



Republic of the Philippines
CAREER EXECUTIVE SERVICE BOARD
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**Circular No. 6
Series of 2006**

- TO :** All Heads of Departments and Agencies of the National Government, Including Government-Owned or Controlled Corporations with Original Charters, and all Officials in the Career Executive Service
- SUBJECT :** RULES ON REASSIGNMENT AND TRANSFER OF CESOs WHO ARE PRESIDENTIAL APPOINTEES OCCUPYING CES POSITIONS

Pursuant to CESB Resolution No. 640 dated July 11, 2006, the Board hereby adopts the following Rules on Reassignment or Transfer of CESOs who are Presidential Appointees occupying CES Positions:

- 1. DEFINITION OF TERMS.** The terms provided hereunder shall be construed as follows:
 - a. **Career Executive Service Officers (CESOs)** refer to CES eligibles appointed to CES positions by the President, and upon recommendation by the Board, appointed to CESO ranks also by the President;
 - b. **Career Executive Service (CES) positions** refer to the positions of "Undersecretary, Assistant Secretary, Bureau Director, Assistant Bureau Director, Regional Director, Assistant Regional Director, Chief of Department Service and such other officers of equivalent rank as may be identified by the Board, all of whom are appointed by the President";
 - c. **Exigency of public service** refers to a situation where service is urgently needed and where any delay in its execution and delivery will adversely affect the outcome of the service to clients and its effective and efficient delivery;
 - d. **Reassignment** refers to the movement of CESOs appointed to CES positions from one organizational unit to another in the same department or agency covered by the CES, which does not involve the issuance of an appointment;

- e. **Transfer** refers to the movement of CESOs from one CES position to another, from one department or agency to another or from one organizational unit to another in the same department or agency without a break in service, which involves the issuance of an appointment.
- 2. **COVERAGE.** These rules shall apply to CESOs, who are appointed by the President to CES positions in various departments and agencies of the national government covered by the CES including those in government owned or controlled corporations with original charters.
- 3. **GUIDELINES ON THE REASSIGNMENT AND TRANSFER OF CESOs.** The reassignment and transfer of CESOs shall be made in accordance with the following guidelines:
 - a. It shall be made in the exigency of public service;
 - b. It shall be made to existing, vacant, and equivalent or higher CES plantilla positions, which require the same expertise possessed by the CESOs concerned;
 - c. It shall not result in the reduction of ranks or salaries including such other benefits, allowances and privileges received prior to their reassignment or transfer;
 - d. It shall be made not oftener than once in every two (2) years;
 - e. Reassignment to non-CES plantilla positions may be allowed in the exigency of public service; provided, that the same shall be made with a clear explanation on the specific assignment or work to be performed by the CESOs concerned; provided further, that the same shall be limited to a period of one (1) year, after which the CESOs concerned shall go back to their respective posts;
 - f. The existence of any or some of the following circumstances may be considered as evidence of bad faith in the reassignments or transfers made:
 - i. Reassignment or transfer of CESOs to perform duties and responsibilities inconsistent with the duties and responsibilities of their positions such as from a position of dignity to a more servile or menial job;
 - ii. Reassignment or transfer to an office not in the existing organizational structure;
 - iii. Reassignment or transfer to existing offices but the CESOs are not given any definite duties and responsibilities;
 - iv. Reassignment or transfer that is done indiscriminately or whimsically because the law is not intended as a convenient shield for the

appointing/disciplining authority to harass or oppress a subordinate on the pretext of advancing and promoting public interest; and,

v. Reassignment or transfer where CESOs are replaced by non-eligibles.

4. PROCEDURES. The reassignment or transfer of CESOs shall be in accordance with the following procedures:

a. The reassignment of CESOs shall be effected through office orders issued by duly authorized official/s at least thirty (30) days prior to its effectivity reckoned from the date of receipt of the said office order by the CESOs concerned. The reassignment orders shall indicate the justification for such reassignment. The Civil Service Commission shall be provided copies of the reassignment orders issued by the duly authorized official concerned; and

b. The transfer of CESOs shall be effected through the issuance of new appointments by the President. The CESOs, who are to be transferred shall be notified of their transfer to another office at least thirty (30) days prior to its effectivity.

5. If any section or part of this circular shall be held to be invalid, the remaining provisions shall be given full force and effect as if the part held invalid had not been included therein.

6. All existing CES rules and regulations, circulars and memoranda inconsistent with this circular are hereby repealed or amended accordingly.

CESB Resolution No. 640 was published on August 28, 2006 in the Official Gazette.

Signed
KARINA CONSTANTINO-DAVID
Chairperson

Attested by:

Signed
ARTURO M. LACHICA
OIC - Executive Director

September 15, 2006
Date