



**CLASSIFYING THE FIVE (5) DIRECTOR
IV POSITIONS IN THE PRESIDENTIAL
COMMISSION ON GOOD
GOVERNMENT AS NON-CAREER
EXECUTIVE SERVICE (CES) POSITIONS**

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Resolution No. 1352

WHEREAS, Article IV, Part II of the Integrated Reorganization Plan provides that the Board shall promulgate rules, standards and procedures on the selection, classification, compensation and career development of members of the Career Executive Service (CES);

WHEREAS, under Career Executive Service Board (CESB) Resolution Number 799, Series of 2009, circularized in CESB Memorandum Circular Number 9, Series of 2009, the following positions were considered as part of the CES:

- a. The positions of Undersecretary, Assistant Secretary, Bureau Director, Assistant Bureau Director, Regional Director (department-wide and bureau-wide), and Chief of Department Service; and
- b. Unless provided otherwise, all other managerial or executive positions in the government, including government-owned or controlled corporations with original charters, provided they meet the following criteria:
 - i. The position is a career position;
 - ii. The position is above division chief level; and
 - iii. The duties and responsibilities of the position require the performance of executive and managerial functions.

WHEREAS, on 23 November 2010, the Supreme Court, in the case of Civil Service Commission vs. Court of Appeals and Philippine Charity Sweepstakes Office¹ limited the coverage of the CES to positions requiring Presidential appointments;

WHEREAS, CESB Resolution Number 945, Series of 2011 requires that a third-level position be subject to the appointing authority of the President for it to be classified as part of the CES;

¹ G.R. Number 185766 and 185767, 23 November 2010.

WHEREAS, the Presidential Commission on Good Government (PCGG) was created by virtue of Executive Order (EO) Number 1, Series of 1986 to assist the President in the following: (a) the recovery of all ill-gotten wealth accumulated by former President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates; (b) the investigation of graft and corruption cases as the President may assign from time to time; and (c) the adoption of safeguards to ensure that the above practices shall not be repeated in any manner and the institution of adequate measures to prevent the occurrence of corruption.

WHEREAS, EO 1 was amended by subsequent presidential issuances, namely: (a) EO 2, Series of 1986, which authorized the PCGG to request and appeal to foreign governments wherein any ill-gotten wealth may be found to freeze them and prevent their transfer pending the outcome of appropriate proceedings in the Philippines; (b) EO 13, Series of 1986, which declared the PCGG as a critical agency and exempted its personnel from the application of the rules and regulations of the Office of Compensation and Classification; and (c) EO 643, Series of 2007, which placed the PCGG under the administrative supervision of the Department of Justice (DOJ).

WHEREAS, the aforementioned presidential issuances contemplated the existence of the PCGG as a mere *ad hoc* agency;

WHEREAS, under Section 9, Chapter 2, Subtitle A, Title I, Book V of the Administrative Code, the non-career service is characterized by (a) entrance on bases other than those of the usual tests of merit and fitness utilized for the career service; and (b) tenure which is limited to a period specified by law, or which is coterminous with that of the appointing authority or subject to his pleasure, or which is limited to the duration of a particular project for which purpose employment was made;

WHEREAS, managerial and executive positions with a fixed term of office or for a particular project or purpose are excluded from the coverage of the CES under CESB Resolution Number 945, Series of 2011;

WHEREAS, the five (5) Director IV positions in the PCGG are therefore non-CES positions;

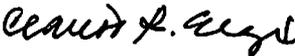
NOW, THEREFORE, the Board RESOLVES, as it hereby RESOLVED, to declare the five (5) Director IV positions in the PCGG as non-CES positions.

APPROVED this 22nd day of June 2017 in Quezon City, Philippines.


ALICIA dela ROSA-BALA, CESO I
Chairperson

CLASSIFYING THE FIVE (5) DIRECTOR IV POSITIONS IN THE PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT (PCGG) AS NON-CAREER EXECUTIVE SERVICE POSITIONS




CHARITO R. ELEGIR
Member

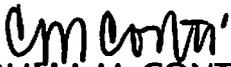

EVANGELINE C. CRUZADO
Member


ROLANDO L. METIN
Member

ELBA S. CRUZ
Member

ALBERTO A. BERNARDO
Member

Attested by:


CARMELA M. CONTI
Board Secretary III