

****Title:** The Provincial Government of Camarines Norte vs. Beatriz O. Gonzales (G.R. No. 180054)******

****Facts:****

Beatriz O. Gonzales was appointed as the provincial administrator of Camarines Norte on April 1, 1991, by Governor Roy A. Padilla, Jr., receiving a permanent appointment. In 1999, Governor Jess B. Pimentel charged Gonzales with gross insubordination, leading to an investigation that found her guilty, resulting in her dismissal. Gonzales appealed to the Civil Service Commission (CSC), which modified the decision to a six-month suspension. She served the suspension and sought reinstatement.

Governor Pimentel reinstated then immediately dismissed Gonzales for lack of confidence, referencing a CSC resolution that classified the provincial administrator position as highly confidential and coterminous in nature. Gonzales appealed, and the CSC directed her reinstatement again, recognizing her vested right to her position despite its reclassification. Governor Jesus O. Typoco, Jr., refused to reinstate Gonzales, leading her to file a petition with the CA, which supported the CSC's decision for her reinstatement.

****Issues:****

1. Whether the reclassification of the provincial administrator position from career service to primarily confidential by Congress through RA 7160 affected Gonzales's tenure and appointment.
2. Whether Gonzales has security of tenure over her position despite the reclassification.

****Court's Decision:****

The Supreme Court found the petition meritorious, reversing the CA's decision. It held that:

1. Congress validly reclassified the provincial administrator position to a primarily confidential, non-career position through RA 7160. This change, oriented towards empowering local governments, was within Congress's legislative prerogative.
2. Gonzales's security of tenure as a permanent appointee does not prevent the lawful reclassification of her position. The Court distinguished between the nature of the position, which may change, and the right to hold a position, protected by tenure but still subject to the position's nature.

****Doctrine:****

The lawful reclassification of a position by legislative action is a valid exercise of Congress's power, which does not violate the security of tenure of incumbents in the affected positions.

Security of tenure protects the right to hold a position but does not preclude changes to the nature of the position itself.

****Class Notes:****

- Security of tenure guarantees that government employees cannot be removed except for cause and after due process.
- The reclassification of positions from career to non-career service due to legislative changes does not infringe on security of tenure, provided the changes aim at the position and not the incumbent, and are made in good faith.
- The right to hold a position is subject to the nature of the position itself, which can change due to legislative action.

****Historical Background:****

The reclassification of the provincial administrator position was part of the Local Government Code of 1991 (RA 7160), a legislative move aimed at empowering local governments by decentralizing public service delivery. This significant shift reflected the Philippine government's broader agenda for local autonomy and governance reform, necessitating adjustments in existing civil service roles to better align with the new local governance framework.