

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

May 20, 1988

DECS O R D E R  
No. 41, s. 1988

RULES OF PROCEDURE FOR APPEALS TO THE CIVIL SERVICE  
COMMISSION RELATIVE TO GOVERNMENT REORGANIZATION

To: Undersecretaries  
Assistant Secretaries  
Bureau Directors  
Cultural Agency Directors  
Regional Directors  
Schools Superintendents  
Presidents, State Colleges and Universities  
Heads of Units/Centers  
Vocational School Superintendents/Administrators

1. Inclosed are Civil Service Commission Memorandum Circular No. 7, s. 1988 and its inclosure on the rules of procedure for appeals of aggrieved or dissatisfied officers and employees affected by the government reorganization, which are self-explanatory. Please be guided accordingly.
2. Immediate dissemination of this Order to all concerned is desired.

(SGD-) LOURDES R. QUISUMBING  
Secretary

Incl.:  
As stated

Reference:  
None

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  
COMPLAINTS  
EMPLOYEES  
OFFICIALS  
REORGANIZATION  
RULES & REGULATIONS

(Inclosure to DECS Order No. 41, s. 1988)

Republika ng Pilipinas  
KOMISYON NG SERBISYO SIBIL  
(CIVIL SERVICE COMMISSION)  
Lungsod ng Quezon

MC 7, s. 1988

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS AND AGENCIES OF THE  
NATIONAL AND LOCAL GOVERNMENTS INCLUDING GOVERN-  
MENT OWNED AND/OR CONTROLLED CORPORATIONS

SUBJECT : Rules of Procedure for Appeals to the Civil Service  
Commission Relative to Government Reorganization

Pursuant to her Memorandum Circular dated October 2, 1987, the President of the Philippines directed each Department or Agency of the government which had undergone reorganization to constitute and operationalize a Reorganization Appeals Board on or before October 21, 1987, to review appeals and complaints of officials and employees affected by the reorganization. Moreover, the same Circular provided for the remedy of appeal from the decisions of these Reorganization Appeals Board to the Civil Service Commission.

In line with said mandated duty, the Civil Service Commission, in a Memorandum Order dated March 28, 1988, created a Task Force on Reorganization Appeals composed of two (2) divisions to assist the Commission proper in all stages of evaluation and in undertaking preliminary inquiries and/or conducting hearings on appeals properly brought before it.

Further, the Commission in its Resolution No. 88-135 dated April 8, 1988 (copy attached hereto) promulgated and adopted RULES OF PROCEDURE FOR APPEAL TO CIVIL SERVICE RELATIVE REORGANIZATION for every department, agency or instrumentality of the government authorized to reorganize pursuant to their respective executive orders.

By this Memorandum Circular, these Rules of Procedure which took effect on April 8, 1988, upon its promulgation and approval by the Civil Service Commission, are thus disseminated to all concerned for their guidance and information.

(SGD.) PATRICIA A. STO. TOMAS  
Chairman

A true copy

Republika ng Pilipinas  
KOMISYON NG SERBISYO SIBIL  
(CIVIL SERVICE COMMISSION)  
Lungsod ng Maynila

RESOLUTION NO. 88-135

WHEREAS, pursuant to Unnumbered Memorandum Circular dated October 2, 1987, the President directed each Department or Agency which had undergone reorganization to constitute a Reorganization Appeals Board (RAB) at the Central Office on or before October 21, 1987, to review or reconsider appeals or complaints relative to reorganization;

WHEREAS, the foregoing Memorandum Circular dated October 2, 1987 provides for the remedy of appeal from decisions of the Reorganization Appeals Board (RAB) of each Department or Agency to the Civil Service Commission;

WHEREAS, Memorandum Circular No. 5 dated March 17, 1988 of the Civil Service Commission prescribed supplemental guidelines on the placement of personnel in reorganized Departments/Agencies with a view of ensuring that the security of tenure of career service officers and employees in the civil service are protected in the implementation of all reorganization plans of the different departments or agencies of the government;

WHEREAS, Memorandum Order dated March 28, 1988 of the Civil Service Commission created a Task Force on Reorganization Appeals to assist the Commission in initially evaluating, undertaking preliminary inquiries and/or conducting hearing on appeals from decisions of the Reorganization Appeals Board (RAB) of the different Departments or Agencies of the Government filed with the Civil Service Commission by aggrieved or dissatisfied officers or employees affected by the reorganization;

NOW, THEREFORE, pursuant to Memorandum Circular dated October 2, 1987, of the Office of the President, the Commission resolved to adopt, as it hereby adopts the following RULES OF PROCEDURE FOR APPEALS TO THE CIVIL SERVICE COMMISSION RELATIVE TO REORGANIZATION:

Section 1. Objective. - These rules are promulgated to effect a speedy, fair and just resolution of appeals relative to the reorganization of the different Departments or Agencies as authorized under their respective Executive Orders.

Section 2. WHO MAY APPEAL; GROUNDS. - Any officer or employee who feels aggrieved or dissatisfied with the decision of the respective Reorganization Appeals Board (RAB) may file an appeal to the Commission within the period prescribed under Section 3 hereof.

Section 3. PERIOD FOR APPEAL. - The appeal from the decision of the Department/Agency Reorganization Appeals Board (RAB) shall be filed with the Commission by an aggrieved officer or employee within fifteen (15) days from receipt of said decision or within fifteen (15) days from March 17, 1988, the date of issuance of CSC Memorandum Circular No. 5, whichever is applicable.

Section 4. FORM AND CONTENT OF APPEAL. - The appeal shall be in writing and shall specifically set forth (a) the full name, address and Office of the appellant; (b) the date the appellant received the decision; (c) a concise statement of the material and relevant facts, the issues raised and the grounds relied upon. The appeal shall be accompanied with a certified true copy of the decision.

Section 5. WHEN APPEAL IS FILED. - The appeal is deemed filed, in case of personal delivery, on the date of receipt as shown thereon, and in case the same is sent by registered mail, on the date indicated by the postmark (stamped) on the envelope or on the postal registry receipt which shall be attached to the record.

Section 6. ACTIONS OF THE TASK FORCE ON REORGANIZATION APPEALS. The parties shall be given reasonable opportunity to present their sides to assure utmost objectivity and impartiality to the end that no injustice is committed. For said purpose, the Task Force on Reorganization Appeals shall determine and evaluate the evidence on record based on the issues raised and the grounds relied upon.

It shall require the particular Reorganization Appeals Board (RAB) to comment on the appeal within ten (10) days from receipt of the notice. It may, if circumstances warrant, conduct an inquiry, investigation or hearing. It may also invite the aggrieved party, the Reorganization Appeals Board (RAB) and/or any management official to appear before it to clarify specific and relevant issues.

For the expeditious and fair decision of appeals, the proceedings of the Task Force on Reorganization Appeals shall not be adversarial in nature but shall be conducted solely for the purpose of ascertaining the truth and without necessarily adhering to the technical rules applicable in judicial proceedings. Parties, may however, submit written memoranda/pleadings containing supplementary or further arguments.

Section 7. RECOMMENDATION OF THE TASK FORCE ON REORGANIZATION APPEALS. - The Task Force on Reorganization Appeals shall submit to the Commission within thirty (30) days from the date the case is submitted for decision, its findings and recommendation in the form of a resolution with an executive brief stating the facts, analysis and conclusion for deliberation and approval.

Section 8. DECISION. - The Commission shall render a decision on the appeal and shall furnish the parties concerned copies thereof.

Section 9. PETITION FOR RECONSIDERATION. - Any party adversely affected or not satisfied with the decision of the Commission may file a petition for reconsideration within fifteen (15) days from receipt of the decision. Only one (1) petition for reconsideration shall be allowed.