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RULES, REGULATIONS AND PROCEDURES IN THE REASSIGNMENT AND DESIGNATION OF PERSONNEL AMENDING CMO 111-92

BOC MEMORANDUM ORDER NO. 30-98, August 05, 1998

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Pursuant to Executive Order No. 39, granting full autonomy to the Commissioner of Customs in matters of appointment, discipline of customs personnel and other related matters, and in order to facilitate such actions but without losing control thereof, the following authorities and guidelines concerning designation and reassignment of personnel are hereby prescribed:

1. The concept of reassignment as defined in Rule VII, Section 11 of the Omnibus Rules Implementing Book V of EO 292, defined as the movement of an employee from one organizational unit to another in the same agency not involving a reduction in rank, status or salary shall be considered and strictly adhered to when moving personnel.

2. Likewise, designation in acting capacity shall be issued only when the interest of the service so requires and if there are not enough regularly appointed customs employee available to meet the requirements of the service, in which case such designation shall not exceed ninety (90) days unless sooner terminated. This provision shall be so stated in the Customs Personnel Order.

3. In all cases of designations or reassignments, the consent of the Directors/District Collectors of both the releasing and receiving Service/Collection Districts shall be secured before any such order is issued.

4. To ensure that there will be no overstaffing in the different Collection Districts/Services and that the designation will be in accordance with rules, the following criteria shall be complied with by the Directors/District Collectors in recommending and/or accepting any employee for reassignment/designation:

a. The designee meets the minimum requirements of the position to which he/she is to be designated in terms of education, civil service eligibility & experience as certified by HRMD/Administrative Division.

b. The concerned employee has no pending administrative case as certified to by the Law Division/Legal Service.

c. The actual strength of the releasing and receiving office/port/division/subport shall not go beyond the 10% lower and upper limits, as the case maybe, of its authorized plantilla positions.

d. The job to be vacated can be assumed by somebody else without recommending for another reassignment/designation.

e. The transferee has a definite job/task waiting in the new unit without dislodging another employee.

f. The transferee has made proper turn-over and has been cleared of money, property and other liabilities by the releasing office/division/port.

5. However, when the interest or the exigency of the service so requires, the Commissioner even without the recommendation/comment as above stated may issue designation, reassignment or relief orders, the latter being the sole authority of the Commissioner.

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6. Approval of reassignment and designation orders shall be as follows:

6.1. Designation and reassignment orders of personnel from the level of Customs Operations Officer V, SG-20 and higher shall be approved by the Commissioner of Customs through the Deputy Commissioner for Internal Administration Group, the appropriate Customs Personnel Order to be prepared and numbered by the Human Resources Management Division, Administration Office, Office of the Commissioner after complying with the requirements as above stated.

6.2. Designation and reassignment orders of all personnel below the level of Customs Operations Officer V, SG-20 involving movement from one Service/Collection District to another shall be approved by the Deputy Commissioner for Internal Administration Group, the appropriate Customs Personnel Order to be prepared and numbered by the Human Resources Management Division, Administration Office, Office of the Commissioner after complying with the requirements as above stated.

6.3. Designation and reassignment of ESS and CIIS personnel involving movement within the ESS and CIIS units in the different Collection Districts/Ports shall be approved by the Deputy Commissioner for Intelligence and Enforcement Group, upon recommendation of the concerned Director and Division Chiefs and after complying with the relevant requirements as above stated. The appropriate IEG Customs Personnel Order to be prepared and numbered by the Administrative Unit of IEG, copy furnished HRMD for 201 file.

6.4. Designation and reassignment of personnel below the level of Customs Operations Officer V, SG-20 involving movement within the Collection District including its subports, shall be approved by the District Collector of Customs, after complying with the requirements as above stated. The appropriate District Customs Personnel Order shall be prepared and numbered by the District's Administrative Division, copy furnished HRMD for 201 file.

This order supersedes CMO 111-92 and shall take effect immediately.

Adopted: 05 Aug. 1998

(SGD.) PEDRO C. MENDOZA, JR.
Commissioner

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