

Republika ng Pilipinas
(Republic of the Philippines)
KAGAWARAN NG EDUKASYON, KULTURA AT ISPORTS
(DEPARTMENT OF EDUCATION, CULTURE AND SPORTS)
UL Complex, Pasig, Metro Manila

February 5, 1993

DECS O R D E R
No. 8, s. 1993

DECS MERIT PROMOTION PLAN

To: Bureau Directors, Center Directors,
Regional Directors and Schools Superintendents,
Heads of Chartered State Colleges and Universities,
Heads of Community Colleges and Universities and
Vocational Schools.

Pursuant to the provisions of Section 32, Book V of Executive Order No. 292, otherwise known as the Administrative Code of 1987, Resolution No. 83-343 promulgating the revised rule on promotion, CSC Memorandum Circular No. 3, s. 1979 as amended by Memorandum Circular No. 18, s. 1988 and Memorandum Circular No. 38, s. 1989, this Merit Promotion Plan (MPP) is hereby established for the guidance of all concerned.

I. OBJECTIVES

It is the policy of the Department to strictly adhere to the merit principle of promoting employees on the basis of their relative qualifications and competence to perform the duties of the vacant position. In this pursuit, the Department Merit Promotion Plan aims to:

1. establish a promotion plan that is characterized by strict observance of the merit principle in the selection of employees for promotion to higher positions in the career service;
2. create equal opportunities for advancement to all qualified and competent employees in the Department; and
3. provide a guide for a speedy and fair adjudication of protests of employees against promotions.

II. SCOPE

This Merit Promotion Plan shall cover all positions in the administrative or non-academic staff of the Department classified under the first and second levels of the career service, including those in the regional and/or field offices.

111. DEFINITION OF TERMS

1. **Promotion** - means the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law and usually accompanied by an increase in salary.
2. **Merit Promotion** - is a systematic method of selecting employees for advancement or promotion on the basis of their qualifications, fitness and ability to perform the duties and assume the responsibilities of the position being filled.
3. **Career Service** - is a category of service in the Philippine Civil Service characterized by entrance to positions based on merit and fitness to be determined as far as practicable by competitive examinations or based on highly technical qualifications, opportunity for advancement to higher career positions and security of tenure.
4. **First Level** - shall include clerical, trades and crafts, and custodial service positions which involve sub-professional work in a non-supervisory or supervisory capacity requiring less than four (4) years of collegiate studies.
5. **Second Level** - shall include professional, technical and scientific positions which involve professional, technical and scientific work in a non-supervisory or supervisory capacity requiring at least four (4) years of college studies up to Division chief level.
6. **Next-in-Rank Position** - refers to a position which by reason of the hierarchical arrangement of positions in the Department is in the nearest degree of relationship to a higher position, taking into account the following:
 - (1) organizational structure/s as reflected in the approved organizational chart;
 - (2) salary grade allocation;
 - (3) classification and/or functional relationship of positions; and
 - (4) geographical location.The next-in-rank positions must be shown in the CSC approved System of Ranking Positions.
7. **Functional Relationship** - shall mean the correlation between the position to be filled and the position to be considered next-in-rank taking into consideration the duties and responsibilities of both positions.

8. **Geographical Location** - shall mean the location of the position to be filled and position/s to be considered next-in-rank to the same. If the position to be filled is in the first level, the determination of the next-in-rank positions may be limited in a particular Department where the position is.

For the second level positions, however, the determination of the next-in-rank positions shall be on an agency-wide basis regardless of the location of the position.

9. **Department** shall mean the entire Department of Education, Culture and Sports systems - Central Office, regional office, and other field offices.

10. **Qualified Next-in-Rank** - refers to an employee appointed on a permanent basis to a position previously determined to be next-in-rank to the vacancy proposed to be filled and who meets the requisites for appointment thereto as previously determined by the appointing authority and approved by the Commission.

11. **Open Positions** - refer to those positions that do not have any positions next-in-rank or residual positions of each level or group which may be filled by lateral/vertical entry.

12. **Promotional Lineup** - is a listing of incumbents of positions next-in-rank to a vacancy as well as those who, though not next-in-rank, are deemed qualified and competent together with all necessary information about each incumbent.

13. **Superior Qualifications** - shall mean an outstanding relevant work experience and specialized academic preparation or training appropriate for the position to be filled. It shall include an outstanding performance representing an extraordinary level of achievement and commitment in terms of quality and time, technical knowledge and skill, ingenuity, creativity and initiative, and demonstration of exceptional job mastery in all major areas of responsibility.

IV. BASIC POLICIES

i. When positions in the Career Service become vacant, all employees within the Department/Office, whether incumbents of next-in-rank positions or not, who meet the minimum education and experience requirements of the positions and who possess the appropriate civil service eligibility, may be considered for promotion. Employees who are incumbents of next-in-rank positions who meet the qualification requirements for the position to be filled and who are on scholarship grants/study grants/secondment either here or abroad may be considered for promotion. The performance rating

period prior to the scholarship grant shall be used as the basis for the promotion. Such performance rating should at least be Very Satisfactory.

2. As a general rule, when a position in the first level of the Career Service becomes vacant the employees in the department/office who are next-in-rank in the occupational group under which the vacant position is classified, and in other functionally related occupational groups and who are competent, qualified and with the appropriate civil service eligibility shall be considered for promotion.
3. When a position in the second level of the Career Service becomes vacant, the employees in the government service who are next-in-rank, occupy the next lower position in the occupational group under which the vacant position is classified and in other functionally related occupational groups, and who are competent, qualified and with appropriate civil service eligibility shall be considered for promotion.
4. In exceptional cases, however, the appointing authority may promote an employee who is not next-in-rank, but who possesses superior qualifications and competence compared to a next-in-rank employee who merely meets the minimum requirements for promotion to the position.
5. All candidates for promotion shall be screened by the Selection Board. The Selection Board shall be responsible for the adoption of a formal screening procedure and formulation of criteria for the evaluation of candidates for promotion.

Reasonable and valid standards and methods of evaluating the qualifications and competence of all employees competing for promotion to the same position shall be established and applied fairly and consistently.

The Selection Board shall have the following composition pursuant to MC # 12, s. 1988 as amended by MC # 32, s. 1989:

- a. The undersecretary for administration;
- b. The highest official of the department/agency directly responsible for personnel management;
- c. The head of the organizational unit which may be an Office, Department or Division where the vacancy is;
- d. A representative of the rank and file employees, one from the first level and one from the second level who shall both be chosen by the duly accredited employee association in the department or office, shall sit during the screening of

candidates for vacancies. The former shall sit during the screening of candidates for vacancies in the first level, while the latter shall participate in the screening of candidates for vacancies in the second level.

In case there is no accredited employee association in the department or office, the representatives shall be chosen at large by the employees through a general election to be called for the purpose who shall serve a term of two (2) years.

- e. The specific policies of the department such as academic standing as a factor in the consideration for promotion, date of assumption to duty, effectivity of promotion and others, may be subject of a collective negotiation by the duly accredited employee association, if any. In the absence of a duly accredited employee association, the DECS Secretary may create a committee with a representative of the rank and file employees to decide on the matter.
6. In filling new positions except at the lowest level, existing positions of the next lower position in the Department which are similar or allied to the new position shall be considered next-in-rank to the new position.
7. Lack of confidence shall not be accepted as a special reason for disqualifying an employee from promotion. The special reason must be real and substantial to be considered sufficient for his disqualification.
8. An employee who has a pending administrative case shall be disqualified for promotion during the pendency thereof.

If found guilty, he shall be disqualified for promotion for a period based on the penalty imposed as prescribed by the Commission.

A pending administrative case shall be construed as follows:

- a. when the appointing authority has already filed a formal charge; or
- b. in case of a complaint of a private person, a prima facie case is already found to exist by the disciplining authority.

V. PROCEDURES ON PROMOTION

The following procedures shall be observed in filling any vacant position whether in the first or second level of the career service.

1. The Human Resource Management Officer (Personnel Officer) concerned shall post in three (3) conspicuous places in their respective offices for a period of ten (10) days a complete list of all vacant positions which are authorized to be filled and shall submit a copy of said vacant positions and their corresponding qualification standards to the Civil Service Commission (CSC) in accordance with CSC MC No. 27, s. 1991 (Rules Implementing Republic Act No. 7041, Requiring the Regular Publication of Existing Vacant Positions in Government Offices).

The HRMO may also issue a Memorandum to all the employees of the Department informing them of all the vacancies to ensure that all interested and qualified employees can apply for the vacant position/s.

2. The Head of the office/unit where the vacancy exists, guided by the approved qualification standards of the vacant position/s, shall submit to the Human Resource Management Officer the names of all personnel in the office/unit who may qualify for promotion and indicate his choice to fill the vacancy, whether from within the office/unit or not.

The Human Resource Management Officer, on the basis of the System of Ranking Positions and the personnel qualifications index, shall identify other employees within the Department/Bureau who are deemed qualified and competent for promotion.

3. The Human Resource Management Officer, taking into consideration the qualification standards/job requirements of the vacant position, shall make a preliminary evaluation of the qualifications of all candidates and submit a promotional lineup to the Selection Board.

In preparing the list, the following steps shall be taken:

a. Listing of qualified candidates:

A list of applicants to the vacant position including the next-in-rank and the incumbent to the position within the Department/Office who are qualified and competent for promotion to the vacancy shall be drawn up.

The list shall also contain comparative information of their education and training, civil service eligibility, performance rating, experience and

outstanding accomplishments, physical characteristics, personality traits, and potential.

b. **Evaluating the candidates:**

To determine the comparative competence and qualifications of the candidates for promotion, they shall be compared on the basis of the following factors:

1. **Performance** - This shall be based on the last performance rating of the employee. No employee shall be considered for promotion unless such performance rating is at least very satisfactory.
2. **Education and/or Training** - These shall include educational background and the successful completion of training courses, scholarships, training grants and others. Such education and/or training must be relevant to the duties of the position to be filled.
3. **Experience and Outstanding Accomplishments** - These shall include occupational history, work experience and accomplishments worthy of special commendation.
4. **Physical Characteristics and Personality Traits** - These refer to the physical fitness, attitude and personality traits of the individual which must have a bearing on the position to be filled.
5. **Potential** - This is an estimate or prediction of an employee's capacity and ability to perform the duties of the position to be filled and those of higher or more responsible positions in the line of promotion. The prediction shall be based on past performance, educational qualifications and/or training, past work experience or occupational history and outstanding accomplishments, physical condition, attitude and aptitude and all other factors that may help in predicting the employee's ability to efficiently perform the duties of the position to which he shall be promoted and of other more responsible positions in the line of promotion.

4. The Selection Board shall then evaluate the qualifications of those employees included in the promotional lineup. In determining the degree of competence and qualifications of an employee, rules on promotion should be taken into account. If necessary, the Selection Board may prescribe the conduct of interview, selection test and/or other selection strategies, to effectively determine who are the most competent and qualified among the candidates. The Board shall then determine en banc the list of employees recommended for promotion from which the appointing

authority may choose the employees to be promoted. In preparing the list, the Board shall see to it that the qualifications of employees recommended for promotion are comparatively at par and that they are the best qualified from among the candidates.

a. In the case of field positions where the authority to appoint has not been delegated to the Regional Director, the Regional Selection Board shall submit to the Regional Director a list of candidates to be endorsed by him from among whom the Secretary shall select the person to be appointed. The Secretary may, in his discretion, refer the list of candidates submitted by the Regional Selection Board to the Central Office Personnel Selection Board for further screening and evaluation. In cases where the position to be filled is in the Regional Office and the authority to appoint is also delegated to the Regional Director, the list of candidates prepared by the Regional Selection Board shall be submitted to the Regional Director from which he may select the employee to be promoted to the position.

5. The appointing authority shall assess the merits of the Board's recommendation and appoint the employee he deems best qualified to fill the vacancy.

a. In the case of chartered cities, the appointing authority shall submit his/her recommendation for appointment to the President of the Philippines for approval.

6. As soon as the promotional appointment is issued, a notice announcing the promotion shall be posted by the head of the Personnel Division/Office on the Bulletin Board installed in the Department/Office for this purpose.

The Selection Board shall maintain records of deliberations which shall be available for inspection by the Commission or its duly authorized representatives.

VI. PROTEST

1. Who may file protest

Only a next-in-rank employee who is competent and qualified and who feels aggrieved may file a protest with the head of the Department or Office.

2. Form and Content of the Protest

The protest shall be written in clear, simple and concise language, in a systematic manner, and shall have a caption as shown in the inclosure. The aggrieved

party shall be called the "Protestant" and the proposed appointee, the "Protestee"; Provided: That where the Secretary/Director, after evaluation finally decides in favor of the protestant, the protestee who decides to file his protest shall be called the "Protestee-Appellant" and the former protestant, the "Protestant-Appellee".

The protest shall contain the following:

- a. The position contested including its item number and the salary per annum of both the protestant and the protestee;
- b. The full name, office, position and salary per annum of both the protestant and the protestee;
- c. The specifications of the protest;
- d. The comparative qualifications data of both the protestant and protestee showing their education and training, experience, outstanding accomplishments, civil service eligibility, latest performance rating accompanied by a certified true copy of the approved organizational chart/s of the Department/Office where either or both belong as well as the updated personal data sheets of the protestee and protestant.

3. When to file protest

The protest may be filed within fifteen (15) days from receipt of notice by the protestant of the issuance of the appointment or promotion.

Failure to file a protest within the prescribed period shall be deemed a waiver of one's right and no protest shall thereafter be entertained.

4. Procedure in Filing Protest

- a. The aggrieved party shall file his protest in triplicate directly to the Secretary/Director within the prescribed period.
- b. The Secretary/Director shall, within three (3) days from receipt of the protest, refer the same for comment to the recommending authority, - which comment shall be filed with the former within five (5) days. In case of failure on the part of the recommending authority to file his comment within the said period, the case shall be decided on the basis of the records at hand.
- c. The Secretary/Director shall decide a protest case within sixty (60) days from receipt of the protest.

d. Either party may, within fifteen (15) days without extension from receipt of the decision, file with the Secretary/Director a motion for reconsideration of the decision, which shall be decided upon within five (5) days from receipt thereof. Only one motion for reconsideration shall be entertained:

5. If the aggrieved party is not satisfied with the decision of the Secretary, he may appeal the decision within fifteen (15) days from receipt thereof to the Merit System Promotion Board (MSPB), Civil Service Commission (CSC). In the case of the decision rendered by the Regional Director, the aggrieved party who is not satisfied with the said decision may appeal the same to the Secretary within fifteen (15) days from receipt thereof. If he is still not satisfied with the decision of the Secretary, he may elevate his protest to the Merit System Promotion Board (MSPB), Civil Service Commission (CSC).

VII. MEC Order No. 52, s. 1986 is hereby amended and/or modified accordingly.

VIII. RESPONSIBILITY

The Human Resource Development Service shall be responsible for the publication and dissemination of copies of this Merit Promotion Plan, and its annexes to all Department/Office personnel after approval thereof of the Civil Service Commission. Also, the said Department/Office shall see to it that the proposals for promotions are in accordance with the provisions of the Merit Promotion Plan.

IX. EFFECTIVITY

This Merit Promotion Plan shall take effect upon its approval thereof by the Civil Service Commission. Any subsequent changes in, or amendments to this Merit Promotion Plan shall be subject to the approval of the Civil Service Commission and shall not take effect until six (6) months from the date of the approval.



ARMAND V. FABELLA
Secretary

Incl.:

As stated

Reference:

MEC Order No. 52; s. 1980.

Allotment: 1-2-3--(M.O. 1-87)

To be indicated in the Perpetual Index
under the following subjects:

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT
BOARD or COUNCIL
BUREAUS & OFFICES
EMPLOYEES
LEGISLATION
OFFICIALS
PROMOTION
QUALIFICATIONS
RULES & REGULATIONS
SALARY
SERVICE
TEACHERS

(Inclosure to DECS Order No. 8, s. 1993)

Republic of the Philippines
Department
Bureau/Agency

PROTEST/APPEAL

Name of Protestant/Protestee-Appellant

versus

Name of Protestee/Protestant-Appellee

CONTESTED POSITION

Position Title _____
Item No. _____ Page _____
Approp. Act/Resolution or Ord. No. _____
Authorized Salary ₱ _____ p.a.
Organizational Unit _____

Present Position of Protestant/Protestee -
Appellant _____

Position Title _____
Item No. _____ Page _____
Approp. Act/Resolution or Ord. No. _____
Actual Salary ₱ _____ p.a.
Organizational Unit _____

TG:

I hereby register my protest/appeal against the appointment of Protestee/Protestant-Appellee for the following reasons:

(State clearly the facts and grounds for the protest, in accordance with the pertinent provisions of PD 897 and Memorandum Circular No. 46, s. 1989 of the Civil Service Commission.)

Date

Signature