

**CIVIL SERVICE COMMISSION  
CORDILLERA ADMINISTRATIVE REGION  
(ENCAJONADO, Rodolfo)  
Re: Accreditation of Service; CSC MC No.5, s. 1999  
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**RESOLUTION NO. 001259**

The Civil Service Commission-Cordillera Administrative Region (CSC-CAR) seeks clarification on the coverage of CSC Memorandum Circular No. 5, s.1999, implementing CSC Resolution No. 99-0546 dated March 2, 1999. The material portions of the request read, as follows:

"The pertinent provision of the said Circular reads:

'x x x, the Commission resolved to continue the accreditation of the government service of officials and employees regardless of the periods they were rendered on the basis of any of the documentary requirements in CSC MC No. 8 and 8-A, s.1997.x x x

"It appears from the foregoing that there is no cut-off period on the government service rendered by officials and employees covered by disapproved appointment without CSC attested appointment for accreditation. Hence, we are posing the following queries:

"1. Is the accreditation of service under MC No. 5, s. 1999, limited only to service rendered prior to December 31, 1996 pursuant to CSC MC No.8, s. 1999 (sic), as amended, or does it include service rendered up to the present?

"2. If accreditation of service included services up to the present, does CSC MC 5, s. 1999 amend the provision of Section 5, Rule IV of the Omnibus Rules on Appointments and other Personnel Actions (CSC MC No. 40, s. 1998) which reads:

"Sec 5. The service rendered by any person who was required to assume the duties and responsibilities of the position without an appointment having been issued by the appointing authority shall not be credited nor recognized by the Commission and shall be the personal accountability of the person who made him assume office.

"At present, this Office has receive numerous request for accreditation of government service that included service rendered from January 1, 1997 to the present. Action on said request were held in abeyance pending clarification on query No. 2. Moreover, the Public Information Division, CSC MC No. 5, s. 1999 were not published. We respectfully submit that if the Commission intends to grant continuous accreditation of service of government officials and employees covered by

disapproved appointments or without CSC attested appointments, regardless of the period it was rendered. CSC MC No. 5, s. 1999, should be published in a newspaper of general circulation so that it can validly amend Section 5, Rule IV of MC No. 40, s. 1998."

The two issues posited by CSC-CAR may be summarized as follows:

1. Are service rendered up to the present included in the accreditation of service under CSC Memorandum Circular No. 5, s. 1999?; and
2. If so, does CSC MC No. 5, s 1999 amend Section 5, Rule IV of the Omnibus Rules on Appointments and Other Personnel Actions (CSC MC No., s. 1998)?

Paragraph 1 of CSC Memorandum Circular No. 5, s. 1999 reads, as follows:

"Pursuant to CSC Resolution No. 99-0546 dated March 02, 1999, the Commission resolved to continue the accreditation of government service of officials and employees regardless of the periods they were rendered on the basis of any of the documentary requirements in CSC Memorandum Circular Nos. 8 and 8-A, s. 1997. Non-permanent government service which are properly supported by CSC approved appointments need not submitted to the Commission for accreditation."

Evidently, the foregoing Memorandum Circular merely reverberates the rationale behind CSC Resolution No. 99-0546 dated March 2, 1999 which states as follows:

"WHEREAS, many government officials and employees were not able to avail of the benefits of the said resolutions because of the deadlines imposed therein;

"WHEREAS, employees concerned should not be deprived of the benefits to which they are legally entitled; "WHEREAS, for reasons of fairness and equity, there is a need to extend the benefits provided under the above resolutions regardless of the period the service were rendered to afford equal opportunity to all affected officials and employees who are not able to meet the above deadlines.

Aware that many public servant were disadvantage by the deadlines/ periods imposed under previous CSC resolutions<sup>1</sup> regarding accreditation of service, the aforequoted was promulgated in order to reflect the best interest of affected government officials/employees. This is in line with the trust of the Commission to humanize the law, rules and regulations concerning the benefits of its human component. The only limitation provided for by the above-mentioned resolution and consequently CSC MC No. 5 s. 1999 is for the request for the accreditation of service to be accompanied by documents set forth in CSC Memorandum Circular Nos. 8 and 8-A, s. 1997. Hence, the first query is answered in the affirmative.

As to the second query, it is submitted that CSC MC No. 5, s. 1999 has substantially modified Section 5, Rule IV of CSC MC No. 40,s. 1998.

Section 5, Rule IV of CSC MC No. 40,s. 1998 reads, as follows: "Sec. 5. The services rendered by any person who was required to assume the duties and responsibilities of any position without an appointment having been issued by the appointing authority shall not be credited nor recognized by the Commission and shall be the personal accountability of the person who made him assume office."

Obviously the above contemplates a situation where no valid appointment was issued by the appointing authority to a person who was required to assume the duties and responsibilities of a position. Thus, a valid appointment is required by any actual services rendered may be accredited or recognize by the Commission.

On the other hand, CSC MC No. 8 and CSC MC No. 8-A s. 1997 speak of " detective or without any appointment". Considering that CSC MC No. 5, s. 1999 referred to the former Memorandum Circular, it follows that even without an appointment or when the appointment is defective, actual services rendered may be accredited or recognized by the Commission provided the request for accreditation is supported by the required documents.

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1 CSC Resolution No. 970550 dated January 28, 1997

CSC Resolution No. 974603 dated December 11, 1997

Clearly then, CSC MC No. 5, s. 1999 amends Section 5 of CSC MC No. 40, s. 1998.

**WHEREFORE**, pursuant to CSC Memorandum Circular No. 5, s. 1999, officials and employees who rendered actual services pursuant to defective appointments or without any appointment as long as supported by authenticated documents may request the inclusion of said services in their official service record in the Commission and the services that may be subject of accreditation include those services rendered up to the present.

Quezon City, May 24 2000

(SGD.) **CORAZON ALMA G. DE LEON**

Chairman

(SGD.) **JOSE F. ERESTAIN, JR.**

Commissioner

Attested by:

(SGD.) **ARIEL G. RONQUILLO**

Director III

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