

****Title:** Fernandez and De Lima vs. Sto. Tomas and Ereneta (312 Phil. 235)******

****Facts:****

Petitioners Salvador C. Fernandez and Anicia M. de Lima served as Directors at the Civil Service Commission's (CSC) central office in Quezon City. Fernandez was Director of the Office of Personnel Inspection and Audit (OPIA), and de Lima was Director of the Office of Personnel Relations (OPR). On June 7, 1994, CSC passed Resolution No. 94-3710, which reorganized offices within CSC's central office, merging OPIA, OPR, and the Office of Career Systems and Standards (OCSS) into the Research and Development Office (RDO). Other offices were renamed or had their functions reallocated among different units.

During a general assembly on July 28, 1994, CSC Chairman Patricia A. Sto. Tomas declared that the resolution would be implemented unless restrained by higher authority. Subsequently, office orders were issued reassigning Fernandez to Region V (Legaspi City) and de Lima to Region III (San Fernando, Pampanga). In response, the petitioners filed a Petition for Certiorari, Prohibition, and Mandamus with the Supreme Court, requesting the issuance of a Temporary Restraining Order (TRO) against the implementation of Resolution No. 94-3710.

The procedural journey includes:

1. ****August 23, 1994:**** The Court required respondents to comment on the petition.
2. ****September 21, 1994:**** Petitioners filed an Urgent Motion for the issuance of a TRO after receiving reassignment orders.
3. ****September 27, 1994:**** The Supreme Court granted the TRO requested by petitioners.
4. ****September 12, 1994:**** The CSC filed its comment on the petition, seeking to lift the TRO.
5. ****November 28, 1994:**** The Office of the Solicitor General filed a separate comment defending the resolution.
6. ****Subsequent Filings:**** Petitioners filed replies, and the respondents filed rejoinders.

****Issues:****

1. Did the CSC have the legal authority to issue Resolution No. 94-3710 merging OCSS, OPIA, and OPR to form the RDO?
2. Did Resolution No. 94-3710 violate the petitioners' constitutional right to security of tenure?

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

1. **Legal Authority of CSC to Issue Resolution No. 94-3710:** 15, 2006 (Case Brief / Digest)

- The Supreme Court ruled that the CSC was authorized to effect changes in its organization pursuant to Section 17 of Book V of the Revised Administrative Code of 1987. This provision empowered the CSC to reorganize as necessary.

- The resolution was found to streamline operations and improve public service. It reorganized the internal structure without terminating the employment of any officers or employees, thus not constituting the abolition of public offices which would require legislative authority.

2. **Right to Security of Tenure:**

- The Court held that reassignments mandated under Resolution No. 94-3710 did not violate the petitioners' constitutional right to security of tenure. Appointments within the CSC were to particular positions or ranks, not specific offices. Petitioners retained their rank, status, and salary, evidencing no diminution of their employment status.

- Reassignment is a management prerogative as per Section 26(7) of the Revised Administrative Code, which allows for reassignment within the same agency without reducing rank, status, or salary.

Doctrine:

- **Organizational Change Authority:** Administrative bodies can reorganize internal structures for efficiency under statutory authority, provided no laws or constitutional rights are violated.

- **Security of Tenure vs. Reassignment:** Security of tenure protects against removal without cause but does not preclude reassignment within the same rank/status provided no reduction in salary or rank occurs.

Class Notes:

- **Key Elements of Security of Tenure:**

- Defined by the constitutional right protecting public employees from removal/suspension without lawful cause.

- Does not prohibit reassignment that maintains rank and salary.

- **Delegation of Organizational Authority:**

- Statutory provisions enabling agencies to alter internal structures as necessary.

- Example: Book V, Title I, Subtitle A, Chapter 3 of the Revised Administrative Code of 1987.

- **Statutory Provisions:**

- Sec. 17, Book V, Revised Administrative Code (authority for organizational change).

- Sec. 26(7), Book V, Revised Administrative Code (management prerogative of

reassignment).

****Historical Background:****

This case is set against the backdrop of efforts to decentralize CSC operations, aligning Central Office functions with the distribution of regional and field offices. This organizational restructuring aimed to improve service delivery, reduce bottlenecks at the central office, and foster administrative efficiency across the commission's operations.