

ESTABLISHING THE SUPREME COURT HUMAN RESOURCE MERIT PROMOTION AND SELECTION PLAN (SCHRMPSP)

SC ADMINISTRATIVE CIRCULAR NO. 57-2018, April 03, 2018

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Pursuant to Section 32, Book V of Administrative Code of 1987 (Executive Order No. 292) and Civil Service Commission (CSC) Memorandum Circular No. 24, S. 2017, this Supreme Court Human Resource Merit Promotion and Selection Plan (SCHRMPSP) is hereby established for the guidance of all concerned.

I. OBJECTIVES

The SCHRMPSP aims to:

1. Establish a system that is characterized by strict observance of the merit, fitness and equality principles in the selection of employees for appointment to positions in the career service; and
2. Create equal employment opportunities to all qualified men and women for employment and career advancement in the Supreme Court or the Judiciary.

II. SCOPE AND COVERAGE

The SCHRMPSP shall cover career positions in the 1st and 2nd level or its equivalent in the Supreme Court (SC), the Presidential Electoral Tribunal (PET), the Philippine Judicial Academy (PHILJA), the Judicial and Bar Council (JBC), and the Mandatory Continuing Legal Education Office (MCLEO)

III. DEFINITION OF TERMS

As used in this Administrative Circular the following terms shall mean as follows:

Career Service - positions in the civil service characterized by (1) entrance based on merit and fitness to be determined as far as practicable by competitive examination, or based on highly technical qualifications; (2) opportunity for advancement to higher career positions; and (3) security of tenure.

Human Resource Action - any action denoting the movement or progress of human resource in the civil service such as promotion, transfer, reappointment, reinstatement, reemployment, reclassification, detail, reassignment, secondment, demotion and separation.

Promotion - the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary.

Selection —the systematic method of determining the merit and fitness of a person on the basis of qualifications and ability to perform the duties and responsibilities of the position.

Deep Selection - the process of selecting a candidate for appointment who is not next-in-rank but possesses superior qualifications and competence.

Selection Line-Up - a listing of qualified and competent applicants for consideration to a vacancy which includes, but not limited to, the comparative information of their education, experience, training, civil service eligibility, performance rating, relevant work accomplishments, physical characteristics, psycho-social attributes, personality traits and potential.

First Level Positions — those which involve non-professional or sub- professional work in a non-supervisory or supervisory capacity requiring less than four (4) years of college studies, such as clerical, trades and crafts, and custodial service positions.

Second Level Positions - those which involve professional or technical work in a non-supervisory or supervisory capacity up to Division Chief level including the positions of Assistant Superintendent of Printing Services, Court Attorney IV, and PHILJA Attorney IV.

Third Level Positions - those which are classified as highly technical and/or policy determining or confidential below that of Chief Justice and Associate Justices of the Supreme Court, including those in the PHILJA and JBC (AM No. 05-9-29-SC dated September 27, 2005), with Salary Grade 26 and above.

Next-in-Rank Position — a position which by reason of the hierarchical arrangement of positions in the agency or in the government is determined to be in the nearest degree of relationship to a higher position as contained in the agency's System of Ranking Positions (SRP).

Qualified Next-in-Rank - an employee appointed on a permanent status to a position next-in-rank to the vacancy as reflected in the SRP approved by the head of agency and who meets the requirements for appointment to the next higher position.

Qualification Standards - the minimum qualifications for a position which shall include education, experience, training, civil service eligibility, and physical characteristics and personality traits required in the performance of the job.

Job Requirements - requisites not limited to the qualification standards of the position but may include skills, competencies, potential, physical and psycho-social attributes necessary for the successful performance of the duties required of the position.

Education and Training - include educational background, successful completion of training courses accredited by the CSC, scholarships, training grants and other human resource development programs which must be relevant to the duties of the position to be filled.

Experience and Outstanding Accomplishments - include occupational history, relevant work experience acquired either from the government or private sector, and accomplishments worthy of special commendation.

Psycho-Social Attributes - the characteristics or traits of a person which involve both psychological and social aspects. Psychological attributes includes the way a person perceives things, ideas, beliefs and understanding and how a person acts and relates these things to others and in social situations.

Potential - the capacity and ability of a candidate to assume the duties of the position to be filled and those of higher or more responsible positions.

Superior Qualifications - any outstanding relevant work accomplishments, educational attainment and training appropriate for the position to be filled which shall include demonstration of exceptional job mastery and potential in major areas of responsibility.

Comparatively at Par - predetermined reasonable difference or gap between point scores of candidates for

appointment established by the SCHRMPS.

Discrimination - a situation wherein a qualified applicant is not included in the selection line-up on account of gender, civil status, pregnancy, disability, religion, ethnicity, or political affiliation.

System of Ranking Positions - is the hierarchical arrangement of positions from highest to lowest, which shall be a guide in determining which position is next-in-rank, taking into consideration the following:

- a. organizational structure;
- b. salary grade allocation;
- c. classification and functional relationship of positions; and
- d. geographical location.

Hiring Quota - the pre-determined ratio of applicants for appointment to ensure that one gender does not fall short of the desired percentage of the selection rate for the other gender in equivalent positions at every level, provided they meet the minimum requirements of the position.

IV. BASIC POLICIES

1. Selection of appointees shall be open to all qualified applicants according to the principle of merit, fitness and equality.

There shall be equal employment opportunities for men and women provided they meet the minimum requirements of the position to be filled.

There shall be no discrimination in the selection of employees on account of gender, civil status, disability, religion, ethnicity or political affiliation.

2. There shall be a Supreme Court Human Resource Merit Promotion and Selection Board (SCHRMPSB) for first and second level positions in the Supreme Court with the following composition:

Chairperson -(1) The Chief Administrative Officer

Members - (2) Chief, Personnel Division, Office of Administrative Services

(3) Chief, Office of Administrative Services, OCA

(4) Representative, Supreme Court Association of Lawyers-Employees, Inc. (SCALE) and one (1) alternate

(5) Two (2) representatives, Supreme Court Employees Association (SCEA), one (1) from the first level and one (1) from the second level, and their alternates, who shall both be chosen by the said Association

(6) Representative from the Office of the Clerk of Court

(7) Representative from the Office of the Chief Justice

(8) Head/Chief of the organizational unit where the vacancy exists or designated alternate.

The HRM Office/Unit shall perform Secretariat and Technical Support function to the SCHRMPSB. The incumbent Secretary and Secretariat shall remain as such.

The SCALE representative shall serve for a period of two (2) years and shall participate and vote only when the position involved is a lawyer- position.

The SCEA representative for first level positions shall participate and vote only when the position involved is in the first level, while the SCEA representative for second level positions shall participate only when the position

involved is in the second level. Both rank-and-file representatives shall serve for a period of two (2) years.

The Chiefs of Office shall participate only when the position involved belongs to his/her office.

3. The SCHRMPSP members, including the alternate representatives, shall undergo orientation and workshop on the selection and promotion process and CSC policies on appointments.

4. When a position covered by the SCHRMPSP becomes vacant, applicants selected for appointment thereto who are competent, qualified and possess the appropriate civil service eligibility shall be considered for permanent appointment.

5. Applicants to published and/or posted vacant positions must meet the education, experience, training, eligibility, and competency requirements prescribed in the Qualification Standards for the position at the time of application.

6. The SCHRMPSP shall maintain fairness and impartiality in the assessment of candidates for appointment. Towards this end, the SCHRMPSP may employ the assistance of external independent resource persons and may initiate innovative schemes in determining the best and most qualified candidate.

7. The comparative competence and qualification of candidates for appointment shall be determined on the bases of:

- a. Performance;
- b. Education and Training;
- c. Experience and Outstanding Accomplishments;
- d. Psycho-social attributes and Personality traits; and
- e. Potential.

8. No employee may be promoted to a position which is more than three (3) salary grades higher than the employee's present position, subject to the following exceptions:

- a. The position occupied by the person is next-in-rank to the vacant position as identified in the Merit Selection Plan and the System of Ranking Positions of the Court;
- b. The vacant position is a lone or entrance position, as indicated in the Court's staffing pattern;
- c. The vacant position is hard to fill;
- d. The vacant position is unique and/or highly specialized;
- e. The candidates passed through a deep selection process, taking into consideration the candidates superior qualifications in regard to:
 - Educational achievements
 - Highly specialized trainings
 - Relevant work experience
 - Consistent high performance rating/ranking
- f. The vacant position belongs to the closed career system;
- g. Other meritorious cases, such as:
 - when the appointee is the lone applicant who meets all the requirements of the position and passed through the deep selection process

- when the qualified next-in-rank employees waived their right over the vacant position in writing
- when the next-in-rank position, as identified in the Court's SRP is vacant
- when the next-in-rank employee/s is/are not qualified
- when the qualified next-in-rank employees did not apply.

9. An employee shall have rendered at least a very satisfactory service for the last two rating periods before being considered for promotion.

10. An employee who is on local or foreign scholarship or training grant or on maternity leave may be considered for promotion.

For this purpose, the performance ratings to be considered shall be the rating immediately prior to the scholarship or training grant or maternity leave; and if promoted, the effectivity date of the promotional appointment shall be upon assumption to duty after the scholarship, training or maternity leave.

11. Employees who have been meted administrative penalties shall be disqualified for promotion for a certain period of time pursuant to SC Memorandum Order No. 12-2002, as follows:

Penalty Period of Disqualification

Fine or Reprimand - 6 months

Suspension from 1 day to 1 month - 7 months

Suspension from 1 month and 1 day to 2 months - 8 months

Suspension from 2 months and 1 day to 3 months - 9 months

Suspension from 3 months and 1 day to 4 months - 10 months

Suspension from 4 months and 1 day to 5 months - 11 months

Suspension from 5 months and 1 day to 6 months - 1 year

Suspension from 6 months and 1 day to 1 year - 2 years

The period of suspension shall be reckoned from notice of the Court's resolution by the disciplined personnel.

12. An employee who has been found guilty of an administrative offense and imposed the penalty of demotion, suspension or fine shall be disqualified for promotion for the same period of suspension or fine. In the case of demotion, the period of disqualification for promotion shall be within one (1) year.

13. The SCHRMPBSB shall serve as the recommending body for appointment. However, final decision on whom to appoint shall be with the appointing officer/authority.

The SCHRMPBSB shall be primarily responsible for the judicious and objective selection of candidates for appointment in the agency in accordance with the approved Merit Selection Plan and shall recommend to the appointing officer/authority the top five (5) ranking applicants deemed most qualified for appointment to the vacant position.

14. The Chief Justice shall assess the merits of the SCHRMPBSB's recommendation for appointment and in the exercise of his/her sound discretion and with the concurrence of the Chairmen of the Divisions pursuant to A.M. No. 99-12-08-SC, select the appointee, in so far as practicable, from among the top five (5) ranking applicants

deemed most qualified for appointment to the vacant position.

15. The Chief Justice, with the concurrence of the Chairmen of the Divisions, may appoint an applicant who is ranked higher than those next-in-rank to the vacant position but who possesses superior qualification and competence evidenced by comparative ranking, and has undergone the selection process.

16. Promotion within six (6) months prior to compulsory retirement shall not be allowed except as otherwise provided by law.

17. A notice announcing the appointment of an employee shall be posted for at least fifteen (15) calendar days in three (3) conspicuous places within the Court's premises a day after the issuance of appointment.

18. The selection of appointees to the positions of Assistant Chief of Office, SC Senior Chief Staff Officer and other higher positions shall be made by the Chief Justice with the concurrence of the Chairmen of Divisions pursuant to A.M. No. 99-12-08-SC.

V. PROCEDURE

1. Publication of Vacant Positions

Upon written request of the Chief of Office concerned, the Secretariat of the SCHRMPSB shall cause the publication of the vacant positions to be filled in the CSC Bulletin of Vacant Positions or through other modes of publication. Likewise, notices of the vacancies shall be posted in three (3) conspicuous places in the Court's premises for at least ten (10) calendar days.

Vacant positions which are not filled within nine (9) months shall be re-published.

The following positions are exempt from the requirements of publication and posting of notices:

- a. Primarily confidential;
- b. Policy-determining;
- c. Highly technical;
- d. Coterminous with that of the appointing officer/authority, including other non-career positions such as contractual and casual; and,
- e. Reappointment (change of status to permanent) of those appointed on temporary status for Category II positions under CSC MC No. 11, s.1996, as amended;
- f. Those to be filled by existing regular employees in the SC in case of reorganization/rationalization.

2. Listing of AH Candidates for the Position

The Secretariat shall prepare a list of candidates aspiring for the vacant position, either from within or outside the agency.

3. Preliminary Evaluation of Qualifications

The Secretariat shall conduct preliminary evaluation of the qualifications of all candidates named in the list. Those initially found qualified shall be included in a selection line-up which shall also reflect the candidates' comparative competence and qualifications based on the following factors:

- a. performance;
- b. education and training;
- c. experience and outstanding accomplishments;
- d. psycho-social attributes and personality traits; and
- e. potential.

4. Notification of Outcome of Preliminary Evaluation

The Secretariat shall notify all applicants of the outcome of the preliminary evaluation through the posting of matrices.

5. Submission of Line-up to the SCHRMP SB

The Secretariat shall immediately submit the selection line-up to the SCHRMP SB for its deliberation.

6. Assessment of Competence and Qualification of Candidates

The SCHRMP SB shall be represented by at least the majority of its members during the deliberation of candidates for appointment. It shall make a systematic assessment of the competence and qualification of candidates for appointment. It shall evaluate and deliberate en banc the qualifications of those listed in the selection line-up.

7. Submission of Resolution containing the List of Candidates to the Chief Justice

The resolution containing the list of candidates recommended for appointment, from which the appointee will be chosen, shall be in the prescribed format, to be signed by all those who participated thereon, and to be submitted to the Office of the Chief Justice within ten (10) days from its approval by the SCHRMP SB.

The list of recommended candidates should reflect the comparative competence and qualification of the top five (5) ranking candidates.

8. Assessment and Selection by the Chief Justice

The Chief Justice shall assess the merits of the SCHRMP SB's recommendation for appointment; and, in the exercise of his/her sound discretion and with the concurrence of the Chairmen of the Divisions pursuant to A.M. No. 99-12-08-SC, select the candidate who is deemed most qualified for appointment to the vacant position.

9. Transmittal of Approved Authority

The approved authority for the appointment of the selected candidate, signed by the Chief Justice with the concurrence of the Chairmen of the Divisions pursuant to A.M. No. 99-12-08-SC, shall be transmitted to the Personnel Division, Office of Administrative Services (OAS), for the processing and preparation of the appointment papers.

10. Posting of a Notice Announcing the Appointment

A day after the Chief Justice has signed the appointment papers, the OAS shall post a notice announcing the appointment in three (3) conspicuous places within the Court's premises for at least fifteen (15) days. The date of posting should be indicated in the notice.

VI. PROTEST ON APPOINTMENTS

1. Only a qualified next-in-rank official or employee may file a protest against an appointment made in favor of another who does not possess the minimum qualification requirements. The qualified next-in-rank employee shall have the right to appeal to the Chief Justice.

2. Protest may be filed within fifteen (15) days from the announcement and/or posting of appointments subject to protest.

For this purpose, all appointments or promotions shall be duly announced and/or posted in bulletin boards or at conspicuous places in the Court within thirty (30) days or within a shorter period from the issuance of the

appointment as provided in the Supreme Court Merit Selection Plan (SCMSP).

VII. FUNCTIONS AND RESPONSIBILITIES

1. Personnel Division, Office of Administrative Services (OAS)

- a. Disseminate copies of the SCHRMPSP and its annexes to all personnel after approval thereof by the CSC;
- b. Conduct orientation on the SCHRMPSP within six (6) months upon approval thereof to ensure awareness and understanding of the Plan. A report on the same shall be submitted to the CSC Field Office concerned for record purposes;
- c. Develop a System of Ranking Positions (SRP) for approval by the Chief Justice, copy furnished the CSC and its Field Office concerned, for reference purposes;
- d. Develop and Maintain an updated qualification database of employees to include education, training, experience, skills, competencies, and other similar information; and
- e. Develop a program to fast track the career movement of employees with superior qualifications.

2. Secretariat, Supreme Court Human Resource Merit Promotion and Selection Board

The Secretariat, SCHRMPSP, shall have the following functions and responsibilities:

- a. Publish vacant positions in the CSC Bulletin of Vacant Positions or through other modes of publication and post the same in three (3) conspicuous places in the Court's premises for at least ten (10) calendar days;
- b. Conduct a preliminary evaluation of the qualification of all candidates; prepare a selection line-up and post the same in three (3) conspicuous places in the Court's premises for at least fifteen (15) calendar days;
- c. Prepare a list of candidates aspiring for the vacant position either within or outside the agency;
- d. Notify all applicants of the outcome of the preliminary evaluation through the posting of matrices;
- e. Submit the selection line-up to the SCHRMPSP for its deliberation en banc.

3. Employees

The employees shall be responsible for updating their Personal Data Sheet annually, if deemed necessary, and submit supporting documents thereto to the Personnel Division, OAS.

4. Supreme Court Human Resource Merit Promotion and Selection Board

The SCHRMPSP shall have the following functions and responsibilities:

- a. Adopt a formal screening procedure and formulate criteria for the evaluation of candidates for appointment, taking into consideration the following:
 - (1) Reasonable and valid standards and methods of evaluating the competence and qualifications of all applicants competing for a particular position; and
 - (2) Criteria for evaluation of qualifications of applicants for appointment which must suit the job requirements of the position.
- b. Disseminate screening procedure and criteria for selection and any modification thereof to all officials and employees and interested applicants;
- c. Prepare a systematic assessment of the competence and qualifications of candidates. Maintain fairness and

impartiality in the assessment of candidates. Towards this end, the SCHRMPSB may employ the assistance of external or independent resource persons and may initiate innovative schemes in determining the best and most qualified candidate;

d. Evaluate and deliberate en bane the qualifications of those listed in the selection line-up;

e. Submit, by resolution, the list of candidates recommended for appointment from which the Chief Justice, with the concurrence of the Chairmen of the Divisions, or the Court En Bane, shall choose the applicant to be appointed;

f. Maintain records of the deliberations which must be made accessible to interested parties upon written request and for inspection and audit by the CSC;

g. Orient the court officials and employees regarding policies relative to human resource actions.

VIII. EFFECTIVITY AND DISSEMINATION OF CIRCULAR

The SCHRMPSB herein established and the subsequent amendments thereto, if any, shall take effect immediately after approval by the Civil Service Commission (CSC).

Copies of this Administrative Circular shall be distributed by the Office of Administrative Services, SC, to the Offices of the Chief Justice and Associate Justices; the Offices of the Court Administrator (OCA) and the Clerk of Court; the Office of the Fiscal Management and Budget Office, the Management and Information Systems Office, and the Public Information Office of the Supreme Court; the Office of Administrative Services and the Financial Management Office of the OCA; the Philippine Judicial Academy; the Judicial and Bar Council; the Mandatory Continuing Legal Education Office; and the Supreme Court Human Resource Merit Promotion and Selection Board.

This supersedes Administrative Circular No. 37-2001A (Establishing the Supreme Court Merit Selection and Promotion Plan (SCMSPP) issued on August 21, 2001.

Issued this 03 day of April 2018.

On leave

(SGD.) MARIA LOURDES P.A. SERENO
Chief Justice

(SGD.) ANTONIO T. CARPIO
Associate Justice
Acting Chief Justice

(SGD.) PRESBITERO J. VELASCO, JR.
Associate Justice

(SGD.) TERESITA J. LEONARDO-DE CASTRO
Associate Justice

(SGD.) DIOSDADO M. PERALTA
Associate Justice

(SGD.) LUCAS P. BERSAMIN
Associate Justice

(SGD.) MARIANO C. DEL CASTILLO
Associate Justice

On official leave

(SGD.) ESTELA M. PERLAS-BERNABE
Associate Justice

(SGD.) MARVIC M.V.F. LEONEN
Associate Justice

(SGD.) FRANCIS H. JARDELEZA
Associate Justice

(SGD.) ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

(SGD.) SAMUEL R. MARTIRES
Associate Justice

(SGD.) NOEL GIMENEZ TIJAM
Associate Justice

On official leave

(SGD.) ANDRES B. REYES, JR.
Associate Justice

(SGD.) ALEXANDER G. GESMUNDO
Associate Justice

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