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SUPPLEMENTARY GUIDELINES TO CSC MEMORANDUM CIRCULAR NO. 29, S. 1992

CSC MEMORANDUM CIRCULAR NO. 36, September 03, 1992

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The Civil Service Commission, pursuant to its Resolution No. 92-1224 dated September 3, 1992 and mandate under RA 7430, “An Act Providing for the Optimum Utilization of Personnel in Government through a System of Attrition, Providing Penalties for Violation Thereof, and for Other Purposes”, promulgated Memorandum Circular No. 29, s. 1992 which authorized the filling up of certain positions in government without prior authority from the Commission. However, in view of numerous inquiries and requests for clarification, the Commission deems it necessary to promulgate the following supplementary guidelines in the implementation of the Attrition Law (RA 7430):

1. The “filling up of vacant positions in an agency by promotion of existing employees in the said agency”, as stated in item 1 of MC No. 29, s. 1992, shall now include filling up of any vacancy by transfer of “existing employees” from other government agencies. In such instances, no prior authority from this Commission is required. The term “existing employees” shall, however, be that as defined under Section 5(h) of the Rules Implementing the Provisions of Republic Act No. 7430. It reads as follows:

> "(h) Existing employees mentioned in Section 4(j) shall refer to all personnel in the career and non-career service who at the time of their appointment as `replacements’ are still employed in the government except the following:
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> 1. Those in Congress;
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> 2. Those in Judiciary;
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> 3. Those in local government units;
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> 4. Those in the teaching force; and
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> 5. Contractual personnel in local and foreign funded projects hired after the effectivity of these Rules."

2. The “personal or confidential staff” as mentioned in item 5 of the earlier Circular shall mean primarily confidential staff positions in all other offices in government. As such their filling up shall no longer require prior authority from the Commission.

It is however, clarified that positions may only be considered primarily confidential if it is so declared by law or prior declaration by the Commission.

3. Positions of Medical Technologies, X-ray Technicians, Medical Laboratory Technicians, Medical Equipment Technicians, Midwives, Pharmacists and Therapists in hospitals, clinics, and puericulture centers are vital and necessary in the health services. Hence, the filling up the said positions does not need prior authorization from the Commission.

This Memorandum Circular shall take effect immediately.

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Adopted: 3 Sept. 1992

(SGD.) PATRICIA A. STO. TOMAS
Chairman

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