



Republic of the Philippines
CAREER EXECUTIVE SERVICE BOARD

No. 3 Marcelino Street, Holy Spirit Drive, Diliman, Quezon City 1127
Tel. Nos. 9514981 to 85 (Trunkline) 9513306 (Fax)
website: www.cesboard.gov.ph



**CLASSIFYING THE POSITIONS OF ONE
(1) DEPUTY EXECUTIVE DIRECTOR IV;
TWENTY-TWO (22) DIRECTOR III; AND
TWENTY (20) DIRECTOR II AT THE
NATIONAL POLICE COMMISSION
(NAPOLCOM) AS CES POSITIONS**

X-----X

Resolution No. 1374

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 No. 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;

WHEREAS, on 13 December 1990 Republic Act (RA) No. 6975 was passed and created the Philippine National Police (PNP) under a reorganized Department of the Interior and Local Government (DILG);

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

WHEREAS, a new National Police Commission (NAPOLCOM) was created within the DILG “for the purpose of effectively discharging the functions prescribed in the Constitution and provided in the Act;”

WHEREAS, on 25 February 1998, the Congress passed into law RA 8551 entitled as the "Philippine National Police Reform and Reorganization Act of 1998," thus, amending RA 6975. This Act strengthened and expanded the Commission's authority over the PNP to include administration of police entrance examination, conduct of pre-charge investigation against police anomalies and irregularities and summary dismissal of erring police members;

WHEREAS, a study on the functions of the positions of one (1) Deputy Executive Director IV, twenty-two (22) Director III and twenty (20) Director II reveals that these positions perform executive and/or managerial functions, are above Division Chief level, and are neither with a term nor coterminous;

WHEREAS, the NAPOLCOM's charter is silent as to the appointing authority of the above-named positions;

WHEREAS, Section 16, Article VII of the 1987 Constitution provides that the President shall appoint officers of the Government whose appointments are not provided for by law;

WHEREAS, Section 16, Chapter 10, Book IV, Administrative Code of 1987 also provides that “Directors and Assistant Directors of Bureaus, Regional and Assistant Regional Directors, Department Service Chiefs, and their equivalents shall be appointed by the President in accordance with law, rules and regulations”;

WHEREAS, a perusal of the appointment papers of NAPOLCOM officials appointed to the subject positions reveals that it is the President of the Philippines who appointed them to these positions;

NOW, THEREFORE, the Board hereby **RESOLVES**, as it hereby **RESOLVED**, to declare the following forty-three (43) positions at the National Police Commission (NAPOLCOM) as CES positions:

1. One (1) Deputy Executive Director IV;
2. Twenty-Two (22) Director III; and
3. Twenty (20) Director II.

APPROVED this 20th day of October 2017 in Quezon City, Philippines.


ALICIA dela ROSA-BALA
Chairperson


EVANGELINE C. CRUZADO
Member


CHARITO R. ELEGIR
Member


ELBA S. CRUZ
Member


ROLANDO L. METIN
Member


ALBERTO A. BERNARDO
Member


ERWIN M. ENAD
Member

Attested by:


CARMELA M. CONTI
Board Secretary III



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**CLASSIFYING THE NEWLY CREATED
POSITION OF ONE (1) DEPARTMENT
ASSISTANT SECRETARY, WITH ITEM NUMBER
DASEC-2-2015, AT THE DEPARTMENT OF
BUDGET AND MANAGEMENT (DBM) AS A
CES POSITION**

X-----X

Resolution No. 1375

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, CESB Resolution Number 799, Series of 2009, defines the coverage of the CES, to wit: (a) the position is a career position; (b) the position is above Division Chief; and (c) the duties and responsibilities of the position requires the performance of executive and managerial functions;

WHEREAS, CESB Resolution Number 945, Series of 2011, clarified the coverage of the CES and has limited the coverage of the positions belonging to the CES to positions requiring Presidential appointments in harmony with the ruling of the Supreme Court in the case of CSC vs. CA and PCSO, G.R. No. 185766 and G.R. No. 185767;

WHEREAS, Executive Order No. 25, s. 1936 created the Department of Budget and Management (DBM), then known as Budget Commission, for the purpose of formulating and implementing the National Budget and ensuring the efficient and sound utilization of government resources to achieve the country's development objectives;

WHEREAS, Executive Order No. 25, s. 1936 does not provide for the appointing authority of the Assistant Secretary;

WHEREAS, Book IV, Chapter 10, Section 46, Executive Order No. 292, otherwise known as the "1987 Revised Administrative Code of Philippines," provides for the appointment of the Assistant Secretary by the President;

WHEREAS, a study on the functions of the Department Assistant Secretary position indicates that this position performs executive and/or managerial functions, is above Division Chief level, and is not for a specified term or coterminous; hence, a CES position;

NOW, THEREFORE, the Board hereby **RESOLVES,** as it is hereby **RESOLVED,** to classify the newly created position of one (1) Department Assistant Secretary, with item number DASEC-2-2015, at the DBM as a CES position.

APPROVED this 20th day of October 2017 in Quezon City, Philippines.



ALICIA dela ROSA-BALA
Chairperson


EVANGELINE C. CRUZADO
Member


CHARITO R. ELEGIR
Member


ELBA S. CRUZ
Member


ROLANDO L. METIN
Member


ALBERTO A. BERNARDO
Member


ERWIN M. ENAD
Member

Attested by:


CARMELA M. CONTI
Board Secretary III