

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

August 25, 1989

DECS O R D E R
No. 79, s. 1989

MEASURES ADOPTED TO ENSURE THE IMPLEMENTATION OF FINAL DECISIONS/
RESOLUTIONS/ORDERS/RULINGS OF THE CIVIL SERVICE COMMISSION

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

1. Inclosed is a copy of Memorandum Circular No. 32, s. 1989, on the measures adopted to ensure implementation of final decisions, resolutions, orders or rulings, of the Civil Service Commission in disciplinary and non-disciplinary cases.
2. It is desired that this Order be brought to the attention of all concerned for their information and guidance.
3. Strict compliance is enjoined.

(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:

BUREAUS & OFFICES
EMPLOYEES
OFFICIALS

POLICY
RULES & REGULATIONS
SERVICE

(Inclosure to DECS Order No. 79, s. 1989)

Republika ng Pilipinas
KOMISYON NG SERBISYO SIBIL
(Civil Service Commission)
Lungsod ng Quezon

MC No. 32, s. 1989

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENTS, STATE COLLEGES AND UNIVERSITIES, INCLUDING GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT : Measure Adopted to Ensure Implementation of Final Decisions, Resolutions, Orders or Rulings of the Civil Service Commission

It has come to the attention of the Commission that a number of heads of Departments or Agencies or their deputies fail or refuse to implement or execute resolution/decision, order or ruling of the Commission, in disciplinary and non-disciplinary cases, which has become final and executory as no motion for reconsideration has been filed within the reglementary period of fifteen (15) days from receipt of a copy of said resolution, order or ruling, nor a restraining order or injunction has been issued by the Supreme Court pending resolution of a certiorari case brought before it. This failure to implement said decisions or rulings, has evidently prejudiced the rights of the parties concerned.

In line with its mandate under the 1987 Constitution to promote morale, efficiency, integrity, responsiveness and courtesy in the Civil Service, as the central personnel agency of the Government and in the effective exercise of its quasi-judicial responsibility, among others, the Commission hereby adopts the following remedial measures:

1. Any head or deputy of an office or agency who willfully and deliberately refuses or fails to implement or execute the final resolution/decision, order or ruling of this Commission within reasonable time to the prejudice of the party affected and the public service, shall be made liable for the payment of back salaries and other money benefits corresponding to the period of delay in the implementation of said resolution/decision, order or ruling. For this purpose, the Commission shall issue the necessary order.

2. The Commission may suspend official transactions with any delinquent office or agency, until said resolution/decision, order or ruling is implemented accordingly.
3. The Commission may disapprove the appointment of any person, other than the one who is finally adjudged as deserving for appointment to a contested position pursuant to its decision in a protest case, and/or revoke the conditional approval of an appointment, subject of a protest case which has been finally decided in favor of another person.
4. The Commission may employ and pursue civil, criminal and/or disciplinary actions as provided for under existing laws.

In meritorious cases, the Commission may file administrative complaints against erring officials or their deputies for conduct prejudicial to the best interest of the service and for such other grave offenses resulting from their willful failure or deliberate refusal to implement decisions, orders or rulings of this Commission. Additionally, the Commission may initiate special civil action against, or apply with the proper court for contempt of, said officials or their deputies.

It may also file the necessary criminal actions against these officials under existing laws, such as R. A. No. 3019, as amended, the Revised Penal Code, R. A. No. 6655 and R. A. No. 6713, among others.

For this purpose, all attorneys of the Merit Systems Protection Board, Office for Legal Affairs and of the Civil Service Regional or Field Offices are thus deputized to represent the Commission in cases before the courts and/or before administrative tribunals within their respective territorial jurisdiction.

This Memorandum shall take effect immediately.

Quezon City, August 2, 1989.

(SGD.) PATRICIA A. STO. TOMAS
Chairman

A true copy