

MARCELINO, Victoria T.

Re: Disapproval of Temporary
Appointment; Appeal

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RESOLUTION No. 01-1872

Nicasio P. Rodriguez, Jr., Postmaster General and Chief Executive Officer (CEO), Philippine Postal Corporation (PHILPOST), appeals the disapproval by the Civil Service Commission-National Capital Region (CSC-NCR) of the appointment of Victoria T. Marcelino as Director II, temporary, same agency. The said appointment was disapproved by the CSC-NCR on the ground that there are qualified eligibles for the said position.

The appeal of Postmaster Rodriguez, Jr. reads, in part, as follows:

“This appeal is made to acknowledge the efforts of Mrs. Marcelino in raising the quality of service of Philpost Region I in terms of mail transmission and delivery or in mail operation in general.

“Mail operation is unique to Philpost, therefore, management believes that the service of an insider is indispensable for Philpost to meet her targets in areas of mail operation. With the influx of communication technology and proliferation of private messengerial services which pose challenge to management in terms of reliability and dependability of postal service delivery, the services of a leader like Mrs. Marcelino is imperative. Mrs. Marcelino has been

involved in mail operation since Philpost operated as a government controlled and owned corporation, and during all the years of her management stint as Chief of the Mail Distribution Center, Region I.

“Top and middle management serves as referral to the competence, dedication to service and efficiency of Mrs. Marcelino. Under her stewardship and through her exerted efforts, the accomplishment of Postal Region I along mail operation, in terms of mail delivery and dispatch capability towards more efficient postal service is very promising.”

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The CSC-NCR commented on the appeal, as follows:

“Records show that Ms. Marcelino was issued temporary appointment effective February 21, 2001. The same, however, was disapproved on the ground that we provided said agency with a list of CES eligible from which a selection may be made . . .

“In his appeal, Postmaster General Nicasio P. Rodriguez, Jr. represented, among others, that within the organization, many holders of the Director II position whose appointments were approved as permanent by the Commission do not possess CES eligibility. It is also represented that the service of an insider like Ms. Marcelino is indispensable for Philpost to meet its targets in areas of mail operation. It is further represented that the accomplishment of Postal Region I, along mail operation, is very promising in terms of mail delivery and dispatch capability towards more efficient service and such is attributed to Ms. Marcelino’s competence, efficiency and dedication to the service.

“In view of the foregoing representations, we recommend approval of subject appointment.”

Records show that on February 21, 2001, Postmaster General Rodriguez, Jr. appointed Marcelino as Director II under temporary status. However, on March 14, 2001, said appointment was disapproved by the Civil Service Commission-National Capital Region on the ground that there are qualified eligibles for the said position. In fact, the CSC-NCR submitted a list of three eligibles for possible appointment.

Hence this appeal.

The sole issue to be resolved is whether the disapproval of the temporary appointment of Marcelino as Director II is in order.

Temporary appointment is one issued to a person who meets the education, experience and training requirements for the position to which he is being appointed except for the appropriate eligibility but only in the absence of a qualified eligible actually available, as certified to by the Civil Service Regional Director or Field Officer. The appointment shall not exceed twelve months, reckoned from the date it was issued but the appointee may be replaced sooner if a qualified eligible who is willing to accept the appointment becomes actually available.^[1]

In the present case, Marcelino lacks the required eligibility, Career Service Executive Eligibility (CSEE)/ Career Executive Service (CES)^[2], for the position of Director II. Moreover, the CSC-NCR submitted three names of qualified eligibles for the said position.

It should be emphasized that the Commission has set the qualification requirements for specific positions pursuant to the constitutional mandate that appointments in the civil service shall be made only according to merit and fitness. These qualifications are expressed in terms of relevant experience, education

and training as well as eligibility. [\[3\]](#)

Nevertheless, because of the distinct nature of the CES position, which is highly dependent on managerial and technical skills, appointing authorities are given enough discretion to appoint people on whom they have confidence and who they believe will be able to perform the expected duties and responsibilities. This is to differentiate the situation from the first and second level employees of the civil service where performance and eligibility are the basic factors for appointments. The sensitivity of the nature of work in the third level gives the appointing authorities the opportunity to exercise that power so as to protect the sensitivity of their own positions. [\[4\]](#)

In the present case, the Commission noted that Postmaster General Rodriguez, Jr. appointed Marcelino as Director II by virtue of her expertise and competence in the field of mail distribution. As represented by the Postmaster General Rodriguez, Jr., Marcelino raised the quality of service in PHILPOST Region I through her competence, dedication and efficiency. It must also be mentioned that although the appointee does not possess the required CES Eligibility, she already passed the Management Aptitude Test Battery or MATB given by the Career Executive Service Board. [\[5\]](#)

Therefore, although there are qualified eligibles to the subject position, the Commission finds the disapproval of the appointment of Marcelino under temporary status not in order. However, she is advised to acquire the required CES Eligibility as soon as possible.

WHEREFORE, the appeal of PHILPOST Postmaster General Nicasio P. Rodriguez, Jr. is hereby **GRANTED**. Accordingly, the disapproval of the temporary appointment of Victoria T. Marcelino as Director II is reversed. However, Marcelino is instructed to acquire the required CES Eligibility within a period of one (1) year, otherwise her temporary appointment will no longer be renewed.

Quezon City, **December 6, 2001**

(Signed)
KARINA CONSTANTINO-DAVID
Chairman

(Signed)
JOSE F. ERESTAIN, JR.
Commissioner

(Signed)
J. WALDEMAR V. VALMORES
Commissioner

Attested by:

(Signed)
ARIEL G. RONQUILLO
Director III

[1] Section 2 (b), Rule III of the Revised Omnibus Rules on Appointments and Other Personnel Actions (Civil Service Commission Memorandum Circular No. 40, s. 1998)

[2] Civil Service Commission Revised 1997 Qualification Standards Manual

[3] BALLESTEROS, Cristina, CSC Resolution No. 99-2629 dated December 2, 1999

[4] Speech of CESB Executive Director Normita L. Villanueva-National Convention of Career Executive Service Officer Convention

[5] Letter of CESB Executive Director Normita L. Villanueva to Marcelino dated June 21, 2000