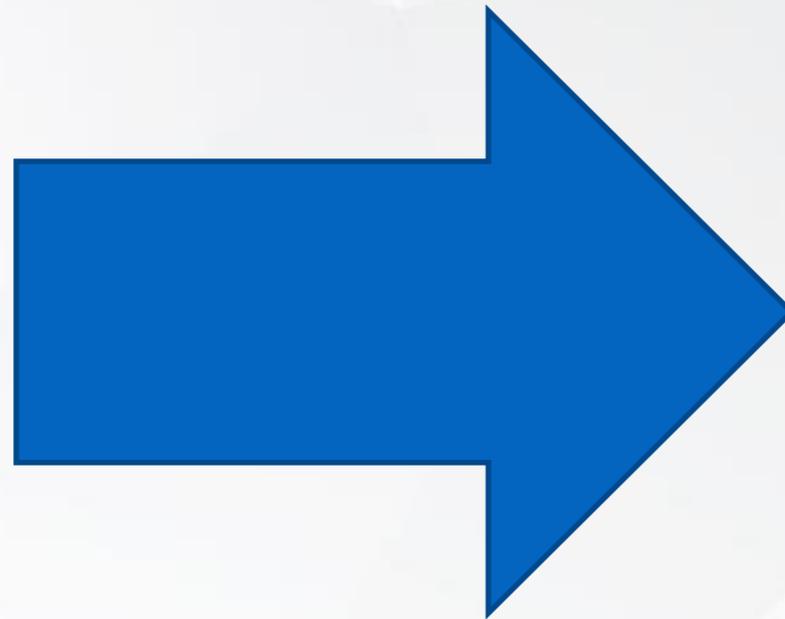
The 2017 RACCS amends the Revised Rules on Administrative Cases in the Civil Service (RRACCS) brought about by the CSC's review of Civil Service law, rules and regulations as well as recent laws and jurisprudence that relate to dispensation of administrative justice in the Philippine civil service. It also addresses various concerns and questions raised by practitioners and clients applicable to all disciplinary and non-disciplinary administrative cases brought before the Civil Service Commission (CSC) and its regional/field offices, agencies of the national government, local government units, state universities and colleges (SUCs) or local universities and colleges (LUCs), and government-owned or controlled corporations with original charters.

RRACCS vs 2017 RACCS

**Revised Rules on
Administrative
Cases in the Civil
Service (RRACCS)**

Rules 1-24

Sections 1-124



**2017 Rules on
Administrative Cases
in the Civil Service
(2017 RACCS)**

Rules 1-23

Sections 1-125

Highlights of the Amendments

- Includes offenses found in other laws and rules such as Sexual Harassment and Violation of RA 9485 or the Anti-Red Tape Act (ARTA).
- Clarifies the three modes of conducting preliminary investigation such as: a) requiring the submission of counter affidavit or comment and/or other documents from the person complained of within five (5) days from receipt of the complaint which is sufficient in form and substance; b) ex-parte evaluation of the records; or c) clarificatory meeting with the parties to discuss the merits of the case.

Highlights of the Amendments

- Devotes a rule on the payment of backwages
- Emphasizes that mitigating circumstances shall not apply to dismissal from the service which is an indivisible penalty
- Incorporates the rule that the accessory penalty of *Forfeiture of Retirement Benefits* excludes both terminal leave benefits and personal shares/contributions to the GSIS or other equivalent retirement benefits system

Highlights of the Amendments

- Duration of preventive suspension now provides that if the respondent is placed under preventive suspension in another case, the duration of the second preventive suspension shall simultaneously run with the first preventive suspension without prejudice to the service of the remaining period of the second preventive suspension.

Highlights of the Amendments

- Provides payment of fine in lieu of suspension for those who are already retired or otherwise separated from government service where the penalty of suspension could not be served anymore which may be sourced from accumulated leave credits or whatever benefits are due.
- Includes as penalty for indirect contempt the suspension of one (1) month up to maximum period of six (6) months aside from a fine of One Thousand Pesos per day for those who will defy CSC decisions, rulings or orders which may include heads of agencies, whether elective, presidential or non-presidential appointees.

Highlights of the Amendments

- Introduces psychological and developmental interventions as pre-requisites for Dropping from the Rolls
- Clarifies when an appointee is considered a de facto official or employee in case of disapproved/invalidated appointment and its effects
- Includes a provision that Judicial Affidavit Rule may be adopted in place of direct testimonies of witnesses without prejudice to clarificatory questions that may be asked.
- Introduces the Presumptive Notice Rule

Highlights of the Amendments

- Change of jurisdiction of Correction of Personal Information (COPI) from the CSC Central Office (CO) to Regional Offices (ROs)
- Removal of the affidavit of two (2) disinterested witnesses for correction of personal information in the records of the Commission but not in the case of late registration of birth certificates.

Final Notes

1. Implication of the new Rules to the Bureaucracy

- easier understanding of provisions
- uniform interpretation of rules
- easier application of rules
- speedier disposition of cases

2. Next Steps

- wide dissemination of the Rules
 - cascading of the Rules
 - conduct of orientation

Thank you