

AUTHORIZING THE REEMPLOYMENT ON A CONTRACTUAL BASIS OF OFFICIALS OR EMPLOYEES WHO WERE SEPARATED FROM THE GOVERNMENT SERVICE DUE TO THE ABOLITION OF THEIR OFFICE BY VIRTUE OF TH...

PRESIDENTIAL DECREE NO. 366, January 03, 1974

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WHEREAS, several employees have been separated from the government service due to the abolition of their offices under the new Constitution;

WHEREAS, there is a policy to give priority to the reemployment of these government employees;

WHEREAS, Section 286 of the Revised Administrative Code and Section 2(c), Rule XVI, of the Civil Service Rules prohibit the reappointment or reemployment of employees who have commuted the money value of their leave unless they refund the money value of the unexpired portion of the commuted leave; and

WHEREAS, it is assumed that when these law and rule were promulgated the abolition of offices caused by a constitutional change was not contemplated;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, do hereby order and decree:

SECTION 1. Any provision of law, rule or regulation to the contrary notwithstanding, an official or employee who was separated from the service due to the abolition of an office by virtue of the new Constitution and whose leave of absence was commuted following said separation may be re-employed in the Government on a contractual basis without requiring him to refund the money value of the unexpired portion of the leave commuted. After the expiration of the period of the commuted leave, a regular appointment may be extended to the official or employee concerned for the position which he held on a contractual basis.

SEC. 2. This Decree shall take effect immediately.

Done in the City of Manila, this 3rd day of January, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

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