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THE TRANSITORY GUIDELINES GOVERNING CESOS AND CES ELIGIBLES AFFECTED BY THE REVISED POLICY ON ORIGINAL AND PROMOTIONAL APPOINTMENT TO CAREER EXECUTIVE SERVICE (CES) RANKS PRIOR ...

CESB RESOLUTION NO. 455, NOVEMBER 5, 2002, November 05, 2002

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WHEREAS, Article IV, Part III of the Integrated Reorganization Plan, as approved by Presidential Decree No. 1, as amended dated September 24, 1972 created the Career Executive Service Board (CESB) to serve as the governing body of the Career Executive Service (CES) and is mandated to promulgate rules, standards, and procedures on the selection, classification, compensation, and career development of members of the Career Executive Service;

WHEREAS, the Board, by virtue of the powers vested upon it by Presidential Decree No. 1, came up with various policies, rules and regulations in its governance of the CES since its inception on September 24, 1972;

WHEREAS, in pursuance of the modified ranking structure and salary schedule in the CES provided under the Office of the President's Memorandum Order No. 372, s. 1991 dated July 3, 1991, the Board passed CESB Resolution No. 453, s. 2002 dated September 10, 2002 otherwise known as the Revised Policy on Original and Promotional Appointment to Career Executive Service (CES) Ranks prescribing new rules and procedures;

WHEREAS, in substantial departure from the old policy on appointment to CES ranks, where the specific CES rank to which a CES official is originally appointed is determined by the position the said official is currently holding at the time the appointment is made, CESB Resolution No. 453, s. 2002 provides that henceforth all original appointments to CES ranks shall start at CESO VI;

WHEREAS, major policy changes are also introduced in the adjustment to CES Ranks of CESOs appointed to higher CES positions upon the adoption of CESB Resolution No. 453, s. 2002 requiring that they meet certain criteria prior to their adjustment which is now referred to as promotion in CES ranks under the said resolution;

WHEREAS, there are CES Eligible occupying CES positions scheduled for appointment to CES ranks and CESOs due for adjustment or restoration of their CES ranks who will be affected by the new policy adopted by the Board on original and promotional appointment to CES ranks;

WHEREAS, Executive Order No. 200 dated June 18, 1987, which repealed Article 2 of the New Civil Code provides that "Laws shall take effect 15 days following the completion of their publication either in the Official Gazette or in a newspaper of general circulation in the Philippines, unless it is otherwise provided" and pursuant thereof all laws including administrative circulars, rules and regulations should be given prospective application;

WHEREAS, the Board, in its October 8, 2002 meeting decided that, in adherence to the prospectivity principle enshrined in the aforequoted law, all CES Eligible occupying CES positions and CESOs, who are set for adjustment or restoration of their CES ranks, and have completed all the requirements for appointment, adjustment or restoration of their CES ranks prior to the effectivity of CESB Resolution No. 453, s. 2002, shall be

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covered by the existing policies of the Board;

WHEREAS, in view of the new policy on original and promotional appointment to CES ranks, the Board also deemed it necessary to establish clear cut policy on security of tenure in the CES;

WHEREFORE, the abovementioned premises considered, the Board RESOLVES, as it is hereby RESOLVED, that all Career Executive Service (CES) Eligibles and Career Executive Service Officers (CESOs), who are due for recommendation by the Board for either appointment, adjustment, promotion or restoration of their CES ranks to the President, as the case may be, and are affected by the implementation of the Revised Policy on Original and Promotional Appointment to CES Ranks (CESB Resolution No. 453, s. 2002), shall be governed by the following transitory guidelines adopted by the Board;

1. All CESOs and CES Eligibles covered by this resolution are required to submit all the necessary requirements specified under existing policies before the Board recommends them for appointment, adjustment, promotion or restoration of their CES ranks to the President, as the case may be, not later than thirty (30) days from the effectivity of CESB Resolution No. 453, s. 2002.

2. Consequently, those who failed or refused to comply with the requirements within the time prescribed in the preceding paragraph, despite due notification, shall be recommended by the Board to the President either for appointment, adjustment, promotion or restoration of CES rank, whichever case may be, based on the rules and procedures expressed under the new policy adopted by the Board on original and promotional appointment to CES rank (CESB Resolution No. 453, s. 2002).

3. In the case, however, of adjustment to CES Ranks, the Board requires a CESPEC rating of “Very Satisfactory” in the year immediately preceding their request for the adjustment of their CES ranks. However, those who have obtained a CESPES rating of at least “Satisfactory” may still be recommended by the Board to the President for an adjustment of their CES ranks, provided they obtain an endorsement letter from the Department Secretary or Agency Head in lieu of the “Very Satisfactory” CESPES rating, and provided further that the said endorsement letter shall be secured by the CESO concerned within the period specified in item no. 1 of this resolution.

RESOLVED FURTHER, that the Board adopts the following rules in determining security of tenure in the Career Executive Service (CES) pursuant to CESB Resolution No. 453, s. 2002:

1. CESOs are those who were conferred CES Eligibility by the Board, assigned to a CES position, and appointed to a CES rank by the President upon recommendation by the Board;

2. Only CESOs regardless of the CES position they occupy or the rank level to which they are appointed to, are considered as permanent employees and are guaranteed security of tenure in the CES;

3. CESOs may only be separated from the service for cause, after due process or voluntary resignation, or dropping from the rolls.

RESOLVED FURTHERMORE, that this resolution shall take effect after fifteen (15) days from its publication in the Official Gazette or newspaper of general circulation in the Philippines.

Adopted: 5 Nov. 2002

(SGD.) KARINA CONSTANTINO-DAVID
Chairperson

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