



Republic of the Philippines
CAREER EXECUTIVE SERVICE BOARD
No. 3 Marcelino Street, Holy Spirit Drive, Diliman, Quezon City
1127 Tel Nos. 951-4981 to 85 (Trunkline) / 951-3306 (Fax)
www.cesboard.gov.ph

**RULES ON REASSIGNMENT AND TRANSFER OF
CESOs WHO ARE PRESIDENTIAL APPOINTEES
OCCUPYING CES POSITIONS**

X-----X

Resolution No. 640

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

WHEREAS, Presidential Decree No. 1 provides that “depending upon their ranks, members of the Service shall be assigned to occupy positions of Undersecretary, Assistant Secretary, Bureau Director, Assistant Bureau Director, Regional Director, Assistant Regional Director, Chief of Department Service and other officers of equivalent rank as may be identified by the Board on the basis of the members’ functional expertise”;

WHEREAS, PD No. 1 further provides that any provision of law to the contrary, notwithstanding, members of the CES may be reassigned or transferred from one position to another, subject to certain conditions;

WHEREAS, such mobility will enable the government to utilize their services or special talents where these are most needed or will likely create the greatest impact and, therefore, this should not be employed as a management sanction or as a form of penalty against members of the CES;

WHEREAS, there is a need to promulgate policies and procedures that will ensure that reassignments or transfers in the CES are done in a fair and equitable manner;

NOW THEREFORE, foregoing premises considered, the Board **RESOLVES**, as it is hereby **RESOLVED**, to adopt the following rules governing the reassignment or transfer of Career Executive Service Officers (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. SEPARABILITY CLAUSE. If any section or part of this resolution 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. REPEALING CLAUSE. All existing CES rules and regulations, circulars and memoranda inconsistent with this resolution are hereby repealed or amended accordingly.

7. EFFECTIVITY. This resolution shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

RESOLVED FURTHER, that the Office of the President and the Civil Service Commission will be provided a copy of this policy resolution.

APPROVED this 11th day of July, 2006 in Quezon City, Philippines.

signed

KARINA CONSTANTINO-DAVID

Chair

signed

BERNARDO P. ABESAMIS

Member

signed

GODOFREDO C. DE GUZMAN

Member

signed

MARIA PAZ W. FORONDA

Member

signed

ELMOR D. JURIDICO

Member

signed

ANTONIO D. KALAW JR.

Member

signed

JAIRUS D. PAGUNTALAN

Member

CARINA S. VALERA

Member

Attested by:

signed

BETTINA MARGARITA S. LAYUGAN

Acting Board Secretary