

BRIONES, Leonor M.

Re: Lingkod Bayan Award;
Automatic Promotion

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RESOLUTION No. 01-0949

Martin V. Gregorio, Vice-President for Administration and Secretary of the University and of the Board of Regents, University of the Philippines (UP), Quezon City, requests clarification on the effect of the conferment of the 2000 Lingkod Bayan Award to Leonor M. Briones, Professor 8 (SG 28-8), UP, but presently holding the position of Treasurer of the Philippines.

Said request reads, as follows:

“This is in connection with the Lingkod Bayan Award conferred to Prof. Leonor M. Briones of the National College of Public Administration and Governance of this University, currently on secondment at the Bureau of Treasury as National Treasurer. We wish to clarify the automatic promotion due her.

“In the communication which your good office sent to Prof. Briones, it was mentioned that she is entitled to a promotion to Salary Grade 31 since she is already occupying the highest position in the Bureau of Treasury. Shouldn't the promotion come from UP where she occupies a permanent item? Prof. Briones holds the rank of Professor 8 (SG 28-8). An automatic promotion as a result of the Lingkod Bayan Award will put her to Professor 9, which is only SG 29-8.

“In order to avoid any problem when Prof. Briones returns to the University, may we request your office to clarify/rectify this matter.”

It is of record that on September 18, 2000, the Commission informed Briones, through a letter of even date, that she was

chosen as 2000 *Lingkod Bayan Awardee*. Said letter reads, as follows:

"Congratulations! You have been chosen as 2000 Lingkod Bayan Awardee for your outstanding work performance.

x x x

"Pursuant to Executive Order No. 508, s. 1992, as amended by Executive Order No. 77, dated March 31, 1993, a Lingkod Bayan Awardee is entitled to an automatic promotion or salary increase equivalent to the next higher position. Considering that you are already holding the highest position in the organization you are entitled to receive the salary equivalent to a Salary Grade 31. It is therefore requested that your Notice of Salary Increase be prepared by that Bureau to be submitted to the Honor Awards Secretariat, Public Information Service, this Commission on or before September 26, 2000."

UP maintains that Briones is currently a Professor 8 (SG 28-8) under permanent status at said university and is merely on secondment to the Bureau of Treasury without pay since August 1, 1998, holding the position of Treasurer of the Philippines (SG 30). Her secondment was extended from August 1, 2000 to July 31, 2001.

Hence, the present request for clarification where the main issue to be resolved is what specific position and salary grade is to reckon the automatic promotion or salary increase of Briones as a result of the conferment upon her of the Lingkod Bayan Award.

The entitlement of Briones to automatic promotion to the next higher position or salary increase equivalent to the salary of the position next higher to that of her present appointed position as a result of her being a Lingkod Bayan Awardee is provided in **Section 5 of Executive Order No. 508** which succinctly states that:

"Section 5. In addition to the medallion and plaque, the incentives and awards to government officials and employees of the year to be announced in public ceremonies honoring them may, as

recommended by the Committee on Award, take the form of bonuses, citations, directorships in government-owned or controlled corporations, local or foreign scholarship grants, paid vacations, and the like, and/or automatic promotion to the next higher position suitable to their qualifications and with commensurate salary; provided, that, if there is no next higher position or it is not vacant, said position shall be included in the next budget of the office, except when the creation of a new position would result in distortion in the organizational structure of the department, office or agency. Where there is no next higher position immediately available, a salary increase equivalent to the next higher position shall be given and incorporated in the basic pay. When a new position is created, that which is vacated shall be deemed abolished.”

On the other hand, secondment is defined by the Revised Omnibus Rules on Appointments and Other Personnel Actions, as amended, as a *“movement of an employee from one department or agency to another which is temporary in nature and which may or may not require the issuance of an appointment but may either involve reduction or increase in compensation.”*

Further, **CSC Resolution No. 01-0636 dated March 20, 2001** finds application. The fifth paragraph thereof provides as follows: *“. . . the provision of Section 19, Rule XIII of Memorandum Circular No. 15, s. 1999 which provides that ‘no officer or employee who is on study leave or on secondment shall be considered for promotion during the period of his study leave or secondment,’ does not apply to Lingkod Bayan and Dangal ng Bayan awardees in view of Executive Order No. 508, s. 1992 as amended by Executive Order No. 77, s. 1993 and Republic Act No. 6713 which specifically grant automatic promotion or salary increase to the said honor awardees;”*

Although the agreement for the secondment of Briones from the UP to the Bureau of Treasury was not submitted to the Commission for approval, such, however, will not affect the fact that her secondment is merely temporary in nature. Being temporary in nature, upon expiration of her secondment she has to revert to her original position as Professor 8 (SG 28-8) at UP. This being the case, said position shall be the basis in determining the next higher position to which she is entitled to as a consequence of her being a Lingkod Bayan Awardee. Thus, Briones may now be issued a new appointment as Professor 9 (SG 29-8).

WHEREFORE, the Commission hereby rules that Leonor M. Briones, being a 2000 Lingkod Bayan Awardee, is entitled to an automatic promotion to the next higher position of Professor 9, SG 29-8 at the University of the Philippines, or to receive the salaries equivalent to said position, if her promotion is not feasible.

Quezon City, **May 22, 2001**

(SIGNED)

JOSE F. ERESTAIN, JR.

Commissioner

(SIGNED)

KARINA CONSTANTINO-DAVID

Chairman

(SIGNED)

J. WALDEMAR V. VALMORES

Commissioner

Attested by:

(SIGNED)

ARIEL G. RONQUILLO

Director III

JJC/FPG/KPZ/Y9/Y4/vog/volt25

Briones

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