

**ANDRADA, Lilia A.**

Re: Claim for Step Increment Benefits

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**RESOLUTION NO. 030227**

Lilia A. Andrada, Teacher I, Rosa L. Susano Novaliches Elementary School (RLSNES), Division of City Schools, 2nd District, Quezon City, in a letter dated July 17, 2002, requests the Commission in behalf of the provisional teachers in the Division of City Schools, Quezon City, to declare the services rendered by these teachers to be included in the computation of the service requirement relative to the grant of step increment. It may be recalled that Andrada made the instant request so that she can be entitled to step increment for the three-year service she rendered as a provisional teacher from 1981 to 1984. The pertinent portions of Andrada's letter read, as follows:

X X X

*"In behalf of the Provisional Teachers in the Division of City Schools, Quezon City, may I appeal to your good office regarding the Circular No. 1, S. 1990/ Rules and Regulations Governing the Grant of Step Increments to Deserving Officials and Government Employees due to the following reasons:*

*'1. The provisional teachers in the division of Quezon City were not given step increment and I am one among those teachers appealing for this benefit.*

*'2. Provisional teachers are receiving the same benefit like the regular permanent teachers because we have Pag-ibig, Life & Ret. (GSIS) Medicare, Supplemental Allowance, Clothing & Chalk Allowance, Productivity Pay, Mid-year and Year End Bonus including Proportional Vacation Pay during summer.*

*'3. In Rule 11 of Section 1 under b-Length of Service for those who have rendered continuous satisfactory service in a particular position for at least three (3) years are entitled for one step higher including the succeeding years.*

*'4. Based on information I gathered personally from the DBM NCR, provisional teachers under their division received their step increment whereas in our division no provisional teacher had received his or her increment.*

*'5. Last October 17, 1999 I worked hard for the implementation of our step increment by getting a copy of Circular No. 1, S. 1990 in Civil Service Kaliraya and presented personally to Mr. Genova our accountant in this division and he acted immediately for the implementation which made the permanent teachers very happy while the provisional teachers were very lonely.*

*'6. Attached x x x is my service record as a proof of my continuous services rendered without any gap since I became provisional in 1982 and as regular permanent in 1984.*

*"May I appeal once more that we, the provisional teachers shall be given step increment so that both the provisional and permanent teachers shall enjoy the same benefits."*

X X X

Of pertinent application to the instant request is **Joint Civil Service Commission and Department of Budget and Management Circular No. 1, series of 1990 (Rules and Regulations Governing the Grant of Step Increments to Deserving Officials and Employees of the Government)**, as amended by Joint CSC and DBM Circular No. 2 series of 1991 dated July 5, 1991, which provides:

X X X

*"RULE I. Coverage*

*"Section 1. These rules and regulations shall apply to all officials and employees in the national and local governments, including those in government owned and controlled corporations with original charters, state universities and colleges, judiciary and legislature, **who are appointed on a permanent status in the career and non-career service.**"*

X X X

*"RULE II. Selection Criteria*

*"Section 1. Step Increment shall be granted to all deserving officials and employees x x x based on the following criteria:*

*'(a) x x x*

*'(b) Length of Service – For those **who have rendered continuous service in a particular***

**position for at least three (3) years.**

*"RULE III. Step Increments*

*"Section 1. x x x*

***"Section 2. Length of Service. A one (1) step increment shall be granted to officials and employees for every three (3) years of continuous satisfactory service in the position.***

*"Years of service in the position shall include the following:*

*'(a) x x x*

*'(b) those rendered before the incumbent was transferred to another position within the same agency or to another agency without change in position title and salary allocation.*

*'In the initial implementation of step increments in 1990, an incumbent shall be granted step increments equivalent to one (1) step for every three (3) years of continuous satisfactory service in a given position occupied as of January 1, 1990.*

*x x x*

*"Rule VI*

*"Section 1. These Rules shall take effect January 1, 1990." (Emphasis supplied)*

*x x x*

It is explicit from the aforementioned Circular that, 'step increment based on either or both length of service and merit' can be availed of by an official or employee if the employee concerned has rendered continuous and satisfactory service in the same position within the same agency for the period of three years as of January 1, 1990. This means that the services rendered prior to January 1, 1990 shall be limited to only three (3) years immediately prior to said date. The rule further provides that, 'the grant of step increment applies only to officials and employees who are appointed in a permanent capacity.'

It appears that Andrada, who was appointed as Provisional Elementary Grade Teacher (EGT, now Teacher I) on February 6, 1981 and became a regular (permanent) Teacher I on December 31, 1984 to date, wanted the inclusion of the

three-year service she rendered as provisional teacher, i.e., from 1981-1984 in the computation of her service requirement for the grant of step increment.

After due deliberation, the Commission hereby rules to deny the instant request.

Nothing can be made clearer than the categorical language in Joint CSC-DBM Budget and Management Circular that *"In the initial implementation of step increments in 1990, an incumbent shall be granted step increments equivalent to one (1) step for every three (3) years of continuous satisfactory service in a given position occupied as of January 1, 1990"*. This means that only services rendered beginning 1987 shall be considered. To stretch it beyond the period provided is to unilaterally amend said issuance. Moreover, to grant Andrada's request will only open the floodgate of claims for step increment representing services rendered beyond the period fixed by the aforementioned circular. Precisely, the period in said circular was so fixed to limit claims for services rendered during the period provided.

While this Commission sympathizes with the plight of these provisional teachers, it cannot, however, without prior approval from the DBM unilaterally declare the inclusion of services beyond what the circular so provides. It bears stressing that the aforementioned Joint Circular merely implements **R.A. 6758 (Compensation and Position Classification Act of 1989)** and under **Joint Senate and House of Resolution No. 01 dated March 7, 1994**, the law as amended, provides that, 'step increments shall be granted x x x in accordance with the rules and regulations that will be promulgated by the Department of Budget and Management: Provided, That the incumbents shall retain their designated salary step upon the implementation of the revised system'.

**WHEREFORE**, the instant request of Lilia A. Andrada is hereby **DENIED**.

Quezon City, FEB 20 2003

(Original Signed)  
**JOSE F. ERESTAIN, JR.**  
Commissioner

(Original Signed)  
**KARINA CONSTANTINO-DAVID**  
Chairman

(O.B.)  
**J. WALDEMAR V. VALMORES**  
Commissioner

Attested by:

(Original Signed)  
**ARIEL G. RONQUILLO**  
Director III

<sup>1</sup>SANDIGANBAYAN, CSC Resolution No. 99-1654 dated July 28, 1999: 'Joint Senate and House Resolution No. 01, approved by then President Fidel V. Ramos on March 7, 1994, Section 15 of R.A. 6758 (Compensation and Position Classification Act of 1989) mandated the grant of step increments based on either or both length of service and merit including Joint CSC and DBM Circular No. 1, series of 1990 implementing the same, the law as revised no longer mandates the grant of merit step increment. Thus, government officials and employees who are already receiving longevity pay are no longer entitled to step increment as both benefits are now based on the same criterion. Otherwise, its grant to those who already enjoys longevity pay will lead to duplication of benefits.'

<sup>2</sup> URIARTE, Jr., Nicanor, OLIVIA, Anna Maria, CSC Resolution No. 001254 dated May 24, 2000: 'To determine whether or not service is continuous, it is not necessary to define what actual service is. Actual service refers to the period of continuous service since the appointment of official or employee concerned, including the period or periods covered by any previously approved leave with pay (Memorandum Circular No. 41, s. 1998. Appointment in this case means permanent appointment. 'Approved vacation leave with pay for an aggregate of fifteen (15) days shall not interrupt the continuity of the three-year service requirement for the grant of step increment. However, if the total number of unauthorized vacation leave without pay included within the three-year period exceeds fifteen (15) days, the grant of one-step increment will only be delayed for the same number of days that an official or an employee was absent without pay '(LIBO-ON, Manuel, CSC Resolution No. 00-2643 dated November 27, 2000.

<sup>3</sup> URBIZTONDO, Godolivo A., CSC Resolution No. 99-2398 dated October 25, 1999

<sup>4</sup>ANSING, Julieta P., CSC Resolution No. 00-1304 dated June 1, 2000; URIARTE, Jr., Nicanor, OLIVIA, Anna Maria, Ibid.

<sup>5</sup>As amended by Joint Senate and House Resolution No. 01, approved by President Fidel V. Ramos on March 7, 1994;

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