

Title: Dario v. Mison: Reorganization of the Bureau of Customs and Security of Tenure

Facts:

The case involves a series of petitions related to the reorganization of the Philippine government following the 1986 “People Power” Revolution under President Corazon Aquino. On March 25, 1986, President Aquino issued Proclamation No. 3, adopting a Provisional Constitution that included provisions to reorganize the government for efficiency, economy, and the eradication of graft and corruption. This was further implemented through various executive orders, such as Executive Order No. 17 and Executive Order No. 127, which reorganized the Bureau of Customs.

The petitioners, who were former officials and employees of the Bureau of Customs, contested their termination in early 1988 by Commissioner of Customs Salvador Mison, according to announcements and guidelines for the execution of reorganization plans. The Civil Service Commission (CSC) ordered their reinstatement, finding the separations illegal since they were not conducted according to accepted guidelines or good faith criteria. Commissioner Mison filed petitions to contest these resolutions and other related actions by the CSC.

Procedural Posture:

The case took a complicated procedural path through the judicial and administrative system. The CSC issued a resolution mandating the reinstatement of employees affected by the reorganization. Commissioner Mison’s motion for reconsideration was denied by the CSC. He subsequently filed certiorari petitions with the Supreme Court, challenging the CSC’s resolutions. These petitions were consolidated for the Court’s review.

Issues:

1. Whether the reorganization of the Bureau of Customs, carried out under Executive Order No. 127, was valid under the 1987 Constitution.
2. Whether the dismissals of Bureau of Customs employees constituted legal separations consistent with reorganization parameters.
3. Whether Republic Act No. 6656, protecting civil service employees’ tenure in government reorganization, applied retrospectively.

Court’s Decision:

1. The Supreme Court held that the reorganization under Executive Order No. 127 was valid, provided it adhered to good faith requirements and was genuinely aimed at enhancing

government efficiency and eradicating graft, as mandated by the Constitution. The Court emphasized that after the ratification of the 1987 Constitution, the principles of due process and security of tenure must be observed.

2. On the employees' terminations, the Court ruled them invalid due to the lack of genuine restructuring at the Bureau of Customs and failure to respect the procedural and substantive requirements for a legitimate reorganization. The separations were deemed not conducted in good faith.

3. The Court found Republic Act No. 6656 constitutional, affirming its intent to protect civil service employees' tenure during reorganizations, applied retrospectively, ensuring that employees affected by past reorganizations were accorded protection.

Doctrine:

- The Court reaffirmed the need for good faith in governmental reorganization, emphasizing the protections of due process and security of tenure enshrined in the 1987 Constitution.
- Republic Act No. 6656 provides a legislative framework protecting civil service employees from arbitrary dismissals during government reorganization.

Class Notes:

- Key concepts include "Reorganization," "Due Process," "Security of Tenure," and the application of constitutional protections during administrative restructuring.
- Relevant constitutional provisions: 1987 Constitution, Article IX-B, Section 2(3); Transitory Provisions, Section 16.
- Statutory provisions: Republic Act No. 6656.

Historical Background:

The case arose from the sweeping reforms initiated following the toppling of the Marcos regime and President Aquino's establishment of a revolutionary government. During this period, the emphasis was on governmental overhaul to ensure accountability and efficiency. This decision reflects the Supreme Court's balancing act between honoring these reforms and safeguarding employee rights within the context of early post-Marcos democratization efforts.