



2017 Human Resource Merit Promotion and Selection for Administrative or Non- Teaching Personnel of Eastern Visayas State University

**(2017- EVSU HRMPS-ANTP)
MANUAL**

Approved per Board Resolution
No. 27, s. 2018 on March 21, 2018
by the EVSU Board of Regents.



**2017 Human Resource Merit Promotion and Selection for
Administrative or Non-Teaching Personnel of Eastern
Visayas State University (EVSU-2017 HRMPS-ANTP) Manual**

ISBN: 978-621-8102-06-4
(Approved per BOR Reso. No. 27, s. 2018)

Preface

This 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual is comprehensively crafted with the ultimate goal of making it consistent with and contributory to the proper, effective and efficient implementation of the mandates under paragraph 2, Section 5 of Article XIV of the 1987 Philippine Constitution, Item No. 2, Section 7, Book V of Executive Order (E.O) No. 292, MC No. 38, s. 1993 dated September 10, 1993, CSC Resolution No. 1701009 promulgated on June 16, 2017 circularized pursuant to MC No. 24, s. 2017, CSC Resolution No. 010114 dated January 10, 2001 circularized through MC No. 03, s. 2001, Section 7(i) of R.A. No. 9311, Section 5 of R.A. No. 8292 and its IRR, and Section 393, Article 94 of the 2017 Revised University Code, such policies issued by the Civil Service Commission, Commission on Higher Education, Department of Budget and Management, Commission on Audit, and related laws, rules and regulations promulgated by the President of the Philippines, Congress of the Philippines, and such government agencies concerned including the jurisprudence or doctrines enunciated by the Supreme Court of the Philippines.

The EVSU-2017 HRMPS-ANTP Manual is organized according to the relevance and similarity of the provisions, and is comprised of 15 Chapters, 58 Articles and 244 Sections. These parts were organized according to the nature and purposes of the provisions with the end view of facilitating the understanding and interpretation by the officials, administrative or non-teaching personnel or employees of the University.

This EVSU-2017 HRMPS-ANTP Manual clearly embodies the noble resolve of the EVSU Board of Regents to give the making its officials, administrative or non-teaching personnel or employees as role models and exemplar public employees in continually achieving highest integrity, honesty, decency, accountability, transparency and genuine compassion in government services. Along with the mandates and four-fold functions, vision, mission, objectives and goals of the University, all officials, administrative or non-teaching personnel or employees must adhere to the standards and requirements relative to selection, promotion and human resource actions as their potent contributions in producing world class students, graduates, professionals, and leaders in various fields of specializations.

Indeed, this EVSU-2017 HRMPS-ANTP Manual promotes and upholds meritocracy, professionalism and total development of the officials, administrative or non-teaching personnel or employees of the University.

BY THE AUTHORITY OF THE EVSU BOARD OF REGENTS:

DOMINADOR O. AGUIRRE, JR., D.M.
University President III
Vice Chair, EVSU Board of Regents

J. PROSPERO E. DE VERA III, D.P.A.
Commissioner/Officer-In-Charge
Commission on Higher Education
Chairperson, EVSU Board of Regents



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

Board Resolution No. 27

Series of 2018

RESOLUTION APPROVING/ADOPTING THE 2017 HUMAN RESOURCE MERIT PROMOTION AND SELECTION FOR ADMINISTRATIVE OR NON-TEACHING PERSONNEL OF EASTERN VISAYAS STATE UNIVERSITY OR THE EVSU-2017 HRMPS-ANTP MANUAL (COPY HERETO ATTACHED AS INTEGRAL PART HEREOF), EFFECTIVE IMMEDIATELY UPON APPROVAL, SUBJECT TO APPLICABLE LAWS, RULES AND REGULATIONS

Adopted this 21st day of March 2018 pursuant to Board Resolution No. 27, s. 2018 approved during the 74th Regular Board Meeting (First Quarter, CY 2018) held at the at the Commission on Higher Education, Conference Room, 4th Floor, Higher Education Development Center Building, C.P. Garcia Ave., UP Campus, Diliman, Quezon City.

J. PROSPERO E. DE VERA III, D.P.A.

*CHED Commissioner
Chair, EVSU Board of Regents*

DOMINADOR O. AGUIRRE, JR., D.M.

*University President III
Vice Chair, EVSU Board of Regents*

FRANCIS JOSEPH G. ESCUDERO

*Chair, Committee on Education
Senate of the Philippines
Member*

ANN K. HOFER

*Chair, Committee on Higher & Technical Education
House of Representatives
Member*

Represented by:

Represented by:

FRANCES ANN BASILIO PETILLA

FLORENCIO "BEM" GABRIEL NOEL

EDGARDO M. ESPERANCILLA, CESO II

*Regional Director, DOST-Region VIII
Member*

BONIFACIO G. UY, CESO IV

*Regional Director, NEDA-Region VIII
Member*

ROGELIO D. BASAS

*President, Federation of EVSU Faculty
Association, Inc.
Member*

MICHAEL L. MUZONES

*President, Federation of Supreme Student
Governments of EVSU
Member*

RAUL S. SOLIVA

*President, Federation of Alumni Associations
of EVSU, Inc.
Member*

PACIENTE A. CORDERO, JR., D.Sc.

*Private Sector Representative
Member*

Certified Correct:

DANIEL A. ARIASO SR., CESO II

*Private Sector Representative
Member*

ANALYN C. ESPAÑO, M.A.
Board/University Secretary



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

Board Committee on Finance

FOR: THE HONORABLE CHAIR AND MEMBERS
EVSU Board of Regents, Tacloban City

THRU: DR. DOMINADOR O. AGUIRRE, JR.
University President III

SUBJECT: Committee Report

FROM: Board Committee on Finance

=====

The Board Committee on Finance, to which the **2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual** (*copy hereto attached as integral part hereof*) has been referred to for further review and evaluation, and after presentation by the Board Committee on Draft Writing and Review of Policies and Rules (*formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees*) Chaired by Regent Daniel A. Ariaso Sr., hereby respectfully submits its findings and recommendations, to wit:

1. The provisions of the subject **EVSU-2017 HRMPS-ANTP Manual** were found to be consistent and compliant to applicable laws, rules and regulations; and
2. The Committee strongly recommends for the immediate approval/adoption and implementation of the said **EVSU-2017 HRMPS-ANTP Manual**.

Adopted this 3rd day of December 2017 during the Committee Meeting held at Regional Director, DOST-Regional Office No. VIII, Candahug, Palo, Leyte.

BONIFACIO G. UY, CESO IV

*Regional Director, NEDA-Region VIII/Member, EVSU Board of Regents
Committee Chair & Presiding Officer*

DOMINADOR O. AGUIRRE, JR., D.M.
*University President III
Vice Chair, EVSU Board of Regents
Committee Vice Chair*

EDGARDO M. ESPERANCILLA, CESO II
*Regional Director, DOST-Region VIII
Member, EVSU Board of Regents
Member, Board Committee*

ROGELIO D. BASAS

President, Federation of EVSU Faculty
Association, Inc.
Member, Board Committee

MICHAEL L. MUZONES

President, Federation of Student
Governments of EVSU
Member, Board Committee

Certified Correct:

ANALYN C. ESPAÑO, M.A.

Associate Professor III
Board/University Secretary
Committee Secretary



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

Board Committee on Academic and Administration

FOR: THE HONORABLE CHAIR AND MEMBERS
EVSU Board of Regents, Tacloban City

THRU: DR. DOMINADOR O. AGUIRRE, JR.
University President III

SUBJECT: Committee Report

FROM: Board Committee on Academic and Administration

=====

The Board Committee on Academic and Administration, to which the **2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual** (*copy hereto attached as integral part hereof*) has been referred to for further review and evaluation, and after presentation by the Board Committee on Draft Writing and Review of Policies and Rules (*formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees*) Chaired by Regent Daniel A. Ariaso Sr., hereby respectfully submits its findings and recommendations, to wit:

1. The provisions of the subject **EVSU-2017 HRMPS-ANTP Manual** were found to be consistent and compliant to applicable laws, rules and regulations; and
2. The Committee strongly recommends for the immediate approval/adoption and implementation of the said **EVSU-2017 HRMPS-ANTP Manual**.

Adopted this 3rd day of December 2017 during the Committee Meeting held at Regional Director, DOST-Regional Office No. VIII, Candahug, Palo, Leyte.

EDGARDO M. ESPERANCILLA, CESO II

*Regional Director, DOST-Region VIII/Member, EVSU Board of Regents
Committee Chair & Presiding Officer*

DOMINADOR O. AGUIRRE, JR., D.M.

*University President III
Vice Chair, EVSU Board of Regents
Committee Vice Chair*

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*Regional Director, NEDA-Region VIII
Member, EVSU-Board of Regents
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Member, Board Committee

Certified Correct:

ANALYN C. ESPAÑO, M.A.

Associate Professor III
Board/University Secretary
Committee Secretary



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

**Board Committee on Draft Writing and Review of Policies and Rules
(PWRPR)**

**(formerly Board Committee on Review of Policies, Fees, Incentives
and Assistance for Students and Employees)**

FOR: THE HONORABLE CHAIR AND MEMBERS
EVSU Board of Regents, Tacloban City

THRU: DR. DOMINADOR O. AGUIRRE, JR.
University President III

SUBJECT: Committee Report No. 5, s. 2018

**FROM: Board Committee on Draft Writing and Review of Policies and
Rules (formerly Board Committee on Review of Policies, Fees,
Incentives and Assistance for Students & Employees)**

=====

The Board Committee on Draft Writing and Review of Policies and Rules (formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees), to which the **2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual** (copy hereto attached as integral part hereof) has been referred to for drafting, study, review and evaluation, hereby submit its report and recommendations, to wit:

1. The draft **EVSU-2017 HRMPS-ANTP Manual** has been submitted to and discussed with the stakeholders or sectors on the schedules and venues, as follows:

1.1. Stakeholders' Consultations and Committee Meetings:

Dates	Time	Campuses	Number of Participants
May 18, 2017	9:00AM-12:30PM	EVSU Tanauan Campus	26
May 24, 2017	9:00AM-3:00PM	EVSU Ormoc Campus	53
May 27, 2017	9:00AM-3:00PM	EVSU Main campus	90
June 8, 2017	8:20AM-12:20PM	EVSU Tanauan Campus	70
June 9, 2017	9:00AM-12:30PM	EVSU Carigara Campus	72
June 13, 2017	8:00AM-12:00NN	EVSU Main Campus	35
June 24, 2017	9:30AM-5:30PM	EVSU Main Campus	140
June 28, 2017	8:00AM-10:00AM	EVSU Burauen Campus	26
	11:00AM-2:00PM	EVSU Carigara Campus	39
	3:00PM-6:00PM	EVSU Ormoc Campus	86

August 23, 2017	3:00PM-5:00PM	EVSU Main Campus	74
September 6, 2017	8:00AM-10:00AM	EVSU Main Campus	78
November 2, 2017	8:00AM-12:00NN	EVSU Main Campus	46
	11:00AM-1:00PM	EVSU Burauen Campus	47
	3:30PM-5:30PM	EVSU Carigara Campus	49
November 3, 2017	8:00AM-5:00PM	EVSU Ormoc Campus	76
November 4, 2017	8:30AM-4:00PM	EVSU Main Campus	67

1.2. Sectoral Focus Group Discussions (FGD) and Committee Meetings:

Sector/s	Dates	Time	Venue	Number of Participants
Student	August 22, 2017	9:00AM-12:00NN	Executive House, EVSU Main Campus	88
Vice Presidents, College Deans, Campus Directors	August 22, 2017	1:30PM-4:00PM	Executive House, EVSU Main Campus	68
Academic Department Heads, Non-Teaching Personnel	September 6, 2017	4:00PM-5:30PM	Executive House, EVSU Main Campus	70
Alumni and Industry	August 22, 2017	4:00PM-5:30PM	Executive House, EVSU Main Campus	30
Students and Parents	August 22, 2017	4:00PM-5:30PM	Executive House, EVSU Main Campus	49
	September 6, 2017	8:00AM-12:00NN	Graduate School, Function Room, EVSU Main Campus	35

The participants in the foregoing activities were selected by their respective officials or associations' officers, as the case may be.

2. The draft of the **EVSU-2017 HRMPS-ANTP Manual** was submitted to the Civil Service Commission (CSC and Department of Budget and Management (DBM) Regional Office No. VIII for evaluation pursuant to existing laws, rules and regulations;
3. The draft of the **EVSU-2017 HRMPS-ANTP Manual** was published in the EVSU website for wide dissemination to and solicitation of inputs, comments and refinements to thereof;
4. The Committee presented the foregoing draft Manual to the EVSU BOR during its 73rd Regular (Fourth Quarter) Board Meeting, held on December 8, 2017 at Granda Manor, Juan Luna cor. Gomez St., Tacloban City, with the following manifestations:
 - 4.1. The draft Manual was endorsed by the EVSU-Administrative Council, and EVSU-Academic Council on November 22, 2017; and

- 4.2. Following the process done by the EVSU BOR to the 2017 Revised University Code¹, 2017 Program on Awards and Incentives for Service Excellence (PRAISE) System of the University Manual² and 2017 Peoples' Freedom of Information of the University Manual³, the Committee strongly recommended to give the Regents, officials, faculty members, non-teaching personnel, students and stakeholders to submit their individual or collective comments, inputs to suggestions to the draft Manual and the same be submitted to the Office of the University President and/or University/Board Secretary and to the Committee for consolidation on or before December 31, 2017;
5. In view of the manifestations in item 4 above, the EVSU BOR passed Resolution No. 174, s. 2017 and duly executed by the University President per Memorandum Order No. 12-02, s. 2017 issued on December 11, 2017⁴;
6. Due to a series of tropical storms namely, Urduja, Vinta and Agaton, had struck Eastern Visayas Region from December 18, 2017-January 2, 2018 which limited or prevented the Regents, officials, faculty members, non-teaching personnel and stakeholders from preparing and submitting their individual or collective comments, inputs or suggestions on or before December 31, 2017, the Committee passed Resolution No. 01, s. 2018 on January 4, 2018⁵;
7. The Committee did not receive any opposition to the final draft of the **EVSU-2017 HRMPS-ANTP Manual** whether in whole or in part/s; and
8. The comments and inputs provided by the Regional Office of CSC per letter/s dated January 30, 2018, respectively, and submitted individually or collectively by the Board Committee Members, the Regents, officials, faculty members, non-teaching personnel, students and stakeholders were carefully studied, enhanced and integrated to the final and clean copy of the Manual subject to their applicability, except those comments or inputs which the Committee found them irrelevant and inconsistent with the purposes and intents of the Manual as well as existing laws, rules and regulations.

Premises considered, the Committee strongly recommends for the immediate approval/adoption and implementation of the said **EVSU-2017 HRMPS-ANTP Manual**.

¹ Approved per Board Resolution No. 115, s. 2017 on April 19, 2017 during the 2017 Second Special Board Meeting held at the 5th Floor, Conference Room, Ironwood Hotel, P. Burgos St., cor. Juan Luna St., Barangay 34, Tacloban City.

² Approved per Board Resolution No. 116, s. 2017 on April 19, 2017.

³ Approved per Board Resolution No. 118, s. 2017 on April 19, 2017.

⁴ "Request for Inputs, Comments, Suggestions and Recommendations to the 2017 Revised University Students' Handbook and Nine (9) Services Manuals."

⁵ "Resolution Most Respectfully and Strongly Recommending to the EVSU Board of Regents for the Extension of Submission of Comments, Inputs or Suggestions by the Regents, Faculty Members, Non-Teaching Personnel and Stakeholders to the Ten (10) Service Manuals as Provided Herein from December 31, 2017 to January 15, 2018, and For Other Purposes."

Adopted this 3rd day of February 2018 during the Committee Meeting held at Executive House, EVSU-Main Campus, Tacloban City.

DANIEL A. ARIASO SR., MEcon., CESO II
*Member, EVSU Board of Regents
(Private Sector Representative)
Committee Chair & Presiding Officer*

DOMINADOR O. AGUIRRE, JR., D.M.
*University President III
Vice Chair, EVSU Board of Regents
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Member, Board Committee*

MICHAEL L. MUZONES
*President, Federation of Student Governments of EVSU
Member, Board Committee*

Certified Correct:

ANALYN C. ESPAÑO, M.A.
*Associate Professor III
Board/University Secretary
Committee Secretary*



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

ADMINISTRATIVE COUNCIL

Resolution No. _____

Series of 2017

RESOLUTION RECOMMENDING TO THE EVSU BOARD OF REGENTS, THROUGH THE UNIVERSITY PRESIDENT, FOR APPROVAL/ADOPTION OF THE 2017 HUMAN RESOURCE MERIT PROMOTION AND SELECTION FOR ADMINISTRATIVE OR NON-TEACHING PERSONNEL OF EASTERN VISAYAS STATE UNIVERSITY OR THE EVSU-2017 HRMPS-FANTS MANUAL (COPY HERETO ATTACHED AS INTEGRAL PART HEREOF), EFFECTIVE IMMEDIATELY UPON APPROVAL, SUBJECT TO APPLICABLE LAWS, RULES AND REGULATIONS

After presentation and thorough discussion by the Members, the EVSU-Administrative Council, on motion of _____ duly seconded by _____, hereby recommends EVSU Board of Regents, through the University President, for Approval/Adoption of **2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual** (*copy hereto attached as integral part hereof*), effective immediately upon approval, subject to applicable laws, rules and regulations.

Adopted this 22nd day of November 2017 during the Council Meeting of the EVSU-Administrative Council held at Office of the University President, EVSU-Main Campus, Tacloban City.

ATTESTED/APPROVED:

DOMINADOR O. AGUIRRE, JR., DM
University President III
Chair & Presiding Officer, EVSU-Administrative Council

Certified Correct:

ANALYN C. ESPAÑO, M.A.
Board/University Secretary
Secretary, Administrative Council



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

ACADEMIC COUNCIL

Resolution No. _____
Series of 2017

RESOLUTION RECOMMENDING TO THE EVSU BOARD OF REGENTS, THROUGH THE UNIVERSITY PRESIDENT, FOR APPROVAL/ADOPTION OF THE 2017 HUMAN RESOURCE MERIT PROMOTION AND SELECTION FOR ADMINISTRATIVE OR NON-TEACHING PERSONNEL OF EASTERN VISAYAS STATE UNIVERSITY OR THE EVSU-2017 HRMPS-ANTP MANUAL (COPY HERETO ATTACHED AS INTEGRAL PART HEREOF), EFFECTIVE IMMEDIATELY UPON APPROVAL, SUBJECT TO APPLICABLE LAWS, RULES AND REGULATIONS

After presentation and thorough discussion by the Members, the EVSU-Administrative Council, on motion of _____ duly seconded by _____, hereby recommends EVSU Board of Regents, through the University President, for Approval/Adoption **2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual** (*copy hereto attached as integral part hereof*), effective immediately upon approval, subject to applicable laws, rules and regulations.

Adopted this 22nd day of November 2017 during the Council Meeting of the EVSU-Academic Council held at Office of the University President, EVSU-Main Campus, Tacloban City.

ATTESTED/APPROVED:

DOMINADOR O. AGUIRRE, JR., DM
University President III
Chair & Presiding Officer, EVSU-Academic Council

Certified Correct:

GREGORIA C. DE LA CRUZ, MAIS
University Registrar III
Secretary, Academic Council

Brief History of the University

The Eastern Visayas State University had its humble beginnings in 1907, as a part of the Provincial school. It became a separate educational entity in 1915 and was renamed as the Leyte Trade School funded by the Provincial government. In 1953, after thirty-eight years, it was renamed as the National Provincial Trade School by virtue of R.A. 406 funded jointly by the National and Provincial Government to cover a wider curricular area. In 1961, the Congress of the Philippines passed Republic Act 1516 converting it into the Leyte Regional Arts and Trades and authorizing it to become a training institution, for vocational and industrial education in Eastern Visayas. Finally, Republic Act 4572 enacted by the congress of the Philippines which took effect in the school year 1965-1966 further converting the school into a chartered college. It was renamed the Leyte Institute of Technology, an institute of higher learning committed to the service of a larger academic area of responsibility.

For SY 1999-2000, LIT has its satellite campus, the Ormoc satellite Campus. In 1999, pursuant to the provisions of RA 7722, 8292 and 8745 and Board Resolutions No. 59, Series of 1999, two CHED Supervised institutions (CSIs) in Leyte, namely the Leyte College of Arts and Trades and the Burauen Polytechnic College were integrated to LIT. The LIT Dulag Campus started in SY 2000-2001. The Carigara School of Fisheries was integrated to LIT, the second phase of CSIs institution to SUCs.

In 2002-2003, LIT had continued accomplishing its significant role and responsibility to the people in the region. The introduction of new programs, technological and business, the realignment of courses, and high-passing percentage of the engineering and other professional programs established a great challenge and gigantic responsibility to the institution.

Finally, in 2004, Republic Act 9311 converted the Leyte Institute of Technology, into Eastern Visayas State University, a challenge to serve Eastern Visayas, through academic excellence and technological development.

Vision, Mission, Philosophy of the University

VISION

Leading State University in Technological and Professional Education

MISSION

Develop a Strong Technologically and Professionally Competent Productive
Human Resource Imbued with Positive Values Needed to Propel
Sustainable Development

PHILOSOPHY

EVSU addresses its academic endeavors towards the development of the socio economic condition of region VIII by emphasizing the development of human resources and necessary input to production and growth. It plays a major role in providing the human resources for industrial agri-business enterprises as well as for the small, medium, and large-scale industries, which are the components for regional development

The University Hymn

Lyrics: BELINDA C. LORA
Music: BIATO C. AMBE, JR.

There's a dawn of a new day breaking
There's a ray of light reaching
Every corner of the land
It's radiance keeps on spreading
Bringing hope and strength and life

There's a flame that keeps on burning
Touching the mind, the heart and the soul
Sending Knowledge truth, love, and wisdom
abundant blessings from GOD above

Refrain:

Beloved Eastern Visayas State University
Your blessed flame shall forever burn in our hearts
We give you outmost commitment and dedication
You shall shine with pride throughout the nation

Coda:

Shine with gladsome light
Oh alma mater dear
Lead our steps to path of excellence
Success, fulfillment and glory awaits.

The EVSU March

You're the shining glory of love,
You're the light that comes from above,
You're the precious gift I have,
I will treasure you in my heart.

You're an utmost shelter of mind,
You're the greatest pride of mankind,
You have the golden fruits to reap,
You're the sweetest hope of land.

Oh dear Alma Mater,
Eastern Visayas State University,
Your name is ringing in my heart,
There is love and joy from the start,
The abundance of your foundation,
Is a great help of our nation,
For in you is the fountain of wisdom
And your light is our shining freedom.

You're the precious gift from heaven,
You're the sweetest hope of land.

The ASEAN Hymn

ASEAN, Oh ASEAN
Our voices rise as one
From land to land
From sea to sea
Reach out for everyone

ASEAN, Oh ASEAN
Let's link our arms and stand
Behold the sun has risen to
The level of our eyes

Behold the sun has risen to
The level of our eyes

Acknowledgement

The Eastern Visayas State University (EVSU), through its Board of Regents and the University President, wishes to extend its deepest appreciation and thanks to all persons, who in one way or another, helped craft, review, evaluate and polish this noble 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual or EVSU-2017 HRMPS-ANTP Manual.

Special thanks to the officials and staff of the Eastern Visayas Regional Offices of CSC and DBM, for painstakingly reviewing or evaluating, and immediate submission of inputs which were integrated to and surely made this EVSU-2017 HRMPS-ANTP Manual compliant to the applicable laws, rules and regulations.

The EVSU Family is also grateful to the Board Committee on Draft Writing and Review of Policies and Rules (*formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees*) Chaired by Regent Daniel A. Ariaso Sr., for drafting this 2017 Revised Students' Handbook of the Eastern Visayas State University I and for steering the Stakeholders' Consultation and Sectoral Focus Group Discussion (FGD); the Board Committee on Finance Chaired by Director Bonifacio G. Uy, and Board Committee on Academic and Administration Chaired by Director Edgardo M. Esperancilla for their immediate review and providing inputs which further strengthened this Manual.

Furthermore, it is but proper and fitting to acknowledge all the Vice Presidents, Campus Directors, College Deans, Heads, Chiefs, Chairpersons and Coordinators as well as Faculty Members, Non-Teaching Personnel, Students, Alumni, and Industry and Community Partners for their active participation during the Stakeholders' Consultation and Sectoral Focus Group Discussion, indeed, their inputs had contributed in shaping this Manual to be responsive and embodying the ideals and aspirations of the EVSU Family.

May the God Almighty Bless you all!

EVSU Family

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Chapter I
PRELIMINARY PROVISIONS

Article 1
Short Title, Legal Bases of Promulgation and Coverage

Section 1. **Short Title.** – This shall be known as the 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of Eastern Visayas State University Manual, hereinafter referred to, as the 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of EVSU Manual, or EVSU-2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel Manual, or 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual, or EVSU-2017 HRMPS-ANTP Manual, or Manual, *for brevity.*

Section 2. **Legal Bases of Promulgation.** – This 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual is promulgated pursuant to the powers and functions of the Board of Regents of the Eastern Visayas State University or EVSU Board of Regents as provided under paragraph 2, Section 5 of Article XIV of the 1987 Philippine Constitution¹, Item No. 2, Section 7, Book V of Executive Order (E.O) No. 292², MC No. 38, s. 1993 dated September 10, 1993³, CSC Resolution No. 1701009 promulgated on June 16, 2017 circularized pursuant to MC No. 24, s. 2017⁴, CSC Resolution No. 010114 dated January 10, 2001 circularized through MC No. 03, s.

¹ "All institutions of higher learning, public or private, shall enjoy academic freedom and institutional autonomy".

² "Administrative Code of the Philippines."

³ "Omnibus Guidelines on Appointments and Other Personnel Action."

⁴ "2017 Omnibus Rules on Appointments and Other Human Resource Actions."

2001⁵, Section 7(i)⁶ of R.A. No. 9311⁷, Section 5⁸ of R.A. No. 8292⁹ and its IRR¹⁰, Section 393, Article 94 of the 2017 Revised University Code¹¹, in consonance with CHED Circulars, DBM Circulars, and other pertinent laws, rules and regulations promulgated by competent authority/ies.

Further, this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall be considered or recognized as a consequence of the elevation of then Leyte Institute of Technology (LIT) into a State University and henceforth, the nature of LIT has completely changed when it became EVSU pursuant to R.A. No. 9311. LIT did not just changed its name. The law created a university which, in effect, a new entity that is the EVSU¹².

Section 3. **Coverage and Uniform Implementation.** – This 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall cover all Administrative or Non-Teaching Personnel of the University shall be implemented uniformly in the Eastern Visayas State University (EVSU) comprised of its Main Campus located in Tacloban City and its Integrated/External Campuses located in the City of Ormoc and Municipalities of Burauen, Carigara and Tanauan, and a Community Satellite Campus in the Municipality of Dulag, all in the Province of Leyte.

⁵ "Revised Policies on Merit Promotion Plan."

⁶ "SEC. 7. *Powers and Duties of the Board of Regents.* – The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws:

Xxxxxxxxxx

(h) To appoint, upon recommendation of the president of the University, vice presidents, deans, directors, heads of campuses, faculty members and other officials and employees of the University;

(i) To fix and adjust salaries of faculty members, administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provision of existing laws to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;

⁷ "An Act Converting the Leyte Institute of Technology (LIT) in the Province of Leyte into a State University to be Known as the Eastern Visayas State University and Appropriating Funds Therefor."

⁸ "Section 4. Powers and duties of Governing Boards. – The governing board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under Section 36 of Batas Pambansa Blg. 68 otherwise known as the Corporation Code of the Philippines."

Xxxxxxxxxx

(g) to appoint, upon recommendation of the president, vice presidents, deans, directors, heads of departments, faculty members and other officials and employees;

(h) to fix and adjust salaries of faculty members, administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provision of existing laws to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;"

⁹ "An Providing for the Uniform Composition and Powers of the Governing Boards, the manner of Appointment and Term Office of the President of Chartered State Universities and Colleges, and for Other Purposes", otherwise known as the "Higher Education Modernization Act of 1997."

¹⁰ CHED Memorandum Order No. 03, s. 2001 entitled, Implementing Rules and Regulations of Republic Act No. 8292.

¹¹ Approved per Board Resolution No. 115, s. 2017 on April 19, 2017.

¹² PSLMC Resolution No. 02, s. 2009 dated June 11, 2009.

Article 2

**Construction and Interpretation and Suppletory Application of
Relevant Laws, Rules and Regulations Promulgated
by Competent Authorities**

Section 4. **Construction and Interpretation of the 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual.** – All doubts in the implementation of any of the provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall be interpreted and resolved in favor of the University.

Provided, further, that in matters affecting the welfare of a teaching and non-teaching personnel, all doubts in the implementation and interpretation of pertinent provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall be resolved in favor of the Administrative or Non-Teaching Personnel or Employees, subject to applicable laws, rules and regulations.

Section 5. **Suppletory Application of Laws, Rules and Regulations.** – Notwithstanding as explicitly adopted or provided under this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual, the pertinent provisions of NBC No. 461 dated June 1, 1998¹³, CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017¹⁴, 2017 Revised University Code, and all laws, rules and regulations promulgated by competent authorities such as, but not limited to, the President of the Republic of the Philippines, Congress of the Philippines, CHED, DBM, CSC, COA, jurisprudence laid down by the Supreme Court of the Philippines, the PASUC, and such government agencies concerned, shall apply suppletorily and serve as governing guidelines to this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual, in so far as expressly determined and duly adopted by the EVSU Board of Regents.

Chapter II

OBJECTIVES, SCOPE AND DEFINITON OF TERMS

Article 3

Objectives and Scope

Section 6. **Objectives.** – In establishing this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual, the University adheres to the merit and fitness principle in the

¹³ "Revising and Updating the Compensation and Position Classification Plan for Faculty Positions Embodied in National Compensation Circular (NCC) No. 69."

¹⁴ "2017 Omnibus Rules on Appointments and Other Human Resources."

recruitment, appointment, promotion, recognition, development and discipline of the faculty and academic staff to ensure fairness, justice and excellence in attaining its mission. The objectives of this EVSU-2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff Manual are the following:

- 6.1. To establish a sound procedure of recruitment, selection and appointment;
- 6.2. To create and provide equal opportunities for career advancement;
- 6.3. To develop a highly educated and motivated professional staff;
- 6.4. To provide a guide for speedy and fair resolution of complaints and grievances;
- 6.5. To provide a framework for personnel discipline;
- 6.6. To ensure proper placement of Administrative or Non-Teaching Personnel Staff to their field of specialization and the needs of the University;
- 6.7. To effectively appraise the performance of Administrative or Non-Teaching Personnel Staff.
- 6.8. To enhance organizational effectiveness and productivity

Section 7. **Scope.** - This 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall apply to all administrative or non-teaching personnel positions.

Article 4 **Definition of Terms**

Section 8. **Definition of Terms.** – Notwithstanding as may be provided in relevant laws, rules and regulations, the following terms are hereby defined as used in this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual:

- 8.1. *Academic Freedom* – the academic freedom shall be viewed or construed on the following manner:
 - 8.1.1. For the University – as adverted to in the Constitution and in R.A. No. 8292 and R.A. No. 9311, and applying various jurisprudence, accords the right of the University to decide for itself its aims and objectives and how best to attain them. Certainly, the wide sphere of autonomy given to universities in the exercise of academic freedom extends to the right to confer academic honors. Thus, exercise of academic freedom grants the University the exclusive discretion to determine to whom

among its graduates it shall confer academic recognition, based on its established standards.¹⁵

In addition, academic freedom encompasses freedom of the institution or the University to determine for itself, on academic grounds, who may teach, what may be taught, how it shall be taught, and who may be admitted to study¹⁶.

Moreover, it includes, among others, the right of the University to decide for itself, its aims and objectives, and how best to attain them - free from outside coercion or interference save possibly when the overriding public welfare calls for some restraint. It has a wide sphere of autonomy certainly extending to the choice of students,¹⁷ to set academic standards to determine under what circumstances failing grades suffice for the expulsion of students,¹⁸ the power of a University to revoke a degree or honor it has conferred to a student after it was found out that the student's graduation was obtained through fraud,¹⁹ and to decide for itself the terms and conditions for hiring its teacher²⁰.

- 8.1.2. For the Administrative or Non-Teaching Personnel with Part-time Teaching Load - Any administrative or non-teaching personnel with part-time teaching load shall enjoy the academic freedom of a faculty member of the University, to wit:

"Each faculty member of the University shall enjoy academic freedom which relates to or involves or encompasses a "right by the accredited educator, as a teacher and as investigator, to interpret his findings and to communicate his conclusions without being subject to any interference, molestation or penalty because these conclusions are unacceptable to some constituted authority within or beyond the institution²¹."

Academic freedom of faculty members refers to the freedom of teachers from control of thought or utterance of his

¹⁵ **Morales v. The Board of Regents of the University of the Philippines**, G.R. No. 161172, December 13, 2004 citing *Garcia v. The Faculty Admission Committee, Loyola School of Theology*, G.R. No. L-40779, 28 November 1975, 68 SCRA 277, 284.

¹⁶ **Benguet State University v. Commission on Audit**, G.R. No. 169637, June 8, 2007, citing *Vide: Camacho v. Coresis*, G.R. No. 134372, August 22, 2002, 387 SCRA 628, 637.

¹⁷ **University of San Agustin, Inc., et al. v. Court of Appeals** (G.R. No. 100588, March 7, 1994), citing *Garcia v. The Faculty Admission Committee, et al. supra; Tangonan v. Pano, et al., supra*.

¹⁸ **Non, et al. v. Mabini Colleges, Inc.**, G.R. No. 89317, May 20, 1990 citing *Villar v. Technological Institute of the Philippines*, G.R. No. 69198, April 17, 1985, 135 SCRA 706.

¹⁹ **University of the Philippines v. Court of Appeals**, August 31, 1999, citing *The University of the Philippines V. Court of Appeals*, February 9, 1993, and *The University of the Philippines v. Hon. Ruben Ayson*, August 17, 1989.

²⁰ **Mercado, et al. v. AMA Computer College-Paranaque City, Inc.**, G.R. No. 183572, April 13, 2010.

²¹ **Camacho v. Coresis**, G.R. No. 134372, August 22, 2002.

academic research, findings or conclusions, and has nothing to do with the discretion of teachers to pass or fail any or all her students according to his discretion²².

Academic freedom is the right of the faculty member or teacher to teach the subject of his/her specialization according to his/her best lights; to hold in other subjects, such ideas he/she believes sincerely to be right; and to express his/her opinions on public questions in a manner that shall not interfere with his/her duties and functions as member of the faculty or jeopardize his/her loyalty and accountability to the University that employs him/her.

It also includes the right of the faculty or teacher or researcher to investigate and discuss the problems of his/her science and to express his/her conclusions, whether through publication or in the instruction of students, without interference from political or administrative officials of the University, unless his/her methods are found by competent authorities of his/her own profession, after due process, to be incompetent and contrary to professional ethics and generally accepted practices.

- 8.2. *Academic Officers* – refer to the University President, Vice President for Academic Affairs, Deans of Colleges, Principal, Department Head, Director, and their Heads or Chairpersons or Coordinators of various academic departments or units.
- 8.3. *Academic Service* - refers to instruction, research, extension, production or non-teaching functions for those with administrative designations such as Principal, Department Head, Director, Chairman, Dean, Vice President, University President and other designations.
- 8.4. *Administrative Official* – refers to the Vice President, Vice Presidents, Campus Directors, Chief Administrative Officer, for Administration and Chief Administrative Officer of Finance, Directors or Heads of the Administrative Divisions or Departments or Chairpersons or Chiefs of Sections or Units and other Academic Officers or Officials duly designated by the EVSU Board of Regents upon the recommendation by the University President.
- 8.5. *Agreements* – refer to contracts, memorandum of agreement (MOA), memorandum of understanding (MoU) and such legal instruments stipulating, among others, the object and purposes, terms and conditions of executing the same.

²² *St. Juse Catholic School v. Salgarino*, G.R. No. 164376, July 31, 2006 citing *Garcia v. The Faculty Admission Committee, Loyola School of Theology*, G.R. No. L-40779, November 28, 1975, 68 SCRA 277, 285.

- 8.6. *Appointing Authority* – shall refer to the University President, as authorized by the Board of Regents of the University, to appoint or issue appointments.
- 8.7. *Appointment* – refers to the selection, by the authority vested with the power, of an individual who is to exercise the functions of a given office. When completed, usually with its confirmation, the appointment results in security of tenure for the person chosen unless he is replaceable at pleasure because of the nature of his office. It is essentially an executive in nature²³.
- 8.8. *Auxiliary Services* – refers to all kinds of services pertaining to economic or profit generating activities done and/or rendered by the University other than academic such as, hospital, garments and tailoring, cafeteria, janitorial, printing press, bookstore, training centers, review centers, and the like.
- 8.9. *Board* – refers to the Board of Regents of Eastern Visayas State University which is the highest policy-making body of the University.
- 8.10. *Campuses* – refers to the Main Campus of the University located in Tacloban City, integrated Campuses in the City of Ormoc and Municipalities of Burauen, Carigara, and Tanauan, and a Satellite Community Campus in the Municipality of Dulag, all in the Province of Leyte.
- 8.11. *Career Service* – positions in the civil service characterized by (1) entrance based on merit and fitness to be determined as far as practicable by competitive examination or based on highly technical qualifications; (2) opportunity for advancement to higher career positions; and, (3) security of tenure.
- 8.12. *COA* – refers to the Commission on Audit created under Article IX-D of the 1987 Philippine Constitution.
- 8.13. *Code* –refers to the 2017 Revised Code of the Eastern Visayas State University or 2017 Revised University Code approved per Board Resolution No. 115, s. 2017 and subsequent issuances thereof approved by the EVSU Board of Regents.
- 8.14. *Congress of the Philippines* – refers to the legislative branch of the Republic of the Philippines created under Article X of the 1987 Philippine Constitution.
- 8.15. *CSC or Commission* – refers to Civil Service Commission created pursuant to Article IX-B of the 1987 Philippine Constitution.

²³ **Tapispisan v. Court of Appeals**, G.R. No. 157950, June 8, 2005.

- 8.16. *DBM* – refers to Department of Budget and Management created pursuant to Executive Order No. 25 dated April 25, 1936, as amended.
- 8.17. *Designation* – is an imposition by law of additional duties of an incumbent official. It is essentially a legislative in nature. It may also be loosely defined as an appointment because it, likewise, involves the naming of a particular person to a specified public office. That is the common understanding of the term. However, where the person is merely designated and not appointed, the implication is that he shall hold the office only in a temporary capacity and may be replaced at will by the appointing authority. In this sense, the designation is considered only an acting or temporary appointment, which does not confer security of tenure on the person named²⁴.
- 8.18. *Disciplining Authority* – refers to the EVSU Board of Regents or the Executive Officials of the University insofar as authorized by the Board.
- 8.19. *Duly Recognized Campus Non-Teaching Personnel* – is a faculty association established and recognized by the University where each Campus shall have only one (1) organization comprised of the regular administrative or non-teaching personnel of the University Campus.
- 8.20. *Duly Recognized Campus Student Council or Government* – is a student council established and recognized by the University where each Campus shall have only one (1) organization comprised of *bona fide* students from tertiary level programs of the University Campus.
- 8.21. *Duly Recognized Federation of Non-Teaching Personnel Associations* – is the federation of the duly recognized non-teaching personnel associations in the different Campuses of the University.
- 8.22. *Employee* – refers to any administrative or non-teaching official or personnel or employee of the University, regardless of employment status.
- 8.23. *EVSU* – refers to the Eastern Visayas State University.
- 8.24. *EVSU BOR* – refers to the Board of Regents of Eastern Visayas State University.
- 8.25. *Executive Officials* – refers to the University President, Vice Presidents and Campuses Directors whose primary duties and functions to ensure proper, effective and efficient execution of policies and directions laid down by the Board and such competent authorities.
- 8.26. *Extension Services* – refers to a function of the University and the faculty members and non-teaching personnel comprised of programs, projects,

²⁴ **Tapispisan v. Court of Appeals**, G.R. No. 157950, June 8, 2005, citing *Sevilla v. Court of Appeals*, G.R. No. 88498, 9 June 1992, 209 SCRA 637.

studies or activities conducted in accordance with the policies of the University directed towards the improvement on the quality of life and target clients and further expand the social contributions of the University to the constituents in various localities of Leyte or its nearby localities.

Provided, that for this purpose, the University shall, after the occurrence of a disaster or calamity and upon declaration of the State of Calamity by the President of the Philippines and/or invitation by the DDRMC national, regional or local levels, or by Local Government Unit (LGU) concerned or any organization, mobilize its personnel and students to constitute as volunteers in disaster or calamity hit area/s pursuant to the provisions of R.A No. 10121²⁵ and its IRR and the provisions of this Code.

- 8.27. *Faculty* – regular plantilla-based set of employees of the University appointed to a faculty rank who are directly engaged in instruction, research, extension and production services.
- 8.28. *Fund Administrator* – one who is responsible for financial management, preparation of the budget and its execution to implement the various programs, projects or activities under his/her supervision²⁶.
- 8.29. *Governing Board* - refers to the highest policy making body of the University. As a chartered state University, it refers to the Board of Regents (BOR).
- 8.30. *Hard to Fill Positions* – refers to administrative or non-teaching personnel positions in the University in which the pool of graduates are scarce or few or rare and that these professions are offered higher salaries in the private sector or the entry salary in other government agencies is higher than in the University such as, but not limited to, Engineers, Architects, Interior Designers, Marine Engineers or Ship Captains, Artists, Chef, Nutritionist, Dieticians, Chemists, Certified Public Accounts (CPAs), and such professions as the President may determine duly approved by the Board and CSC.
- 8.31. *Head of the University* – refers to the President of the University or University President.
- 8.32. *Head of the Campus* – refers to the Campus Director who is authorized to manage the administrative operations of the Campus. He/She is also tasked to coordinate the plans, programs, projects and activities of the campus in accordance with the overall vision, mission, goals and

²⁵ "An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing for the National Disaster Risk Reduction and Management Framework and Institutionalizing the National Disaster Risk Reduction and Management Plan, Appropriating Funds Therefor and for Other Purposes."

²⁶ Section 3(f), Article I of CHED Memorandum Order No. 20, s. 2011.

objectives of the University²⁷.

- 8.33. *Head of the Department, Unit or Section* – refers to the Director or head, chairperson or coordinator, as the case may be. He/She is also tasked to coordinate the plans, programs, projects and activities of the office, section or unit in accordance with the overall vision, mission, goals and objectives of the University.
- 8.34. *Hold-over Capacity (Principle)* – refers to the preservation of continuity in the transaction of official business and prevents a hiatus in government or in any office of the University pending the assumption of a successor into office²⁸.
- 8.35. *Insider* - refers to an employee of the University who is interested in joining the faculty or a member of the faculty who is aspiring for promotion.
- 8.36. *Income* – refers to all revenue derived by the University from fees and charges authorized by existing laws, rules and regulations.
- 8.37. *Indexation to Inflation* – is the process of adjustment of the fees and charges imposed by the University as well as the incentives, scholarship and financial assistance to faculty members and students which are directly effected to the average of the inflation rates for the last five (5) years generated in Eastern Visayas or national level, whichever is higher.
- 8.38. *Instruction Services* – refers to a function of the University and faculty members which include among others, the pedagogy and academic activities necessary for the delivery of educational services and degree programs, or educational services to the students, professionals and other clients which are vital in the realization of the mandates, vision, mission, goals and objectives of the University.
- 8.39. *Intervening Assignment* – refers to involvement of faculty members in the processing of documents for any of the following: SUC Levelling or its equivalent, AACUP Accreditation, ISO Certification, IQAME, ARTA-RCS Evaluation or Report of Findings, and DNV or Maritime Surveillance Assessment and similar quality assurance evaluations processes with credit equivalency and recognition under the EVSU-PRAISE System Manual and NBC 461, graduation rites, and membership in committees, coach of sports or cultural or talent groups, and such activities or duties

²⁷ Section 3(b), Article I of CHED Memorandum Order No. 20, s. 2011.

²⁸ **Adap, et al. v. Commission on Elections**, G.R. No. 161984, February 21, 2007 citing *Nueno, et al. vs. Angeles, et al.*, G.R. No. L-89, February 1, 1946, the Supreme Court ruled:

“The application of the hold-over principle preserves continuity in the transaction of official business and prevents a hiatus in government pending the assumption of a successor into office. As held in *Topacio Nueno v. Angeles*, cases of extreme necessity justify the application of the hold-over principle.”

that are intermittent in nature duly authorized by the College Dean or Campus Director and approved by the University President upon the recommendation by the Vice President for Academic Affairs and/or Campus Director.

- 8.40. *IRR* – refers to Implementing Rules and Regulations of any law or statute enacted by the Congress of the Philippines or issued by the President of the Philippines and such competent authority/ies.
- 8.41. *K to 12 Programs* – refers to Senior High School (SHS) programs authorized under R.A. No. 10533.
- 8.42. *MC* – refers to Memorandum Circular by a government agency through its competent official/s issued within its authority and duty conferred by the Constitution and applicable laws, rules and regulations.
- 8.43. *Merit System* – means a personnel system in which comparative merit or achievement governs the selection, utilization, training, retention and discipline of the academic staff of the University.
- 8.44. *Outsider* – an applicant for a faculty position who is not yet employed in the University.
- 8.45. *Part Timer* – a teaching staff member who is either occupying a regular plantilla position or hired through a contract of service or a job order, whose work is part-time. (A contract of service or job order part timer is not a government employee, as his/her service is not considered government service).
- 8.46. *PES* – refers to the Performance Evaluation System for Administrative or Non-Teaching Personnel or Employee's positions or ranks. It shall be an organized, methodical and standardized system of evaluating the individual performance of administrative or non-teaching personnel or employees for organizational effectiveness.
- 8.47. *Personnel Action* – an action denoting the movement or progress of personnel in the civil service.
- 8.48. *Philippine Association of State Universities and Colleges (PASUC)* - the CHED recognized organization of all chartered State Universities and Colleges (SUCs).
- 8.49. *Position* – refers to the title or classification with the corresponding duties and functions to which the employee is appointed to or designated in accordance with existing laws, rules and regulations.
- 8.50. *Production Services* – is a function of the University and faculty members which covers the implementation of generating resources such as, but not limited to, instructional materials development and

commercialization of technologies and other intellectual properties to augment the income and sustain sound financial condition of the University.

- 8.51. *Promotion* - the advancement to a higher position. It is usually accompanied by an increase in salary.
- 8.52. *Qualification Standards* – is a statement of minimum qualifications for a position which shall include education, experience, training, and physical characteristics and personality traits, required for the performance of the job or set of duties. The Civil Service eligibility can be dispensed with for appointment to faculty ranks; however, R.A. No. 1080 shall be required if the subjects to be taught are covered by bar/board laws.
- 8.53. *R.A. or RA* – refers to Republic Act duly enacted by the Congress of the Philippines and approved by the President of the Philippines or lapse into law as provided under the 1987 Philippine Constitution.
- 8.54. *Regent* – refers to the Chairperson or Vice Chairperson or any Member of the Board.
- 8.55. *Research Services* – refers to a function of the University and faculty members directed to the development, transfer, utilization and commercialization and protection of new knowledge, technologies, methods, procedures, intellectual properties and scholarly works necessary for continuing improvement in the capacity of the University in the realization of its legal mandates, vision, mission, goals and objectives.
- 8.56. *Recruitment* - the process of searching for and attracting potential applicants through announcements, assessments and other related procedures to select the most competent and qualified applicant for appointment to an appropriate position in the administrative division or unit.
- 8.57. *Reclassification* - involves a change in the classification of a position either as a result of a change in its duties and responsibilities sufficient to warrant placing the position in a different class, or as a result of a reevaluation of a position without a significant change in its duties and responsibilities.
- 8.58. *Selection* - The process of thoroughly screening qualified applicants for certain positions to determine the most qualified among them or to rank them based on their qualifications and professional potentials.
- 8.59. *Security of Tenure* – simply means that a public officer or employee shall not be suspended or dismissed except for cause, as provided by law and

after due process²⁹.

Further, well-entrenched is the rule on security of tenure that such an appointment is issued and the moment the appointee assumes a position in the civil service under a completed appointment, he acquires a legal, not merely equitable right (to the position), which is protected not only by statute, but also by the Constitution [Article IX-B, Section 2, paragraph (3)] and cannot be taken away from him either by revocation of the appointment, or by removal, except for cause, and with previous notice and hearing.³⁰

- 8.60. *Transferee* – refers to any faculty member or non-teaching personnel from SUC or State Universities and Colleges (LUCs) or government or private employee who wishes to transfer from his or her current agency to the University
- 8.61. *Tenure* – represents the term during which the incumbent actually holds office. The tenure may be shorter (or, in case of holdover, longer) than the term for reasons within or beyond the power of the incumbent³¹.
- 8.62. *Term of Office* – refers to the time during which the officer may claim to hold the office as of right, and fixes the interval after which the several incumbents shall succeed one another. The term of office is not affected by the holdover. The term is fixed by statute and it does not change simply because the office may have become vacant, nor because the incumbent holds over in office beyond the end of the term due to the fact that a successor has not been elected and has failed to qualify³².
- 8.63. *Tertiary Programs* – refer to four to five year degree programs in the undergraduate level and graduate programs such as master's and doctoral degrees offered by the University.
- 8.64. *Upgrading* - involves the reallocation of the salary grade assignment of positions to a higher salary grade without change in its duties and responsibilities. The term upgrading refers to a class of positions and is not applied in individual cases. A class is upgraded in view of its perceived relative worth as compared to other classes of positions with similar salary grade assignments.
- 8.65. *University* – refers to Eastern Visayas State University or EVSU.
- 8.66. *Vacancy* – a condition or situation "when there is no person lawfully

²⁹ ***The Provincial Government of Camarines Norte v. Beatriz O. Gonzales***, G.R. No. 185740, July 23, 2013.

³⁰ ***Civil Service Commission v. Gregorio Magnaye, Jr.***, G.R. No. 183337, April 23, 2010 citing *Aquino v. Civil Service Commission*, G. R. No. 92403, April 22, 1992, 208 SCRA 240, 247.

³¹ ***Valle Verde Country Club, Inc. v. Africa***, G.R. No. 151969, September 4, 2009.

³² ***Valle Verde Country Club, Inc. v. Africa***, G.R. No. 151969, September 4, 2009 citing *Topacio Nueno v. Angeles*, 76 Phil. 12, 21-22 (1946); *Alba v. Evangelista*, 100 Phil. 683, 694 (1957); *Paredes v. Abad*, 155 Phil. 494 (1974); *Aparri v. Court of Appeals*, No. L-30057, January 31, 1984, 127 SCRA 231, and *Gaminde v. Commission on Audit*, G.R. No. 140335, December 13, 2000, 347 SCRA 655.

authorized to assume and exercise at present the duties of the office"³³.

Chapter III
**GENERAL POLICIES ON APPOINTMENTS AND REQUIREMENTS
FOR REGULAR APPOINTMENTS OF ADMINISTRATIVE OR NON-
TEACHING PERSONNEL**

Article 5
General Policies on Appointments

Section 9. **General Policies on Appointments**³⁴. – The University shall strictly adhere to the following policies on appointments:

- 9.1. The State shall ensure and promote the Constitutional mandate that appointments in the Civil Service shall be made only according to merit and fitness³⁵.
- 9.2. Merit and fitness shall be determined, as far as practicable, by competitive examinations. This does not apply to appointments to positions which are policy determining, primary confidential, or highly technical.
- 9.3. Any action denoting the movement or progress of human resource in the civil service such as promotion, transfer, reappointment, reinstatement, reemployment, reclassification, detail, reassignment, secondment³⁶, demotion and separation shall be known as human resource action.

Article 6
Requirements for Regular Appointments

Section 10. **Requirements**. – The following requirements on recruitment, selection and appointment shall strictly be observed:

- 10.1. **Minimum Requirements**. – Recruitment shall be limited to those who meet the minimum requirements prescribed for the rank. All appointments of faculty or academic staff or employee shall be made strictly on merit and fitness.
- 10.2. **Mandatory Requirements**. – In addition to the minimum qualifications

³³ In **Gamboa v. Augiree, et al.**, G.R. No. 134213, July 20, 1999, citing, *Stocking v. State*, 7 Ind. 326 cited in Mechem. A Treatise on the Law on Public Offices and Officers, p. 61 cited in *Menzon v. Petilla*, 197 SCRA 251, the Supreme Court ruled that:

"A *sensu contrario*, there is a vacancy when there is no person lawfully authorized to assume and exercise at present the duties of the office."

³⁴ Rule I of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

³⁵ Item B, Section 2(2), Article IX of the 1987 Constitution of the Republic of the Philippines

³⁶ Secondment will be subject of a separate issuance by the CSC.

and standards of the position, the following mandatory requirements shall be complied with and submitted by all concerned:

10.2.1. *Negative Results on Drug Test.* – Consistent with the academic freedom of the University, pertinent provisions of CSC Resolution No. 1700653 promulgated on March 15, 2017 circularized through MC No. 13, s. 2017 dated April 19, 2017, R.A. No.9165³⁷ and its IRR, Memorandum Circular No. 9 dated December 17, 2015,³⁸ and jurisprudence, the following shall strictly be observed:

10.2.1.1. All applicants to any vacant administrative or anon-teaching personnel positions in the University Campuses shall take and submit their respective drug test with negative result which shall remain a requirement for initial entry for appointive officials and employees of the University. Any applicant found positive for drug use shall be denied entry to the University.

10.2.1.2. All incumbent administrative or anon-teaching personnel positions, regardless of rank, status and salary, shall be subjected to and undergo mandatory drug test as condition for continuous employment in the University.

10.2.2. *Passing Results on the Pre-Employment Test, Promotional Test and the Ethics-Oriented Personality Test.* – Applicants to vacant positions and incumbent administrative or anon-teaching personnel positions seeking for promotion in rank shall take and pass the Pre-Employment Test, Promotional Test and the Ethics-Oriented Personality Test administered by the CSC and/or by the University in so far as authorized by the CSC in accordance with the provisions of CSC Resolution No. 1601231 promulgated on November 2, 2016 circularized through MC No. 06, s. 2017 dated March 3, 2017.³⁹

Section 11. ***Basis of Recruitment.*** – The primary basis for recruitment shall be on the submitted administrative or anon-teaching personnel needs by respective College Deans/Campus Directors and approved by the University President.

Section 12. ***Entry Level.*** – Entry to administrative or non-teaching personnel shall be the appropriate position.

³⁷ "Comprehensive Dangerous Drugs Act of 2002."

³⁸ "Implementation and Institutionalization of the National Anti-Drug Plan of Action."

³⁹ "Incorporating the Pre-Employment Test, the Promotional Test and the Ethics-Oriented Personality Test (EOPT) as Part of Recruitment, Placement and Promotion in the Civil Service."

Provided, that entry of those from private educational institutions and industry shall be allowed only full compliance of the qualifications and requirements. For those with highly specialized skills/expertise, the Dean/Campus Director may recommend that they may be given commensurate compensation subject to the approval of the EVSU Board of Regents.

Section 13. ***Basis on the Issuance of Appointment.*** – Upon issuance of a permanent appointment s/he shall be given her/his appropriate position to which he/she qualifies.

Section 14. ***Common Requirements and Required Documents to be Retained in the University.*** – Subject to the actual classification⁴⁰ of the University, the pertinent provisions of Section 4 and Section 5, Rule II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017 shall strictly be observed.

Article 7

Procedures in the Preparation of Appointments

Section 15. ***Procedures.*** – The following procedures shall strictly be observed in the preparation of appointments for authorized positions found in the Plantilla of Personnel and lump sum appropriation for contractual employees:

- 15.1. ***Appointment Form.*** – The appointment form (CS Form No. 33, Revised 2017), which shall be in English, shall be used for appointments in the career and non-career service except those for casual appointments. The appointment must be prepared in three (3) original copies: one copy each for the appointee, for the CSC and for the University. CS Form No. 33-A Revised 2017 shall be used by regulated agencies while CS Form No. 33-B, Revised 2017 shall be used by accredited/deregulated agencies.

The following items in the appointment form shall be properly filled in, as follows:

- 15.1.1. **Name of the Appointee.** – The name indicated on the appointment must be the same appearing in the Certificate of Live Birth submitted by the appointee and the Certificate of Marriage, in case of a married female employee who opts to use the surname of her husband. The name of the appointee should be written in the following format: first name, middle name or initial, last name and name extension, if any.
- 15.1.2. **Position Title, Salary/Job/Pay Grade and Step.** – The position title, salary/job/pay grade and step (if applicable) indicated in the appointment shall conform to the approved Plantilla of

⁴⁰ Regulated or accredited/deregulated.

Personnel and should be found in the Index Occupational Services (OIS), Position Titles and Salary Grades. The parenthetical title, if any, and salary/job/grade of the position shall be indicated after the position title. The parenthetical position title refers to the position title based on the actual duties and responsibilities in the Position Description Form and shall be the basis for the qualification standards.

Illustrative Examples:

Administrative Officer V (Human Resource Management Officer III, SG 18, Step 2

Administrative Officer V (Cashier III), SG 18, Step I

- 15.1.3. Employment Status. – The employment status shall be indicated on the space provide therefor. It may be permanent, temporary, coterminous, fixed-term, contractual, substitute, or provisional. For contractual appointment, the duration of employment shall be indicated on the space provided for the Status of Appointment.
- 15.1.4. Agency. – The name of the University- Eastern Visayas State University. For station-specific appointments, the name of the University Campus/office/department/unit shall be indicated.
- 15.1.5. Compensation Rate. – The corresponding amount of the monthly salary of the position based on the salary/job/pay grade and salary step thereof shall be indicated.
- 15.1.6. Nature of Appointment. – The nature of appointment, which may be original, promotion, transfer, reemployment, reappointment, reinstatement, reclassification, or demotion, shall be indicated on the space provided therefor.
- 15.1.7. Plantilla Information. – The name of the administrative or non-teaching personnel replaced by the appointee should be indicated on the space provided, in addition to the Plantilla Item Number of the position and the page where the position can be found in the approved Plantilla of Personnel in the current year.
- 15.1.8. Signature of the University President by Virtue of the Authority of the EVSU Board of Regents. – The three (3) original copies of the appointment must be duly signed by the University President by virtue of the authority of the EVSU Board of Regents. The appointing authority of the University is the EVSU Board of Regents or University President insofar as authorized by the EVSU BOR.

In case EVSU Board of Regents delegates the authority to issue appointments to the next-in-rank official of the University or Executive Officials of the University, as authorized by laws, a copy of the Board Resolution or Order of the said purpose shall be submitted to the CSC Field Office.

In no case shall digital/electronic or rubber-stamped signature of the University President on the appointment be allowed.

- 15.1.9. Date of Signing. – The date of signing, which is the date of the issuance and the date of effectivity of the appointment, shall be indicated below the signature of the University President, insofar as authorized by the EVSU Board of Regents.
- 15.1.10. Certification as to the Completeness and Authenticity of the Requirements. – The Vice President for Administration for Finance and Human Resource Merit Promotion Section Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University shall thoroughly review and check the veracity, authenticity and completeness of all the requirements and documents in support of the appointment. He/she shall sign the certification at the back of the appointment.
- 15.1.11. Certification of Publication and Posting Vacancy. – Vacant positions authorized to be filled shall be published and posted in at least three (3) conspicuous for a period of at least ten (10) calendar days in various Transparency and Freedom of Information (TFOI) Bulletin Boards in the various University Campuses in accordance with R.A. No. 7041⁴¹ and its Implementing Guidelines.

The certification on the publication and posting of the vacant position including the date the deliberation was conducted by the Human Resource Merit Promotion Section Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University.

- 15.1.12. Certification of Human Resource Merit Promotion Section Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University Evaluation/Screening. – All appointees should be screened and evaluated by the HRMPSB-ANTP, if applicable. As proof thereof, a certification signed by the Vice President for Academic Affairs as Chairperson of the HRMPSB-ANTP at the back of appointment specifying the majority of the HRMPSB-ANTP members was present during the deliberation or alternatively, a copy of the proceedings/minutes of the

⁴¹ Republic Act No. 7041 dated June 5, 1991 or "An Act Requiring Publication of Existing Vacant Positions in Government Offices, Appropriating Funds therefore, and For Other Purposes."

HRMPSB-ANTP deliberation shall be submitted together with appointment. The HRMPSB-ANTP. The HRMPSB-ANTP deliberation for administrative or and non-teaching personnel shall commence not earlier than ten (10) calendar days from the date of posting and publication of vacant positions.

15.1.13. Certification by the Placement Committee. – Reappointment to a comparable position as a result of organization pursuant to R.A. No. 6656⁴² or other laws shall be assessed by the Placement Committee. As proof thereof, a certification shall be signed by the Chairperson of the Placement Committee at the back of the appointment.

15.2. *Personal Data Sheet*⁴³. – The Personal Date Sheet (PDS) (CS Form No. 212, Revised 2017)⁴⁴ which should be updated and accomplished properly and completely by the appointee, shall be attached to the appointment⁴⁵. Said PDS shall contain an authorized from the administrative or non-teaching personnel or employee that the CSC, University President or their authorized representative can verify/validate the contents therein. It shall also be subscribed and sworn to before the Vice President for Administration and Finance (or authorized official) in the University, any officer authorized to administer oaths⁴⁶ or a notary public. The PDS may be accomplish by the appointee either through his/her own handwriting or via typewrite/computer and must bear his/her signature on every page with a passport-size ID picture taken within the last six (6) months attached at the last page thereof.

15.3. *Position Description Form*. – The Position Description Form (DBM-CSC

⁴² Republic Act No. 6656 or "An Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Organization."

⁴³ In **Civil Service Commission v. Maria Riza G. Vergel De Dios**, G.R. No. 203536, February 04, 2015 citing, 497 Phil. 979, 990 (2005); and 442 Phil. 428, 436 (2002), the Supreme Court ruled:

"In *Advincula v. Dicen*, we referred to the personal data sheet as the repository of all relevant information about any government employee or official. Thus, we declared that concealment of any information therein warrants the imposition of administrative penalty. Specifically, in *De Guzman v. Delos Santos*, we ruled that the making of an untruthful statement in the personal data sheet amounts to dishonesty and falsification of official document, which warrant dismissal from service upon commission of the first offense.

Civil service rules also provide that any act which includes the fraudulent procurement and/or use of fake/spurious civil service eligibility, the giving of assistance to ensure the commission or procurement of the same, or any other act which amounts to violation of the integrity of civil service examinations is to be categorized as grave offense of dishonesty, grave misconduct or conduct prejudicial to the best interest of the service."

⁴⁴ CSC Resolution No. 1700656 promulgated on March 21, 2017 and circularized per CSC MC No. 11, s. 2017 dated April 6, 2017 and per CSC No. 16, s. 2017 dated May 15, 2017.

⁴⁵ Personal Date Sheet need not be attached to appointments involving Reappointment (renewal) to temporary, casual, contractual, substitute status of appointments.

⁴⁶ Section 41 of Executive Order No. 292, otherwise known as the Administrative Code of 1987, as amended by Republic Act No. 6733, and Republic Act No. 10755 entitled, "An Act Authorizing the Punong Barangay to Administer Oath of Office of Any Government Official, Including the President of the Republic of the Philippines, Amending for the Purpose Section 41 of Executive Order No. 292, Otherwise Known as the Administrative Code of 1987, as Amended by Republic Act No. 6733.

Form No. 1, Revised 2017) which should be properly and completely accomplished shall be attached to all appointments.

Section 16. ***Procedures for the Preparation of Casual Appointments.*** – The following procedures shall be strictly observed in the preparation of casual appointments:

16.1. *Appointment Form.* – The Plantilla of Casual Appointment (CSC Form No. 34, Revised 2017), shall be used for appointments of casual employees. The appointment must be prepared in three (3) original copies (appointee's copy, CSC copy and University copy). A maximum of fifteen (15) names of appointees, arranged alphabetically, shall be indicated in every page thereof.

Subject to CSC accreditation status of the University, the prescribed Plantilla of Casual Appointment are CSC Form No. 34-A and CS Form No. 34-B, as may be applicable.

16.2. *Source of Funds.* – The source of funds for casual appointment shall always be indicated on the space provided.

16.3. *Name of Appointee/s.* – The name indicated on the appointment must be the same name appearing in the Certificate of Live Birth submitted by each of the appointee and the Certificate of Marriage, in the case of a married female appointee who opts to use the surname of her husband. The name of the appointee should be written in the following format: last name, first name, name extension (if any), and middle name or initial.

16.4. *Position Title.* – The position title indicated in the appointment should be found in the IOS⁴⁷. The salary/job/pay grade, level of position, and the corresponding compensation rate per day for each appointee listed in the Plantilla of Casual Appointment shall always be indicated.

16.5. *Period of Employment.* – The period of employment, which shall be the duration of the casual appointment of each appointee listed in the Plantilla of Casual Appointment shall be indicated in the following format: month, day and year (e.g. From: 07/01/2017 to: 12/31/2107).

16.6. *Nature of Appointment.* – The nature of appointment, such as original, reappointment or reemployment shall be indicated on the space provided.

16.7. *Signature of the University President.* – The three (3) original copies of the appointment must be signed by the University President upon authority and/or ratification by the EVSU Board of Regents. The EVSU Board of Regents or the University President, in so far authorized by the

⁴⁷ Index Occupational Services.

EVSU Board of Regents, is the appointing authority authorized by law to make appointments in the University.

In case EVSU Board of Regents delegates the authority to issue appointments to the next-in-rank official of the University or Executive Officials of the University, as authorized by laws, a copy of the Board Resolution or Order of the said purpose shall be submitted to the CSC Field Office.

In no case shall digital/electronic or rubber-stamped signature of the University President on the appointment be allowed.

- 16.8. *Date of Signing.* – The date of signing, which is the date of the issuance and the date of effectivity of the appointment, shall be indicated below the signature of the University President, in so far as authorized by the EVSU Board of Regents.
- 16.9. *Certification as to the Completeness and Authenticity of the Requirements.* – The Vice President for Administration for Finance, upon the recommendation by the Vice President for Academic Affairs as Chairperson for the Human Resource Merit Promotion Section Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University, shall thoroughly review and check the veracity, authenticity and completeness of all the requirements and documents in support of the appointment. He/she shall sign the certification at the back of the appointment.

Article 8

Employment Status, Nature of Appointment and Other Human Resource Actions

Section 17. ***Statuses of Appointment for the Administrative or Non-Teaching Personnel or Employee.*** – The statuses of appointment for the administrative or non-teaching personnel or employee of the University shall be any of the following⁴⁸:

- 17.1. **Permanent** – an appointment issued to an appointee who meets all the requirements of the position to which he/he is being appointed to, including the appropriate eligibility, in accordance with the provisions of law, rules and standards promulgated in pursuance thereof.

For this purpose, the probationary period shall be two (2) semesters for the faculty members or academic staff and one (1) year for academic non-teaching staff reckoned from the date of assumption to office.

- 17.2. **Temporary** – an appointment issued to a person who meets the

⁴⁸ Section 9, Rule IV of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

education, experience and training requirements for the position to which he/she is being appointed to, except for the appropriate eligibility. The following rules shall strictly be observed:

- 17.2.1. A temporary appointment may only be issued in the absence of a qualified eligible actually available who is willing to accept the appointment, as certified by the Vice President for Administration and Finance. The appointment shall not exceed twelve months, reckoned from the date it was issued but the appointee may be replaced sooner if a qualified eligible who is willing to accept the appointment becomes actually available.
- 17.2.2. In no case shall a temporary appointment be issued for positions that involve practice of profession regulated by bar/board law for lack of the required license and/or certificate of registration.
- 17.2.3. A temporary appointment issued to a person who does not meet any of the education, training or experience requirements for the position shall be disapproved/invalidated except to positions that are hard to fill, or other meritorious cases as may be determined by the CSC, or as provided by special law, such as Medical Officer/Specialist positions, Special Science teacher, Faculty positions and Police Officer positions. Except for these positions, temporary appointments may only be renewed once.
- 17.2.4. A temporary appointment issued to a person who meets all the requirements of the position shall be disapproved/invalidated.
- 17.2.5. Appointees under temporary status do not have security of tenure and may be separated from the service, with or without cause. As such, they shall not be considered illegally terminated and; hence, not entitled to claim back wages and/or salaries and reinstatement to their positions.
- 17.2.6. The employment or services of appointees under temporary status may be terminated without necessarily being replaced by another. Temporary appointees may also be replaced within the twelve-month period by qualified eligibles or even by non-Eligibles.
- 17.2.7. A 30-day written notice signed by the University President shall be given to temporary appointee prior to termination of service/removal or replacement.
- 17.2.8. An appointee shall be qualified for renewal of services subject if his/her Strategic Performance Management System (SPMS) at least Very Satisfactory (VS) in the last preceding two (2) rating periods based on the workload distribution and

requirements prescribed this 2017 Human Resource Merit Promotion and Section for Administrative or Non-Teaching Personnel and in the 2017 Revised University Code, and upon the favorable recommendation by the concerned Campus Director, upon consultation with the concerned Administrative Department or Division/Section Director/Head duly approved by the University President.

- 17.3. **Substitute** – an appointment issued when the regular incumbent of a position is temporarily unable to perform the duties of the position, as when the incumbent is on approved leave of absence, under suspension, on a scholarship grant or is on secondment. This is effective only until the return of the incumbent. A substitute appointment is allowed only if the leave of absence of the incumbent is at least three (3) months, except in the case of teachers.

Provided, that a person who is issued a substitute appointment to a position whose duties involved practice of a profession covered by Bar/Board or special laws shall be required to possess the appropriate professional license. The substitute appointee shall be entitled to the salaries and benefits attached to the position except for those benefits requiring longer period of service for the availment thereof.

- 17.4. **Coterminous** – an appointment issued to a person whose tenure is limited to a period specified by law or whose continuity in the service is based on the trust and confidence of the University President and/or EVSU Board of Regents or of the head of the organizational unit where assigned subject to the approval by the University President and EVSU BOR. Specifically, the categories of coterminous appointments are:

17.4.1. *Coterminous with the University President* – an appointment is coexistent with the term/tenure of the University President.

17.4.2. *Coterminous with the Head of the Organizational Unit Where Assigned* – an appointment is coexistent with the term/tenure of the head of the organizational unit to which he/she is assigned, who is not the appointment officer/authority. For this purpose, head of the organizational unit shall refer to Vice Presidents, Campus Directors, College Deans, Department or Division Directors, Heads or Chiefs.

Appointees to coterminous positions that are not primarily confidential in nature (items 9.6.4.1. and 9.6.4.2) must meet the education, training and experience requirements of the positions as proposed by the University President and approved by the EVSU Board of Regents and the CSC. Pending the submission and approval of the University qualification standards, the qualification requirements under the CSC

Qualification Standards Manual shall be used as bases in the attestation of these coterminous appointments.

Eligibility is not required for appointment, except those whose duties involve the practice of a profession regulated by the Philippine Bar/Board or special laws and/or require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended, but reference should be given to civil service eligibles.

- 17.4.3. *Coterminous (primarily confidential in nature)* – an appointment to positions determined by law or declared by the CSC to be primarily confidential in nature, the duties and responsibilities of which imply not only confidence in the aptitude of the appointees but primarily lose intimacy which insures freedom of discussion delegation and reporting without embarrassment or freedom from misgivings or betrayals of personal trust. Appointees to primarily confidential positions are exempt from the qualification requirements, except those whose duties involved the practice of a profession regulated by the Philippine Bar/Board or special laws and/or require licenses.

For this purpose, the position of the Board and University Secretary shall be considered coterminous which can be filled up through designation in Acting capacity or Officer-In-Charge (OIC) or issuance of coterminous appointment at the discretion of the University President subject to the approval by the EVSU Board of Regents.

- 17.5. **Fixed Term** – an appointment issued to a person with a specified term of office, subject to reappointment as provided by law, such as Chairperson and Members of the EVSU Board of Regents and University President.

For this purpose, the positions of the Vice Presidents, Campus Directors, College Deans, Board and University Secretary, Directors or Heads of the Departments or Branches or Units of the University shall be considered fixed term subject to the provisions of the 2017 Revised University Code which can be filled up through issuance of a fixed term appointment or designation in Acting capacity or Officer-In-Charge (OIC) at the discretion of the University President subject to the approval by the EVSU Board of Regents.

- 17.6. **Contractual** – an appointment issued to a person whose employment in the University is in accordance with a special contract to undertake local or foreign-assisted projects or a specific work or job requiring special or technical skills not available in the University, to be accomplished within a specific period subject to the following rules:

- 17.6.1. The inclusive period of the contractual appointment shall be indicated on the face of the appointment for purposes of crediting services at the discretion of the University President duly approved by the EVSU Board of Regents.
- 17.6.2. Contractual appointments are limited to one (1) year, but may be renewed every year, based on performance, until the completion of the project or specific work. However, if the performance of the appointee is below satisfactory or where the funds have become insufficient or unavailable, the University President may terminate the services of, or replace, the appointee after giving the latter a notice at least thirty (30) days prior to the date of termination of appointment.
- 17.6.3. Employees under contractual appointment must meet the education, training and experience requirements of the positions as proposed by the University President and approved by the EVSU Board of Regents and CSC. Pending the submission and approval of the University qualification standards, the qualification requirements provided under the CSC Qualification Standards Manual shall be used as bases in the attestation of these contractual appointments.
- 17.6.4. Eligibility is not required for appointment, except those whose duties involved the practice of profession regulated by the Philippine Bar/Board or special laws and/or require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended, but preference should be given to civil service eligibles.
- 17.6.5. The appointee shall perform the work or job under his/her own responsibility with minimal direction and supervision from the University.
- 17.6.6. In no case shall a contractual appointment be issued to fill a vacant plantilla position or contractual employee perform the duties and responsibilities of the vacant plantilla position.
- 17.6.7. A contractual appointment should not be confused with contract of service since the service under the latter is not considered as government service. Contract of service does not give rise to employer-employee relationship between the individual and the government, which is not true with contractual appointment.
- 17.6.8. Employees under contractual appointment are entitled to the same benefits enjoyed by regular employees of the University.
- 17.7. **Casual** – an appointment issued only for essential and necessary

services where there are not enough regular staff to meet the demands of the service and for emergency cases and intermittent period not to exceed one (1) year subject to the following rules:

- 17.7.1. Employees under casual appointment must meet the education, training and experience requirements of the positions as proposed by the University President and approved by the EVSU Board of Regents and CSC. Pending the submission and approval of the University qualification standards, the qualification requirements provided under the CSC Qualification Standards Manual shall be used as bases in the attestation of these contractual appointments.
 - 17.7.2. Eligibility is not required for appointment, except those whose duties involved the practice of profession regulated by the Philippine Bar/Board or special laws and/or require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended, but preference should be given to civil service eligibles.
 - 17.7.3. In no case shall a casual appointment be issued to fill a vacant plantilla position or contractual employee perform the duties and responsibilities of the vacant plantilla position.
 - 17.7.4. Employees under casual appointment are entitled to the same benefits enjoyed by regular employees of the University.
- 17.8. **Part-time appointment** may be issued to a regular plantilla position, either as permanent, if the requirements of the position are not met, or as temporary, if one of the requirements is not met subject to the following rules:
- 17.8.1. Part-time appointment to a regular plantilla position is different from part-time teaching covered by a contract of service or job order. The former is submitted to the CSC as it involves appointment to a regular plantilla position, only that the work is part-time.
 - 17.8.2. Service under a part-time appointment is government service and forms part of the faculty member's service record.
 - 17.8.3. Part-time teaching covered by a contract of service or a job order does not give rise to employer-employee relationship between the University and the person hired, and it is stipulated in the contract that services rendered cannot be accredited as government service.

Section 18. **Nature of Appointment.** – The nature of appointment shall be,

as follows⁴⁹:

- 18.1. **Original** – the initial entry into the career⁵⁰ or non-career service.
- 18.2. **Promotion** – the advancement of a career employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary. The following rules shall be strictly observed:
 - 18.2.1. Promotion may be upward movement of rank or may be from one University or SUC or department or from a University Campus to another Campus or organizational unit to another within the University. *Provided however*, that any upward movement from the non-career service to the career service and vice versa shall not be considered as a promotion but as reappointment.
 - 18.2.2. An administrative or non-teaching personnel or employee who is promoted to another agency shall notify the University President in writing where he/she is employed within thirty (30) days prior to his/her assumption to the position. It is understood that the administrative or non-teaching personnel or employee who is promoted to another agency is cleared from all money, property and work-related accountabilities.
 - 18.2.3. The pendency of an administrative case against any administrative or non-teaching personnel or employee shall not be a bar to promotion.
 - 18.2.4. A administrative or non-teaching personnel or employee who has been found guilty of an administrative offense and imposed the penalty of demotion, suspension or fine shall be disqualified for promotion for the same period of suspension or fine. In case of demotion, the period of disqualification for promotion shall be within one (1) year.
 - 18.2.5. Special promotions based on awards and/or acts of conspicuous courage and gallantry as provided under special laws, such as Sec. 6, RA No. 6713⁵¹, Section 10, RA No. 9263⁵², as amended by RA No. 9592, Sec. 31, RA No. 8551⁵³ and Executive Order No. 508⁵⁴, as amended by Executive Order No. 77, shall be

⁴⁹ Section 11, Rule IV of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁵⁰ Subject to probationary period under Rule V of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017

⁵¹ "Code of Conduct of Ethical Standards for Public Officials and Employees."

⁵² "Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004."

⁵³ "Philippine national Police Reform and Reorganization Act of 1998."

⁵⁴ "Instituting the Lingkod Bayan Award as the Presidential Award for Outstanding Public Service."

exempt from qualification requirements but subject to specific validation requirements as provided under the above-said special laws and their implementing rules and regulations.

- 18.3. **Transfer** – the movement of administrative or non-teaching personnel or employee from one position to another which is of equivalent rank, level or salary without gap in the service involving the issuance of an appointment. The following rules shall be strictly enforced:
 - 18.3.1. The transfer may be from one organizational unit to another in the University Campuses or from the University to another government agency; *Provided, however,* that any movement from the non-career service to another service and vice versa shall not be considered as a transfer but reappointment.
 - 18.3.2. A administrative or non-teaching personnel or employee who seeks transfer to another University Campus or department shall notify the concerned University Executive Official and University President in writing where he/she is employed with thirty (30) days prior to the effective date of his/her transfer. The University President shall notify the faculty member or academic staff or employee in writing the approval other request to transfer within thirty (30) days from date of notice subject to the approval of the EVSU Board of Regents.
 - 18.3.3. If the request of transfer of the administrative or non-teaching personnel or employee is not granted by the University President and/or EVSU Board of Regents where he/she is employed, it shall be deemed approved after the lapse of thirty (30) days from the date of notice without the need to notify the faculty member or academic staff or employee concerned.
 - 18.3.4. It is understood that the administrative or non-teaching personnel or employee who seeks to transfer is cleared from all money, property and work-related accountabilities.
 - 18.3.5. If, for whatever reason, the administrative or non-teaching personnel or employee fails to transfer on the specified date, he/she shall be deemed resigned. However, should the faculty member or academic staff or employee opt to reaming the University before the specified date of transfer, the faculty member or academic staff or employee may be reappointed if there is no gap in the service or reemployed if there is gap in the service. In both cases, the faculty member or academic staff or employee shall undergo the usual hiring process.
- 18.4. **Reemployment** – the appointment of a person has been previously appointed to a position in the government service but was separated

therefrom as a result of reduction in force, reorganization, retirement, voluntary resignation, or any non-disciplinary action such as dropping from the rolls and other modes of separation. Reemployment presupposes a gap in the service.

Provided, that no prior authority from the CSC shall be required for the reemployment of a person who has been previously retired or resigned and who has not reached the compulsory retirement age of 65.

18.5. **Reappointment** – the issuance of an appointment as a result of reorganization, devolution, salary standardization, re-nationalization, recategorization, rationalization or similar events, including the following:

18.5.1. The issuance of appointment from temporary to permanent, career to non-career or vice versa, non-career to another non-career, all of which entails no gap in the service, shall be considered as reappointment. Non-career employees who are appointed for the first time in the career service under permanent status shall be required to undergo probationary period of six (6) months.

18.5.2. The renewal of temporary, contractual and casual appointment upon the expiration of the appointment or subsequent appointment of substitute administrative or non-teaching personnel or employee, which entails no gap in the services, shall be considered as reappointment. A temporary appointment may be renewed if there is no qualified actually available who is willing to accept the appointment, as certified by the Vice President for Administration and Finance and provided that the performance rating of the administrative or non-teaching personnel or employee is at least Satisfactory.

18.5.3. Personal or coterminous staff of the University President and/or officials of the University whose term of office ended and are subsequently absorbed or rehired by the succeeding University President and/or officials of the University without gap in their service shall be issued new appointments, the nature of which is reappointment.

18.5.4. Reappointment presupposes no gap in the service.

18.6. **Reinstatement (to comparable position)** – the restoration of an administrative or non-teaching personnel or employee, as a result of a decision, to a career position from which he/she has, through no delinquency or misconduct, been separated but subject position is already abolished, requiring the issuance of an appointment to a comparable position to the separated administrative or non-teaching

personnel or employee.

However, reinstatement (to the same position/item), which involves the restoration of the administrative or non-teaching personnel or employee, as a result of decision, to a career position from which he/she has, through no delinquency or misconduct, been separated from the service and subject position is still available, does not need the issuance of an appointment.

- 18.7. **Demotion** – the movement of an administrative or non-teaching personnel or employee from a higher rank or position to a lower academic rank or position where he/she qualified, if a lower academic rank or position is available. The demotion entails reduction in duties, responsibilities, status or rank, which may or may not involve a reduction in salary.

In cases where the demotion is due to reorganization or rationalization, the faculty member or academic staff or employee shall be allowed to continue to receive the salary of the higher rank or position.

In cases where the demotion is voluntary or at the instance of the administrative or non-teaching personnel or employee, he/she shall be allowed to receive the same step of salary grade of the academic rank or position where he/she voluntarily sought to be appointed. A written consent shall be secured from the demoted faculty member or academic staff or employee.

- 18.8. **Reclassification** – a form of staffing modification and/or academic rank or position classification action which is applied only when there is a substantial change in the regular duties and responsibilities of the academic rank or position. This may result in a change in any or all of the position attributes: position title, level and/or salary grade. It generally involves a change in the academic rank or position title and may be accompanied by an upward or downward change in salary. Reclassification is the generic term for changes in academic/staff/position classification which includes upgrading, downgrading, and recategorization.

Reclassification of rank or position requires the issuance of an appointment but the same is ministerial on the part of the University President and/or EVSU Board of Regents.

The appointment of an incumbent (permanent administrative or non-teaching personnel or employee) whose academic rank or position was reclassified shall be approved/validated, regardless of whether he/she meets the qualification requirements of the rank or position involved. The incumbent of the reclassified rank or position has a vested

right to the reclassified rank or position but he/she shall not be promoted unless he/she meets the qualification requirements of the next higher rank or position.

Article 9

Other Human Resource Actions⁵⁵

Section 19. **Classifications of Other Human Resource Actions.** – The following human resource actions which will not require the issuance of an appointment shall nevertheless require an Office or Special Order issued by the University President upon prior authority and/or subject to ratification or confirmation by the EVSU Board of Regents:

19.1. **Reassignment** – the movement of an administrative or non-teaching personnel or employee across the organizational structure within the University which does not involve a reduction in rank, status or salary. Reassignment shall be governed by the following:

19.1.1. Reassignment of administrative or non-teaching personnel or employees with station-specific place of work indicated in their respective appointments within the geographical location of the University shall be allowed only for a maximum period of one (1) year. The restoration or return to the original post/assignment shall be automatic without the need of any order of restoration/revocation of the order of reassignment.

An appointment is considered station-specific when: (a) the particular office or station where the position is located is specifically indicated on the face of the appointment paper; or (b) the position title already specified the station, such as, University President, Vice Presidents, Deans, Campus Directors, Directors or Heads, Human Resource Management Officer, Accountant, Budget Officer, different ranks and administrative or non-teaching personnel position titles, and such other positions with organizational unit/station-specific function. Such position titles are considered stations-specific even if the place of assignment is not indicated on the face of appointment.

19.1.2. If an appointment is not station-specific, the one-year maximum period of reassignment within the geographical location of the University shall not apply. However, the employee concerned may request for a recall of the reassignment citing his/her reasons why he/she wants to go back to his/her original station. The reassignment may also be revoked or recalled by the University and/or EVSU Board of

⁵⁵ Section 13, Rule IV of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

Regents or be declared not valid by the CSS or a competent court, on appeal.

19.1.3. Reassignment is presumed to be regular and made in the interest or exigency of public service⁵⁶ unless proven otherwise or if it constitutes constructive dismissal. Constructive dismissal exists when an official, administrative or non-teaching personnel or employee or employee quits his/her work because of the University's unreasonable, humiliating, or demeaning actuations, which render continued work impossible because of geographic location, financial dislocation and performance of other duties and responsibilities inconsistent with those attached to the position. This may occur although there is no diminution or reduction in rank, status or salary of the administrative or non-teaching personnel or employee.

Reassignment that constitutes constructive dismissal may be any of the following:

1. Reassignment of a administrative or non-teaching personnel or employee to perform duties and responsibilities inconsistent with the duties and responsibilities of his/her academic rank or position such as from a position of dignity to a more servile or mental job;
2. Reassignment to an office not in the existing organizational structure;
3. Reassignment to an existing office but the administrative or non-teaching personnel or employee is not given any definite set of duties and responsibilities;
4. Reassignment that will cause significant financial dislocation or will cause difficulty or hardship on the part of the administrative or non-teaching personnel or employee because of geographical location; or
5. Reassignment that is done indiscriminately or whimsically because the law is not intended as a convenient shield for the University President or disciplining officer to harass or oppress a subordinate on the pretext of advancing and promoting public interest such as reassignment of faculty members or academic staff or employees twice within a year, or reassignment of career officials and employees with valid appointments during change of administration of elective and appointive officials.

⁵⁶ Situations wherein there will be disruption in the delivery of basic or vital services or emergency/crisis situation or there is a need to respond to the demands of public service.

Reassignment that results in constructive dismissal must be sufficiently established.

- 19.1.4. The administrative or non-teaching personnel or employee may appeal the reassignment order within fifteen (15) days upon receipt thereof to the EVSU Board of Regents or to the CSC or CSC Regional Office No. VIII, as provided under specific law, if he/she believes there is no justification for the reassignment. Pending appeal, the reassignment shall not be executory⁵⁷. The Decision of the CSC Regional Office No. VIII may be further appealed to the CSC within fifteen (15) days from receipt thereof.
- 19.1.5. Reassignment of public health workers, public social workers, public school teachers and other professions covered by special laws shall be governed by their respective laws. However, the rules herein mentioned shall be applied suppletorily.
- 19.2. **Detail** – temporary movement of an administrative or non-teaching personnel or employee from one Department or College or Campus to another within the University or from one agency to University or from the University to another agency, which does not involve a reduction in rank, status or salary. Detail shall be governed by the following rules:
 - 19.2.1. The detailed administrative or non-teaching personnel or employee shall receive his/her salary only from his/her parent University Campus or agency.
 - 19.2.2. Detail without consent shall be allowed only for a period of one (1) year.
 - 19.2.3. Detail with consent shall be allowed for a maximum of three (3) years. The extension or renewal of the detail shall be discretionary on the part of the University or parent agency.
 - 19.2.4. Detail from one University or agency to another shall be covered by an agreement manifesting the arrangement between the agency heads that it shall not result in reduction in rank, status or salary of the administrative or non-teaching personnel or employee, the duration of the detail, duties to be assigned to the administrative or non-teaching personnel or employee and respondents of the University and receiving agency.
 - 19.2.5. The administrative or non-teaching personnel or employee may appeal the detail order within fifteen (15) days upon receipt to the EVSU Board of Regents or CSC or CSC Regional Office No. VIII if he/she believes there is no justification for the detail.

⁵⁷ **CSC v. Pacheo**, G.R. No. 178021, January 25, 2012.

Pending appeal, the detail order shall be executory unless otherwise ordered by the CSC. The decision of the said CSC Regional Office No. VIII may be further appealed to the CSC within fifteen (15) days from receipt.

19.2.6. During the period of the detail, the University relinquishes administrative supervision and control over the detailed administrative or non-teaching personnel or employee to the receiving agency. In this regard, the receiving agency has the following responsibilities:

1. To monitor the punctuality and attendance of the administrative or non-teaching personnel or employee;
2. To approve requests for leave;
3. To evaluate the administrative or non-teaching personnel or employee's performance;
4. To grant the authority to travel; and
5. Exercise other acts necessary to effectively supervise the administrative or non-teaching personnel or employee.

Provided, that a report on said matters is submitted to the University for record purposes.

19.2.7. The detailed administrative or non-teaching personnel or employee shall be designated by the receiving agency to a position whose duties are comparable to his/her position in the University. However, he/she shall not be designated to a position exercising control or supervision over regular and career employees of the receiving agency.

19.2.8. Prior to the effectivity of the detail, the University shall furnish a certification of the available sick and vacation leave credits of the detailed administrative or non-teaching personnel or employee to the receiving agency. In the event the receiving agency approves requests for leave by the detailed administrative or non-teaching personnel or employee, a copy of the same shall be submitted to the University.

19.2.9. The authority to discipline the detailed administrative or non-teaching personnel or employee is still vested in the University President and/or Board of Regents of the University. As used herein, the authority to discipline includes the determination of the existence of a *prima facie* case against the detailed faculty member or academic staff or employee, issuance of a formal charge, issuance of the order of preventive suspension if the

case so warrants, conduct of formal investigation, and rendering of the decision on the administrative case.

With respect to the administrative case arising from acts done by the administrative or non-teaching personnel or employee in the receiving agency, said agency shall have the right to initiate or file complaint against the detailed employee subject to the provisions of the Code of Conduct and Rules on Administrative and Disciplinary Cases of the Officials and Employees of the University duly approved by the EVSU Board of Regents and/or the 2017 Rules on Administrative Cases in the Civil Service (RACCS).

19.2.10. All human resource actions and movements, including monetization of leave credits, concerning the detailed administrative or non-teaching personnel or employee, shall still be under the jurisdiction of the University notwithstanding that the administrative or non-teaching personnel or employee is detailed in another agency.

19.3. **Designation** – movement that involves an imposition of additional and/or higher duties to be performed by an official, administrative or non-teaching personnel or employee which is temporary and can be terminated anytime at the pleasure of the University President and/or EVSU Board of Regents. Designation may involve the performance of the duties of another position⁵⁸ on a concurrent capacity or on full-time basis.

A designation in an acting capacity entails not only the exercise of the ministerial functions attached to the position but also the exercise of discretion since the person designated is deemed to be the incumbent of the position⁵⁹.

Officials designated as Officer-in-Charge (OIC) enjoy limited powers which are confined to functions of administration and ensuring that the office continues its usual activities. The OIC may not be deemed to possess the power to appoint employees as the same involves the exercise of discretion which is beyond the power of an OIC, unless the designation order issued by the University President and/or EVSU Board of Regents expressly includes the power to issue appointment.

Designation shall be governed by the following rules:

1. Employees to be designated should hold permanent

⁵⁸ Designation as officers or members of Committees such as BAC, HRMPSB, PMT, HRMPSB-FANTS are not subject to this rule.

⁵⁹ CSC Resolution No. 000778 (Vitriolo, Julito D., Re: Query; Position Title; Nomenclature Distinction between Acting and OIC) promulgated on March 24, 2000.

appointments to career positions.

2. Designees can only be designated to positions within the level they are currently occupying. Employees holding first level positions can not be designated to perform the duties of second level positions except in meritorious cases as determined by the CSC Regional Office No. VIII upon request for exemption by the University, such as organizational set-up, calamity, and due to exigency of the service. This exception shall not apply to positions involving supervisory and executive managerial functions. Division Chiefs may be designated to perform the duties of second level executive/managerial or third level positions.
3. For positions with incumbents who temporarily can not perform the duties of the position (due to vacation or sick leave, study leave, scholarship, maternity leave, special assignments), the designation should be synchronized with the absence of the incumbent, unless earlier revoked or recalled by the University President and/or EVSU Board of Regents. However, the designation of the administrative or non-teaching personnel or employees may be renewed every year in the exigency of the service but not to exceed two (2) years.
4. For positions without incumbents, a designation may be made only for a maximum of one (1) year. However, the designation of administrative or non-teaching personnel or employees may be renewed every year in the exigency of the service but not to exceed two (2) years.
5. Designations shall be made through an office order issued by the University President upon authority by the EVSU Board of Regents or subject to the ratification or confirmation by the EVSU Board of Regents.
6. Designees cannot be granted the salaries of the positions they are being designated to. However, allowances that go with the performance of the functions such as RATA (Representation and Transportation Allowance) or EME (Extraordinary and Miscellaneous Expenses) may be granted as provided under the provisions of the General Appropriations Act (GAA) and/or budget duly approved by the EVSU Board of Regents. *Provided*, that the grant of the same is specifically stated in the designation order.
7. Only experience gained from designation complaint with the abovestated rules shall be credited as relevant experience for purposes of appointment.

8. Faculty members who are designated Vice Presidents shall be entitled to the difference between their present salaries and the 1st step of the salary grade of permanent VP position as shown in Section 2 hereof⁶⁰.
9. Designated Vice Presidents shall be entitled to representation and transportation allowances (RATA) at the rates indicated in the General Appropriations Act for officials who are considered to be equivalent rank as follows⁶¹:

<u>SUC Level</u>	<u>Official of Equivalent Rank</u>
4	Bureau Director
3	Assistant Bureau Director
2	Bureau Regional Director
1	Assistant Bureau Regional Director

- 19.4. **Secondment** – movement of an administrative or non-teaching personnel or employee from one department or institution to another which is temporary and which may or may not require the issuance of an appointment by may either involve reduction or increase in compensation.

Article 10 **Probationary Period**⁶²

Section 20. **Mandatory Probationary Period.** – Original appointees in the career service with permanent status of appointment, shall undergo probationary period for a thorough assessment of his/her performance and character. The duration of probationary period is generally six (6) months for administrative or non-teaching personnel or employees or depending on the duration of the probationary as required by the position.

Probationary period refers to the period of actual service following the issuance of a permanent appointment wherein the appointee undergoes a thorough character investigation and assessment of capability to perform the duties of the position enumerated in the Position Description Form (PDF).

Section 21. **Coverage and Exemptions.** – The following shall be observed:

21.1. **Coverage** – The probationary period shall cover the following employees:

⁶⁰ Item 6.0 of DBM-CHED Joint Circular No. 2, s. 2003 dated July 28, 2003 entitled, "Allowable Number of Vice President Positions in SUCs."

⁶¹ Item 7.0 of DBM-CHED Joint Circular No. 2, s. 2003 dated July 28, 2003 entitled, "Allowable Number of Vice President Positions in SUCs."

⁶² Rule V of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

- 21.1.1. Those who are issued original appointments under permanent status in the career service who meet all the requirements of the positions;
 - 21.1.2. Non-career service employees who are reappointed/reemployed to a career position under permanent status;
 - 21.1.3. Temporary appointees who after meeting the eligibility requirements for a permanent appointment in the career service are reappointed (change of status to permanent);
 - 21.1.4. Those who are reemployed under permanent status;
 - 21.1.5. First-time appointees to closed career positions such as, faculty and academic staff of the University;
 - 21.1.6. Appointees to Category III positions as provided in CSC MC No. 11, s. 1996, as amended shall be under probation for a period of one (1) year; and
 - 21.1.7. Appointees whose positions require probationary period as may be provided by law.
- 21.2. *Exemptions* – The following employees shall be exempted from undergoing probationary period:
- 21.2.1. First-time appointees to close career positions in the University, and scientific and research institutions if so provided under the agency Charters; and
 - 21.2.2. Appointees to positions exempted from the probationary period as may be provided by law.

Section 22. ***Notation of the Probationary.*** – A notation that the appointee is under probation for a specified period shall be indicated in the appointment issued by the University President duly approved by the EVSU Board of Regents.

Section 23. ***Performance Targets and Work Output Standards Setting.***
– To facilitate the review and monitoring of administrative or non-teaching personnel or employee performance, the performance targets and work output standards of a probationer shall be set based on the performance indicators and weight allocations of their respective positions, agreed upon and duly signed by the probationer, the immediate supervisor (rater), and the University President within five (5) days upon appointee's assumption to duty.

The appointee's performance during the probationary period shall be reviewed as follows:

- 23.1. The immediate supervisor (rater) shall regularly gather feedback on the

appointee's performance, and conduct feedback sessions to determine appropriate interventions to improve the appointee's performance;

- 23.2. The performance appraisal/evaluation shall be done at least twice during the probationary period and within every four (4) months or eight (8) months for faculty members or every three (3) months or six (6) months for academic staff or employee, depending on the duration of the probationary period, as required by the position;
- 23.3. The performance review shall be conducted within ten (10) days before the end of every rating period during the probationary period.
- 23.4. The critical factors to be reviewed shall be based on the performance dimensions indicated in the University Strategic Performance Management System (SPMS) and may include competency (knowledge, skills and attitude), and job-related critical incidents, such as habitual tardiness and continuous absence from work;

Provided, that faculty members under probationary shall be evaluated based on the performance indicators and weight allocations provided under Article 25 hereof.

- 23.5. The performance evaluation report shall be reviewed and certified by the University Performance Management Team (PMT) or any duly constituted review committee; and
- 23.6. The probationers shall be furnished with copies of the records of feedback, job-related critical incidents, and performance evaluation reports with comments on their capability to meet the performance targets and work output standards and/or recommendation for the continuity of the permanent appointment of the probationer. Corresponding copies shall be included in the 201 file of the appointees.

Section 24. **Termination of Services of Appointees Under Probationary Period.** – The services of the appointee can be terminated for unsatisfactory conduct or want of capacity before the end of the sixth (6th) month for administrative or non-teaching personnel or employee or depending on the duration of the probationary period as required by the position.

Unsatisfactory conduct or behavior refers to the failure of the appointee to observe propriety in his/her acts, behavior and human/public relations, and to irregular punctuality and attendance while performing their duties and responsibilities during the probationary period.

Subject to the ratification or confirmation by the EVSU Board of Regents, the appointee shall be issued a notice of termination of service by the University President within fifteen (15) days immediately after it was proven that he/she demonstrated satisfactory conduct or want of capacity before the end of the second performance period on the or on the sixth (6th) month for an administrative or non-teaching

personnel or employee or depending on the duration of the probationary period. Such notice shall state, among other things, the reasons for the termination of service⁶³ and shall be supported by at least two of the following:

1. Performance Evaluation Report;
2. Report of the immediate supervisor (rater) on job-related critical and unusual incidents and on unsatisfactory conduct or behavior of the appointee; or
3. Other valid documents that may support the notice of termination of service.

The notice of termination of service shall be executory after fifteen (15) days from receipt of the faculty member or academic staff or employee concerned. The same may be appealed to the EVSU Board of Regents or to the CSC Regional Office No. VIII, within fifteen (15) days from receipt of notice but shall be executory pending appeal. A copy of the Notice of Termination of Service shall be included in the 201 file of the appointee and furnished the CSC Field Office concerned for recording in the Service Card.

If no notice of termination of office is given by the University President and/or EVSU Board of Regents to the faculty member or academic staff or employee before the expiration of six-month for the academic staff or employee or depending on the duration of the probationary period, the probationer becomes a regular administrative or non-teaching personnel or employee of the University.

Article 11

Issuance, Effectivity, Submission and Cancellation of Appointments

Section 25. **Issuance of Permanent Appointment.** – An administrative or non-teaching personnel or employee who meets the qualification requirements of the position, will be issued a permanent appointment by the EVSU Board of Regents upon the recommendation by the University President taking into consideration of the assessments and findings by the duly constituted HRMPS-ANTP

Section 26. **Effectivity Date.** – An appointment issued in accordance with pertinent laws and rules shall take effect immediately on the date it was signed by the University President upon authority by the EVSU Board of Regents. The date of signing shall be indicated below the signature of the University President in the appointment form.

The date of the appointment shall not fall on a Saturday, Sunday, or holiday, except in cases where the date of issuance is specifically provided in a special law such as in the appointment of personal and confidential staff and where the service should not constitute a gap such as in transfer and reappointment.

⁶³ **Land Bank of the Philippines v. Paden**, G.R. No. 157607, July 7, 2009.

If the appointee has taken his/her oath of office and assumed the duties of the position, he/she shall be entitled to receive his/her salary at once without awaiting the approval/validation of his/her appointment by the CSC. The appointment shall remain effective until disapproved/invalidated by the CSC. In no case shall an appointment take effect earlier than the date it was signed except in cases authorized by law.

No official, administrative or non-teaching personnel or employee shall be required to assume the duties and responsibilities of the position without being furnished a copy of his/her appointment by the HRMD Office after it is signed by the University President upon authority by the EVSU Board of Regents. The appointee shall acknowledge receipt of the appointment by signing on the acknowledgement portion at the back of the appointment form.

The appointment of officials, administrative or non-teaching personnel or employee who are on official leave of absence, training or scholarship grant, shall be effective upon assumption or upon return from official leave of absence, scholarship or training.

Section 27. **Submission of Requirements.** – An appointment shall be submitted to the CSC within thirty (30) days from the date of issuance. In case of appointments issued by accredited/deregulated agencies, the Report on Appointments Issued (RAI) together with the original CSC copy of appointments issued during the month and the required attachments shall be submitted on or before the 30th day of the succeeding month.

The delay in the submission of appointment or RAI to the CSC Field Office or CSC Regional Office No. VIII shall not be taken against the appointee. The effective date of appointment shall not be adjusted based on the delay, thus the original date of appointment shall be retained. However, the responsible official/s who caused the delay in the submission or non-submission of the appointment may be held administratively liable for neglect of duty⁶⁴.

Furthermore, the delay in the submission or non-submission of RAI may be reflected by the CSC Field Director as a critical incident in the Agency Capability Evaluation Card (ACEC)⁶⁵ and may result in the revocation of the accredited/deregulated status of the University.

The appointee, whose appointment was submitted to the CSC beyond the prescribed 30-day period shall be entitled to the payment of salary from the University immediately following the effectivity of the appointment and assumption to duty. The services rendered by the appointee shall be credited as government service.

Section 28. **Cancellation of Appointments.** – An appointment issued by the

⁶⁴ **Obiasca v. Bassalote**, G.R. No. 176707, February 17, 2010.

⁶⁵ The ACEC shall be updated regular by the CSC Field Directors pursuant to CSC Memorandum Circular No. 3, s. 2012.

University President upon the authority of the EVSU Board of Regents may be cancelled if the appointee does not assume office or report within thirty (30) calendar days from receipt of the written notice of the appointment.

The cancellation of the appointment shall be reported to the CSC for record purposes. The position is automatically deemed vacant upon cancellation of the appointment by the University President duly approved or ratified by the EVSU Board of Regents without the need for an approval or declaration by the CSC. The University President, subject to the approval or ratification by the EVSU Board of Regents, may select from other the top ranking candidates for the position or order the re-publication of the vacant position pursuant to R.A. No. 7041.

Officials, administrative or non-teaching personnel or employees who are on official leave of absence, training or scholarship grant, whose appointment shall be effective upon assumption or upon return from official leave of absence, scholarship or training, shall be exempt from this provision.

If the appointee is not allowed to assume office by the University President or other officials concerned despite his/her receipt of the appointment, or submission thereof to the CSC for approval the officials/or employee/s who caused the non-assumption of the appointee shall be held administratively liable.

Section 29. **Effectivity Date of Temporary Appointment.** – In the case of temporary appointment, the twelve-month period of its effectivity shall be reckoned from the date of the issuance of the appointment and not from the date of the appointee assumed the duties of the position.

Section 30. **Liability to Any Person Who Was Required To Assume Without An Appointment.** – The services rendered by any person who was required to assume the duties and responsibilities of any position without an appointment having been issued by the University President upon the authority of the EVSU Board of Regents shall not be credited nor recognized by the CSC and the payment of salaries and other benefits shall be the personal liability of the person who made him/her assume office.

Section 31. **Basis for the Payment of Salary and Determination of Services Rendered.** – The date of the actual assumption of duties of the appointee, as indicated in the Certification of Assumption to Duty (CS Form No. 4, Series of 2017), shall be the basis for the payment of his/her salary and determination of service rendered in the government. This shall be submitted to the CSC Field Office concerned for proper notation in the service card of the appointee.

Article 12

Publication and Posting of Vacant Positions

Section 32. **Coverage on the Required Publication and Posting of Vacant Positions.** – Vacant positions in the career service shall be published and posted three (3) conspicuous places for a period of at least ten (10) calendar days in

accordance with the provisions of R.A. No. 7041 and its Implementing Guidelines⁶⁶.

For this purpose, conspicuous places shall include all Transparency and People's Freedom of Information (TPFOI) bulletin boards of the different offices or units of the University Campuses and such places duly designated by the University President.

Section 33. **Submission of Vacant Positions.** – The University shall submit a list of vacant positions authorized to be filled and their corresponding qualification standards and plantilla item numbers (CS Form No. 9, Revised 2017) in electronic and printed copies of the CSC Field Office. The printed copy shall be forwarded to the CSC Regional No. VIII which shall publish the same in the CSC Bulletin of Vacant Positions in the Government in the CSC website. In addition, the University may publish vacant positions in the University website, newspaper and other job search websites⁶⁷.

Any incorrect information in the publication of vacant positions, i.e., item number, position title or qualification standards shall be a ground for the disapproval/invalidation of appointments.

Section 34. **Exemption from the Publication and Posting**⁶⁸. – The following positions are exempt from the publication and posting requirements:

- 34.1. Primarily confidential;
- 34.2. Policy-determining;
- 34.3. Highly technical which includes the faculty and academic staff of the University, and scientific and technical positions in scientific and research institutions with established merit systems;
- 34.4. Coterminous with the University President, including other non-career positions such as contractual and casual identified under Section 9, Subtitle A, Title I, Book V of EO No. 292;
- 34.5. Reappointment (change of status to permanent) of those appointed on temporary status for Category II positions under CSC MC No. 11, s. 1996⁶⁹, as amended; or
- 34.6. Those to be filled by existing regular employees in the University in case of reorganization/rationalization; provided, that the approved staffing pattern is posted in the University bulletin boards and other conspicuous

⁶⁶ Section 24, Rule VII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁶⁷ Section 25, Rule VII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁶⁸ Section 26, Rule VII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁶⁹ Classification of positions where the required eligibility can be obtained by completion of one (1) year of Very Satisfactory actual performance.

places in the different University Campuses.

Section 35. **Posting of Vacant Executive/Managerial Positions.** – Vacant executive/managerial positions in the second level that are authorized to be filled, together with their corresponding qualification standards and plantilla item numbers, shall be posted in three (3) conspicuous places in the University and submitted to the CSC-Examination, Recruitment and Placement Office (ERPO) for publication in the CSC website and the Philjobnet as provided under CSC MC No. 11, s. 2007⁷⁰.

Section 36. **Posting of Occupied Temporary Appointments.** – All positions occupied by holders of temporary appointments, except positions under category II of CSC MC NO. 11 s. 1996, as amended, shall be continuously posted in three (3) conspicuous places in the University and published in the CSC Bulletin of Vacant Positions until filled by permanent appointees⁷¹.

Section 37. **Validity of Published Vacant Position**⁷². – The publication of a particular vacant position shall be valid until filled but not to extend beyond nine (9) months reckoned from the date the vacant position was published.

Should no appointment be issued within the one-month period, the University has to cause the re-publication and re-posting of the vacant position.

Section 38. **Publication of Anticipated Vacancies Based on Succession Plan.** – Anticipated vacancies based on the University's succession plan may be published. In case of retirement, resignation, or transfer, the publication should not be earlier than sixty (60) days prior to retirement, resignation or transfer.

Article 13 Qualification Standards

Section 39. **General Policies.** – The following policies shall strictly be observed:

- 39.1. The qualification standards are the minimum and basic requirements for positions in the University in terms of education, training, experience, Civil Service eligibility, physical fitness and other qualities required for successful performance of the duties of the position. These shall serve as the basic guide in the selection of the faculty members, academic non-teaching staff or employees in the valuation of the appointments to all positions in the University.

The establishment, administration and maintenance of

⁷⁰ Section 27, Rule VII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷¹ Section 28, Rule VII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷² Section 29, Rule VII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

qualification standards shall be the responsibility of the University with assistance and approval of the CSC.

The University shall set specific or higher standards for its positions, including the required competencies. These standards shall be submitted to the CSC for approval, and once approved, the University, the University shall uniformly and consistently adopt these in the selection and appointment of faculty members, academic non-teaching staff and employees⁷³.

- 39.2. Qualification standards shall be established for all positions in the Index of Occupational Service (OIS), Position Titles and Salary Grades or positions subsequently created and approved in accordance with existing laws, policies, rules and regulations. Qualification standards which have been established and approved by the CSC for positions in a particular sector may be adopted for the same position titles in the University without need for prior approval of the CSC⁷⁴.
- 39.3. All University positions should be included in the approved Qualification Standards Manual of the University, or if unique to the University, should have a qualification standards approved/confirmed by the CSC.

An appointment to a position without an approved/confirmed qualification standards by the CSC, as the case may be, shall be disapproved/invalidated⁷⁵.

- 39.4. Appointees to career service positions must meet the education, training, experience, eligibility, and competency requirements prescribed in the Qualification Standards manual or CSC-approved University qualification standards for its positions at the time of the issuance of the appointment⁷⁶.
- 39.5. Qualification standards for positions, which may include competencies (knowledge, skills and attitudes), shall be established based on the set of duties and responsibilities indicated in the Position Description Form (PDF), which the Department of Budget and Management used in the classification and salary grade of the position⁷⁷.
- 39.6. Appointees to casual, contractual, and coterminous positions that are not primarily confidential in nature must meet the education, training

⁷³ Section 31, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷⁴ Section 32, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷⁵ Section 33, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷⁶ Section 35, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷⁷ Section 36, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

and experience requirements of the positions as proposed by the University President duly approved by the EVSU Board of Regents and CSC. Pending the submission and approval of the University qualification standards, the qualification requirements provided under the CSC Qualification Standards Manual shall be used as bases in the attestation of these non-career appointments.

Eligibility is not required to casual, contractual, and coterminous positions but preference should be given to civil service eligibles. However, if the duties of the position involve the practice of a profession regulated by the Philippine Bar/Board or special laws, and/or require licenses such as those required for positions listed under Category IV of CSC MC No. 11, s. 1996, as amended, the corresponding professional license and/or certificate of registration shall be required⁷⁸.

- 39.7. Appointees to primarily confidential/personal staff positions are exempt from the qualification requirements, except those whose duties involve the practice of a profession regulated by the Philippine Bar/Board laws and/or require licenses such as those required for positions listed under Category IV of CSC MC No. 11, s. 1996, as amended⁷⁹.
- 39.8. Incumbents of positions under permanent status who are reappointed to the same or comparable positions during reorganization, rationalization or recategorization and other similar events are considered as having met the qualification standards for the position⁸⁰.
- 39.9. The qualification standards for division chief and executive/managerial positions shall primarily take into consideration education, experience, training, eligibility and leadership competencies⁸¹.
- 39.10. Requests for approval of Qualification Standards for particular position/s shall comply with the following requirements:
 - 39.10.1. Endorsement letter by the University President;
 - 39.10.2. Charter of the University or Republic Act No. 9311;
 - 39.10.3. Organizational and Functional Chart of the Office or unit where the position/s belong approved in accordance with the provisions of the 2017 Revised University Code approved per Board Resolution No. 115, s. 2017;

⁷⁸ Section 37, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁷⁹ Section 38, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁸⁰ Section 39, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

⁸¹ Section 40, Rule VIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized per MC No. 24, s. 2017 dated August 24, 2017.

- 39.10.4. Plantilla of Positions or Staffing Pattern approved by the EVSU Board of Regents and DBM;
- 39.10.5. Statement of duties and responsibilities of the position indicated in the Position Description Form (PDF) or Job Description (JD) certified by the University HRMD Officer;
- 39.10.6. If the position is newly created:
 - 1. Letter of approval by the DBM and University President upon authority by the EVSU Board of Regents; and
 - 2. Board Resolution duly approved by at least a majority of the EVSU Board of Regents, there being a quorum.
- 39.10.7. Proposed Qualification Standards (in printed and electronic copy).

Section 40. **Qualification Standards for Administrative or Non-Teaching Personnel or Employees.** – Subject to the foregoing provisions, the qualification standards for administrative or non-teaching personnel positions in the University shall be consistent with those provided under CSC MC No. 1, s. 1997 dated January 24, 1997⁸², CSC MC No. 24, s. 2017 dated August 24, 2017, and such applicable laws, rules and regulations.

The standards and requirements for the Automatic Fallback Position of the University President shall be consistent with the pertinent provisions of the 2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff of the University Manual, 2017 Revised University Code and the 2017 Revised Administrative Services of the University Manual approved by the EVSU Board of Regents, and such applicable laws, rules and regulations.

Section 41. **Essential Requirements.** – Administrative or non-teaching personnel or employee shall meet the minimum requirements corresponding to their respective positions as provided under applicable laws, rules and regulations and subsequent issuances thereof as hereunder provided:

- 41.1. *On Education.* – Education refers to the formal or non-formal academic, technical or vocational studies that will enable the candidate to successfully perform the duties and responsibilities indicated in the Position Description Form (PDF) (DBM-CSC Form No. 1, Revised 2017) of the position to be filed⁸³.
 - 41.1.1. *Degrees, eligibilities or professions deemed equivalent to Master's Degree as an education requirement.* – The following rules on the degrees, eligibilities or professions deemed

⁸² "Revised Qualification Standards" as amended by CSC MC No. 1-A, s. 1997 dated April 14, 1997.

⁸³ Section 42, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

equivalent to Master's Degree as an education requirement:

1. Certification issued by CHED that a one-year diploma post-graduate course acquired from foraging or local institutions is equivalent to a master's degree shall be considered appropriate for meeting the education requirement for appointment to visions chief and executive/managerial position⁸⁴.
2. Certification issued by CHED that a degree obtained from foreign schools is equivalent to a bachelor's or master's degree shall be considered valid document for meeting the education requirement for positions requiring completion of a bachelor's or master's degree⁸⁵.
3. A graduate of the Master's degree or Certificate in Leadership and Management (C-Pro) from the CSC shall be considered to have met the master's degree requirement for purposes of meeting the education requirement for division chief and executive/managerial positions⁸⁶.
4. Completion of the degrees of Bachelor of Laws and Doctor of Medicine from a CHED-recognized institution shall be considered appropriate education for appointment to division chief and executive/managerial positions or other positions requiring a master's degree, the duties of which do not involve practice of profession covered by bar/board laws⁸⁷.

For this purpose, an applicant who is a graduate of Bachelor of Laws (LLB) or Doctor of Medicine (MD) shall, after satisfaction of other requirements of the position, be issued permanent appointment for entry level, *provided*, that they their respective positions and duties shall not involve practice of profession.

5. RA No. 1080 eligibles shall be exempt from the master's degree requirement for division chief and executive/managerial positions the duties and responsibilities of which involve practice of profession or belong to the same occupational group or functionally related positions as that of the professions regulated by Bard

⁸⁴ Section 47, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁸⁵ Section 48, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁸⁶ Section 50, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁸⁷ Section 51, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

or board laws⁸⁸.

However, a master's degree shall be required if the executive/managerial or division chief position does not practice of profession or does not belong to the same occupational group or functionally related positions as that of the professions regulated by Bar/Board laws; provided that, this does not apply to lawyers and doctors.

6. Career Executive Service (CES) or Career Service Executive (CSE) eligibles shall likewise be considered to have met the master's degree requirement for purposes of meeting the education requirement for vision chief and executive/managerial positions⁸⁹.

Provided, that the provisions of CHED Memorandum Order (CMO) No. 17, s. series of 2008⁹⁰, CSC MC No. 1-A, s. 1997 dated April 14, 1997⁹¹; and such policies, rules and regulations shall apply in so far as expressly authorized by the EVSU Board of Regents upon the recommendation by the University President shall be applied suppletorily to this Article.

41.1.2. *Education requirements for administrative or non-teaching personnel or employee of the University.* – Subject to specific education requirements of academic non-teaching staff position, the following rules shall be observed:

1. Certificates of completion of non-formal education issued by the Department of Education shall be considered valid documents for appointment to position requiring completion of elementary or high school education, provided, that other requirements of the positions are met⁹².
2. For one to meet the two (2) years studies in college requirement in the Qualifications Standards Manual, one must have earned from a CHED-recognized institution at least seventy two (72) academic units leading to a degree or has completed a relevant two-year collegiate/technical course⁹³.

⁸⁸ Section 52, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁸⁹ Section 53, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁹⁰ "Clarificatory Guidelines Relative to the Offering of the Bachelor of Laws (LL.B) Program and Juris Doctor (JD) Degree Program."

⁹¹ "Amendment of CSC MC No 1, s. 1997 (Qualifications Standards-First Revision).

⁹² Section 43, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁹³ Section 44, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

3. Certificates issued by the schools deputized by the CHED on having completed a bachelor's degree under the Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP)⁹⁴ shall be considered valid documents for meeting the education requirement for positions requiring completion of a bachelor's degree⁹⁵.
4. Certifications issued by the schools deputized by CHED showing completion of at least seventy two (72) academic units leading to a degree under the Expanded Tertiary Education Equivalency and Accreditation Program shall be considered valid documents for meeting the education requirement for positions requiring completion of two years studies in college⁹⁶.
5. To meet the relevant bachelor's degree requirement in the Qualification Standards Manual, the appointee must have completed from a CHED-recognized college or university a bachelor's degree whose curriculum either includes, or is supplemented by, 12 academic units of the subject or course, which will enable the candidate to successfully perform the duties and responsibilities of the position to be filled in the Position Description Form⁹⁷.
6. Those who have been allowed to register and are issued certificate or registration or valid professional license of a specific board law shall be considered as having met the educational requirements for appointments to positions covered by the corresponding board law or other functionally related positions that do not involve the practice of other professions covered by bar/board laws⁹⁸.
7. Those who were allowed to take the Career Service Professional and Subprofessional examinations on or before November 29, 1992 shall be considered as having met the education requirement for appointment to corresponding level of position not covered by bar/board laws⁹⁹.

⁹⁴ Executive Order No. 330, dated May 10, 1996.

⁹⁵ Section 44, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁹⁶ Section 45, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁹⁷ Section 49, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁹⁸ Section 54, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

⁹⁹ Section 55, Rule VII, Part II of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

- 41.2. *On Experience*¹⁰⁰. – Experience refers to the previous jobs in either the government or private sector, whether full-time or part-time, which, as certified by the Human Resource Management Officer or authorized officials of the previous employer, are functionally related to the duties in the PDF of the position to be filled.
- 41.2.1. Relevant experience acquired through Job Order or Contract of Service covered by a contract or a Memorandum of Agreement may be considered for meeting the experience requirement.
 - 41.2.2. Relevant experience acquired through volunteer work, on full time basis, as certified by the Human Resource Management Officer or authorized officials, may be considered for meeting the experience requirement.
 - 41.2.3. Experience in first level positions may be considered for meeting the experience requirement of second level positions when acquired in the same occupation group or functionally related positions.
 - 41.2.4. Relevant experience acquired through a designation covered by an Office or Memorandum order may be considered for a meeting the experience requirement.
- 41.3. *On Training*¹⁰¹. – Training refers to a formal or non-formal training courses and HRD interventions such as coaching, mentoring, job rotation, seminars, workshops, and others that are part of the faculty member's or academic non-teaching staff's or employee's individual Development Plan/Career Development Plan. These trainings/learning and development interventions are intended to enable the candidate to successfully perform the duties and responsibilities as indicated in the PDF or Job Description (JD) of the position to be filled. These are evidence by the Learning and Development Plan/Coaching and Mentoring Program approved by the University President and Certifies issued by the HRMD officer, Director for Quality Assurance and Accreditation, Vice President for Administration and Finance, and Vice President for Academic Affairs.
- 41.3.1. Continuous learning and development shall be espoused by the CSC. The University President shall ensure that each faculty member or academic non-teaching staff or employee shall have undergone at least one (1) planned resource development intervention during the year¹⁰². A minimum of forty (40) hours

¹⁰⁰ Part III of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

¹⁰¹ Part VI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017.

¹⁰² Item (e), Section 7, Rule VIII, Omnibus Rules Implementing Book V of Executive Order No. 292.

instructional/academic or supervisory/management training or learning and development intervention per year based on the Learning and Development Plan of the University should be provided by the University to incumbents of faculty, academic non-teaching staff, supervisory and managerial positions.

- 41.3.2. The Training may be acquired from any of the following institutions:
1. Any CSC accredited learning and development institutions;
 2. Government training institutions;
 3. Non-accredited private training institution offering training of highly technical/specialized nature;
 4. Local training institution that is internationally acclaimed for meeting the global standards of excellence in training;
 5. Institution recognized by the Commission on Higher Education (CHED) as Center of Excellence (COE) or Development (COD);
 6. Foreign institution that offers training for scholarship purposes or for personal advancement of participants; or
 7. Other institutions that partner with the CSC in building capabilities of civil servants.
- 41.3.3. Training acquired from any of the afore-mentioned institutions must be relevant to the position to be filled and aligned with the strategy map or development goal of the University.
- 41.3.4. Attendance in annual University planning sessions/workshops/conferences as a requirement for operations and/or services rendered as facilitator/resource person in seminars/workshops/trainings shall not be considered for meeting the training requirements.
- 41.3.5. The learning and development/training required for Divisions Chief and comparable positions shall be forty (40) hours of supervisory/management learning and development intervention undertaken within the last five (5) years reckoned from the date of issuance of appointment.
- 41.3.6. Generally, the training required for executive/managerial positions in the second level shall be one hundred twenty (120) hours of supervisory/management learning and development intervention undertaken within the last five (5) years reckoned from the date of issuance of appointment.

Management training includes, courses, workshops, seminars and other learning and development interventions that develop and/or enhance knowledge, skills and attitude to enable successful performance of management functions such as planning, organizing, directing, controlling, coordinating and overseeing the activities of the University, or Campus, College or Department or unit thereof. It is intended to develop/enhance leadership competencies¹⁰³ to prepare managers in managing people and work.

- 41.3.7. For executive/managerial positions in the second level with duties and responsibilities involving practice of profession, the Mandatory Continuing Legal Education (MCLE) for Bar passers, the Continuing Professional Education/Development (CPE/CPD) for licensed professionals or trainings relevant to practice of profession may constitute for maximum of forty (40) hours of technical training and the remaining eighty (80) hours shall be management trainings taken within the last five (5) years reckoned from the date of issuance of appointment.
- 41.3.8. Executive/managerial positions in the second level with duties and responsibilities which are highly specialized in nature as shown in their PDF/JD may require trainings which are highly technical and/or highly specialized. These highly technical/highly-specialized trainings shall make up for the one hundred twenty (120) hours of management and technical training where a maximum of eighty (80) hours shall be for technical training and the maximum of forty (40) hours shall be management trainings taken within the last five (5) years reckoned from the date of issuance of appointment.
- 41.3.9. Proposed amendments to the training requirements for executive/managerial positions as discussed in Sections 68 and 69 or CSC MC No. 24, s. 2017 dated August 24, 2017 and/or sub-Sections 39.3.7 and 39.3.8 hereof, and other valid reasons shall be submitted to the CSC for approval. In the absence of CSC-approved University specific requirements, the one hundred twenty (120) hours of management training taken within the last five (5) years reckoned from the date of issuance of the appointment shall be required.

41.4. *On Eligibility*¹⁰⁴. – Eligibility refers to the result of passing of a merit and fitness test which may be determined as far as practicable by competitive examination, or based on highly technical qualifications or

¹⁰³ Building Collaborative, Inclusive Working Relationships, Managing Performance and Coaching for Results, Leading Change, Thinking Strategically and Creatively, and Creating and Nurturing a High Performing Organization.

¹⁰⁴ Part V of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

others tests of merit and fitness conducted by the CSC, or other examinations jointly designed and coordinated by the departments or agencies with the assistance of or in coordination with the CSC, and other examinations such as the PRC-conducted board examinations, the SC-conducted bar examinations or the CESB-conducted CES examinations.

- 41.4.1. First level eligibilities are appropriate for appointment to positions in the first level. They do not apply to those covered by bar/board/special laws, and other special eligibilities as may be determined by the CSC or those that require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.
- 41.4.2. Second level eligibilities are appropriate for appointment to positions in the second and first level. They do not apply to those covered by bar/board/special laws, and other special eligibilities as may be determined by the CSC or those that required licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.
- 41.4.3. Eligibilities resulting from passing the bar/board examinations shall be required for appointment to positions the duties of which constitute the practice of profession(s) regulated by the Philippine bar/board laws.
- 41.4.4. Eligibilities resulting from passing the bar/board examinations which require completion of at least a bachelor's degree shall be considered appropriate to positions for which the examinations were given, and to other first and second level positions not covered by bar/board/special laws and/or those that require other special eligibilities as may be determined by the CSC or those that require licenses such as those positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.
- 41.4.5. Eligibilities resulting from passing the board examinations which require completion of less than a bachelor's degree shall be considered appropriate to positions for which the examinations were given, and to other first level positions not covered by board/special laws and/or those that require other special eligibilities as may be determined by the CSC or those that require licenses such as those positions listed under Category IV of CSC MC No. 1, s. 1996, as amended.
- 41.4.6. Eligibilities resulting from passing the Unassembled, Testimonial or special examinations conducted by the CSC by the University or agencies with the assistance of or in

coordination with the CSC shall only be appropriate for appointment to the positions for which they were given, to other functionally related positions, and other positions as maybe determined by the CSC.

- 41.4.7. Eligibilities granted after one year of Very Satisfactory actual work performance under temporary status for positions listed under Category II of CSC MC No. 11, s. 1996, as amended, shall only be appropriate for appointment to highly skilled positions within the same occupational group or functionally related positions.
- 41.4.8. Eligibilities previously issued under Category I (SCEP) shall continue to be appropriate for permanent appointment to corresponding positions without undergoing one (1) year employment under temporary status, *provided*, that the other requirements are met.
- 41.4.9. Licenses issued by authorized government agencies shall be required for appointment to positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.
- 41.4.10. Passing the NAPOLCOM examination shall be considered as an eligibility appropriate only for appointment to uniformed personnel positions in the PNP, unless otherwise provided by law.
- 41.4.11. Passing the Sharia Bar Examinations shall be considered as appropriate for appointment to first level positions in the Sharia Courts, except for the positions covered by bar/board/special laws and/or those that require other special eligibilities as may be determined by the CSC or those that require licenses such as those positions under Category IV of CSC MC No. 11, s. 1996, as amended.
- 41.4.12. *Eligibilities of Honor Graduates.* – The pertinent provisions of Presidential Decree No. 907¹⁰⁵ promulgated on March 11, 1976, as amended, and CSC Resolution No. 1201763 promulgated on October 11, 2012¹⁰⁶ and such policies of the University approved by the EVSU Board of Regents shall be strictly observed in the grant of eligibilities of the honor graduates of the University and in the recognition of eligibilities of honor graduates from other Universities or Colleges, whether public or private.

Section 42. ***Transferees from Other State Universities and Colleges or***

¹⁰⁵ "Granting Civil Service Eligibility to College Honor Graduates."

¹⁰⁶ "Revised Policies on the Grant of Honor Graduate Eligibility."

Local Universities and Colleges (LUCs). – Transferees from other State Universities and Colleges (SUCs) or Local Universities and Colleges (LUCs) may be admitted to the University at his/her present position or rank subject to the availability of an equivalent item/s. *Provided*, that applicants shall be evaluated in accordance with provisions of this 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual and such relevant policies of University duly approved by the Board upon the recommendation by the University President.

Section 43. **Basis of Classification, Promotion and Modification of Administrative on Non-Teaching Positions or Ranks.** – Classification, promotion and corollary modification of administrative or non-teaching personnel positions or ranks shall be pursuant to the most recent issuances by the CSC, DBM and other applicable laws, rules and regulations.

Article 14 **Security of Tenure**

Section 44. **Security of Tenure of Regular or Permanent Administrative or Non-Teaching Personnel or Employee.** – Only regular administrative or non-teaching personnel or employees shall enjoy security of tenure subject to the provisions of this this 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual, pertinent CSC laws, rules and regulations in so far as expressly authorized by the EVSU Board of Regents upon the recommendation by the University President. On the other hand, non-regular faculty members shall have no security of tenure.

Section 45. **Security of Tenure of the Probationary Employee.** – A probationer administrative or non-teaching personnel or employee shall enjoy security of tenure within the probationary as enunciated in **PNOC-EDC v. Buenviaje**¹⁰⁷, the Supreme Court clearly ruled:

“A probationary employee also enjoys security of tenure, although it is not on the same place as of a permanent employee. This is so because aside from just and authorized causes, a probationary employee may also be dismissed due to failure to qualify in accordance with the standards of the employer made known to him/her at the time of his/her engagement.”

Article 15 **Human Resource Merit Promotion and Selection Board of the University**

¹⁰⁷ **Philippine National Oil Company-Energy Development Corporation v. Amelyn A. Buenviaje**, G.R. Nos. 183200-01 and *Amelyn A. Buenviaje v. Philippine National Oil Company-Energy Development Corporation*, G.R. Nos. 183253 & 183257, June 29, 2016, citing *Mercado v. AMA Computer College Paranaque City, Inc.*, G.R. No. 183572, April 13, 2010, 618 SCRA 218, 238-241; and *Robinsons Galleria/Robinsons supermarket Corporation v. Ranchez*, *supra* note 41 citing the Omnibus Rules Implementing the Labor Code, Book VI, Rule 1, Sec. 6(c.).

Section 46. **General Policies.** – The University shall adhere to the following:

- 46.1. There shall be no discrimination in the selection of administrative or non-teaching personnel or employees on account of age, sex, sexual orientation and gender identity, civil status, disability, region, ethnicity, or political affiliation¹⁰⁸.
- 46.2. There shall be no discrimination whatsoever in entrance to the teaching profession, or during its exercise, or in the termination of services, based on other than professional consideration¹⁰⁹.

Section 47. **Establishment of the Human Resource Merit Promotion and Selection Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University, and Procedures in the Selection.** – There is hereby established a Human Resource Merit Promotion and Selection Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University to be constituted by the University President subject to the following rules:

47.1. *Composition.* – The University President creates a FSB, the composition of which is as follows:

47.1.1. For the EVSU- Main Campus:

- (1) Vice President for Administration and Finance, *Chairperson*;
- (2) Campus Director, *Vice-Chairperson*;
- (3) Director for Administrative Services;
- (4) Director for Finance Services;
- (5) Chief Administrative Officer (CAO) for Administrative Services;
- (6) Chief Administrative Officer (CAO) for Finance Services
- (7) Division/Unit Head/Chief where the vacancy occurs, *Member*;
- (8) President of the Non-Teaching Personnel Association or his/her authorized representative, *Member*;
- (9) Two (2) Representatives from the rank-and-file, from the first level and from the second level, who shall be chosen by the duly accredited Non-Teaching Personnel Association designated by the University President¹¹⁰; *Members*, and
- (10) President of the Student Council/Government or his/her authorized representative, *Member*.

¹⁰⁸ Section 83, para. 2, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹⁰⁹ Section 10 of R.A. No. 4670 otherwise known as the "Magna Carta for Public School Teachers."

¹¹⁰ Accredited pursuant to Executive Order No. 180 entitled, "Providing Guidelines for the Exercise of the Right to Organize of Government Employees, Creating a Public Sector Labor-Management Council, and for Other Purposes."

Provided, that the HRMD Officer shall serve as the ex-officio Secretary of the HRMPSB-ANTP.

47.1.2. For the EVSU- External Campuses:

- (1) Vice President for Administration and Finance, *Chairperson*;
- (2) Campus Director, *Vice-Chairperson*;
- (3) Chief Administrative Officer (CAO) for Administrative Services;
- (4) Chief Administrative Officer (CAO) for Finance Services
- (5) Head for Administrative Services;
- (6) Head for Finance Services;
- (7) Division/Unit Head/Chief where the vacancy occurs, *Member*;
- (8) President of the Non-Teaching Personnel Association or his/her authorized representative, *Member*;
- (9) Two (2) Representatives from the rank-and-file, from the first level and from the second level, who shall be chosen by the duly accredited Faculty Association designated by the University President¹¹¹, *Members*; and
- (10) President of the Student Council/Government or his/her authorized representative, *Member*.

Provided, that the HRMD/Administrative Officer shall serve as the ex-officio Secretary of the HRMPSB-ANTP.

47.2. *Duties and Functions.* – The duly constituted Human Resource Merit Promotion and Selection Board for Administrative or Non-Teaching Personnel (HRMPSB-ANTP) of the University shall discharge the following duties and functions:

- 47.2.1. Serves as the recommending body for appointment in the University¹¹²;
- 47.2.2. Primarily responsible for the judicious and objective selection of candidates for appointment in the University in accordance with the approved University MSP and shall recommend to the University President and EVSU Board of Regents the top five (5) ranking candidates deemed most qualified for appointment to the vacant position upon recommendation¹¹³;

¹¹¹ Accredited pursuant to Executive Order No. 180 entitled, "Providing Guidelines for the Exercise of the Right to Organize of Government Employees, Creating a Public Sector Labor-Management Council, and for Other Purposes."

¹¹² Section 85, para. 1, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹¹³ Section 85, para. 2, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

- 47.2.3. Assist the University President in ensure proper, effective and efficient implementation of pertinent provisions of this Manual;
 - 47.2.4. Screen, select and recommend applicants to specific training, scholarship and development conducted by the University or by government agencies or duly accredited non-governmental organizations, local or foreign;
 - 47.2.5. Determine slots available for scholarship and the need of the University for the field of specialization;
 - 47.2.6. Disseminate scholarship slots of the University and other scholarship grants/fellowship from other funding Institutions;
 - 47.2.7. Evaluate, screen, and interview applicants, when necessary and recommend to the University President for approval;
 - 47.2.8. Review the scholarship contract before the same is signed by the University President;
 - 47.2.9. The Chairperson of the HRMPSB-ANTP of the University shall be one of the signatories of the contract;
 - 47.2.10. Assist the University President in establishing linkages with funding and academic Institutions granting scholarship for degree and non-degree programs;
 - 47.2.11. Monitor the activities and programs of the fellows/scholars;
 - 47.2.12. Orient and update the fellows/scholars about the scholarship guidelines and contract through the respective Unit Heads, and Campus Directors upon approval of the application;
 - 47.2.13. Appraise the fellows/scholars about policy changes in the University;
 - 47.2.14. Evaluate, prioritize and give recommendations to improve thesis/dissertation of fellows/scholars;
 - 47.2.15. Recommend legal action against renegade fellows/scholars; and
 - 47.2.16. Discharge such other duties as may be specifically provided herein and/or as the University President or EVSU Board of Regents may determine in accordance with applicable CSC rules and regulations.
- 47.3. *Designation of Principal and Alternates.* – The University President shall issue an Office Order identifying the principal members of the HRMPSB-

ANTP of the University and their designated alternates. The CSC Regional Office no. VIII and the CSC Field Office should be furnished with the copy of the Office Order¹¹⁴.

- 47.4. *Gender Equality.* – The University President shall, as far as practicable, ensure equal opportunity for men and women to be represented in the HRMPSB-ANTP of the University for all levels of positions¹¹⁵.
- 47.5. *Modification of Composition and Posting.* – The membership of the HRMPSB-ANTP can be modified by the EVSU Board of Regents upon the recommendation by the University President. The University may add a reasonable number of members, but the prescribed composition may not be reduced. The HRMPSB-ANTP of the University members must be duly designated and their names posted in the Transparency and Peoples Freedom of Information (TPFOI) Bulletin Boards. Any change in the composition of the HRMPSB-ANTP should be reported to the CSC Regional Office No. VIII or CSC Field Office¹¹⁶.
- 47.6. *Secretariat and Technical Support.* – The Human Resource Development and Management (HRMD) Office of the University shall perform secretariat and technical support function to the HRMPSB-ANTP of the University for the comparative assessment and final evaluation of candidates. It shall also evaluate and analyze results of structured background investigation for the faculty members, academic non-teaching staff, second level, supervisory, and executive/managerial positions¹¹⁷.
- 47.7. *Orientation and Workshop.* – The HRMPSB-ANTP of the University members including alternate representatives shall undergo orientation and workshop from the University Selection/Promotion Process and CSC policies on appointments¹¹⁸.
- 47.8. *Fairness and Impartiality of HRMPSB-ANTP and External or Independent Resource Persons.* – The HRMPSB-ANTP shall maintain fairness and impartiality in the assessment of candidates for appointment. Towards this end, the HRMPSB-ANTP may employ the assistance of external or independent resource persons and may initiate innovative schemes in determining the best most qualified candidate¹¹⁹.

¹¹⁴ Section 88, para. 4, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹¹⁵ Section 89, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹¹⁶ Section 90, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹¹⁷ Section 91, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹¹⁸ Section 92, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹¹⁹ Section 94, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to

- 47.9. *Meetings and Quorum.* – The HRMPSB-ANTP of the University shall be represented by at least the majority of its members during deliberation of candidates for appointment¹²⁰.

Provided, that the duly constituted HRMPSB-ANTP of the University shall hold at least once a month or as its Chairperson or majority of its members may determine. The quorum of the HRMPSB-FANTS shall be 50%+ 1 of the total membership.

- 47.10. *Term of Office and Hold-over Capacity.* – The Chairperson, Vice Chairperson and Members of the HRMPSB-ANTP of the University shall serve for a term of two (2) years subject to the provisions of the 2017 Revised University Code. They shall be allowed to hold over after the expiration of their terms with all the duties of a regular Chairperson or Vice Chairperson or Member, respectively, until the designation and assumption of their respective replacements.
- 47.11. *Internal Rules and/or Manual.* – The duly constituted HRMPSB-FANTP of the University shall formulate its own rules and/or Manual for approval by the University President subject to established CHED, CSC, and University policies duly approved by the EVSU Board of Regents.
- 47.12. *Screening Guidelines and Full Transparency.* – The HRMPSB-ANTP of the University shall formulate its guidelines for screening candidates in accordance with the existing civil service rules, and shall set reasonable differences or gaps between point scores of candidates.

The HRMPSB-ANTP shall make its activities and decisions as transparent as possible.

- 47.13. *Preliminary Evaluation.* – The HRMD Office shall conduct preliminary evaluation of the qualifications of all candidates.
- 47.14. *Notification of Applicants.* – The HRMO shall notify all applicants of the outcome of the preliminary evaluation within two (2) weeks prior to interview.
- 47.15. *Submission of Selection Line-up.* – The HRMD Office shall submit the selection line-up to the HRMPSB-ANTP for its deliberation *en banc*.
- 47.16. *HRMPSB-ANTP Assessment and Deliberations.* – The HRMPSB-ANTP of the University shall make a systematic assessment of the competence and qualifications of candidates for appointment to the corresponding level or positions, evaluate and deliberate *en banc* the qualifications of those listed in the selection line-up. Those initially found qualified shall undergo further assessment such as pre-employment test, CS

MC No. 24, s. 2017 dated August 24, 2017.

¹²⁰ Section 93, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

promotional test, ethics oriented personality test, skills test, interview and others.

- 47.17. *Submission of Comprehensive Evaluation Report.* – The HRMPSB-ANTP of the University shall submit a comprehensive evaluation report of all the candidates screened for appointment so that the appointing authority will be guided in choosing the one who can efficiently perform the duties and responsibilities of the position to be filled. This evaluation report should not only specify whether the candidates meet the qualifications standards of the position but should also include observations and comments on the candidates' competence and other qualifications that are important in the performance of the duties and responsibilities of the position to be filled. Likewise information about the candidate's preference assignment should be mentioned in the report.
- 47.18. *Assessment by the University President.* – The University President shall assess the merits of the HRMPSB-ANTP's recommendation for appointment and in the exercise of sound discretion, select from among the top five (5) ranking applicants deemed most qualified for appointment to the vacant position¹²¹.
- 47.19. *Appointment by the EVSU Board of Regents.* – The EVSU Board of Regents may, upon the recommendation by the University President, appoint an applicant who is ranked higher than those next-in-rank to the vacant position based on the assessment of qualifications/competence evidenced by the comparative ranking¹²².
- 47.20. *Issuance of Appointment.* – The University President shall issue the appointment and submit to the Board of Regents for confirmation.
- 47.21. *Announcement of Appointments Issued.* – The HRMO shall post a notice announcing the appointment of an employee in three (3) conspicuous places in the University a day after the issuance of the appointment for at least fifteen (15) days. The date of posting should be indicated in the notice.
- 47.22. *Preparation and Submission of Training Needs.* – Each department/unit head shall determine the training needs of his/her faculty members through training needs analysis in accordance with organizational priorities. He/She shall submit annually to the President, through the HRMPSB-ANTP, his/her plan embodying the kind of training programs and the names of those who shall attend such program.

¹²¹ Section 86, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹²² Section 87, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

- 47.23. *Dissemination of Invitation of Study Grants and Seminars or Conferences.* – The HRMPSB-ANTP of the University, through the HRMD Office, shall inform all faculty members concerned about the study grants and scheduled seminars/conferences or workshops and invite qualified faculty members to avail of such program.
- 47.24. *Agreement and Submission of Reports.* – The participant or recipient of a training grant/scholarship agreement, in accordance with existing rules and regulations, shall submit a report on the prescribed form on the training he/she has completed and furnish the HRMD Office a copy of the training certificate he/she has received and report of activities for entry in his/her personnel files. The trainee shall also be given the opportunity to share with his/her colleagues what he/she has learned.

Section 48. ***Exemptions from the Screening.*** – Candidates for the following appointments shall no longer be subject to the screening of the HRMPSB-FANTS of the University¹²³:

- 48.1. Substitute appointment due to its short duration and emergency nature;
- 48.2. Appointment of faculty members and academic non-teaching staff of the University who belong to closed career service.
- 48.3. Reappointment to change the employment status from temporary to permanent upon meeting the deficiency or to renew the appointment of an administrative or non-teaching personnel or employee, if upon publication there are no qualified applicants and his/her performance rating is at least Very Satisfactory for rating periods; or
- 48.4. Appointment to primarily confidential positions.

Section 49. ***Performance Rating Requirement for Promotion.*** – An administrative or non-teaching staff or employee should have obtained at least Very Satisfactory performance rating for one year¹²⁴ in the present position before being considered for promotion¹²⁵.

Section 50. ***Filling-up of Vacancies Resulting from Promotion.*** – The University shall not fill up vacancies resulting from promotion until the promotional appointments have been approved/validated by the CSC, except in meritorious cases, as may be authorized by the CSC¹²⁶.

¹²³ Section 94, para. 3, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹²⁴ For semestral rating period, one rating period is equivalent to two (2) performance ratings while for quarterly rating period, one year rating is equivalent to four (4) performance ratings.

¹²⁵ Section 95, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹²⁶ Section 96, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

Section 51. ***Application of the Three-Salary Grade Limitations.*** – The following shall strictly be observed:

51.1. *Exemptions of the Three-Salary Grade Limitations.* – An administrative or non-teaching personnel or employee may be promoted to a position which is not more than three (3) salary grade, pay or job grades higher than the staff or employee's present position. All appointments issued in violation of this policy shall be disapproved/invalidated, except when the promotional appointment falls within the purview of any of the following exceptions¹²⁷:

51.1.1. The position occupied by the person is the next-in-rank to the vacant Position identified in the Merit Selection Plan and the System of Ranking Positions (SRP) of the University;

51.1.2. The vacant position is a lone or entrance position, as indicated in the University staffing pattern;

51.1.3. The vacant position is hard to fill, such as Accountant, Medical Officer/Specialist, Attorney, or Information Technology Officer/Computer Programmer positions.

51.1.4. The vacant position is unique and/or highly specialized, such as Actuarial, Airways Communicator positions.

51.1.5. The candidates passed a thorough and in depth selection process, taking into consideration the candidates' superior qualifications in regard to:

1. Educational achievements;
2. Highly specialized trainings;
3. Relevant work experience; and
4. Consistent high performance rating/ranking.

51.1.6. The vacant position belongs to the closed career system, i.e., those that are scientific, or highly technical in nature that include the faculty and academic staff to the University, and scientific and technical positions in scientific or research institutions, all of which establish and maintain their own merit systems.

51.1.7. Other meritorious cases, such as:

1. When the appointee is the lone applicant who meets all the

¹²⁷ Section 96, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

- requirements of the position and passed thorough and in depth selection process;
2. When the qualified next-in-rank administrative or non-teaching personnel or employees waived their right over the vacant position in writing;
 3. When the next-in-rank position, as identified in the University SRP is vacant;
 4. When the next-in-rank administrative or non-teaching staff of employee/s is/are not qualified;
 5. When the qualified next-in-rank administrative or non-teaching staff or employee did not apply.
- 51.2. *Prohibitions of the Three-Salary Grade Limitations.* – The three-salary grade limitation shall apply only to promotion within the University. This prohibition shall not apply to the following human resource actions which involve issuance of an appointment¹²⁸:
- 51.2.1. Transfer incidental to promotion *provided*, that the appointee was subject to deep selection;
 - 51.2.2. Reappointment involving promotion from non-career to career *provided*, that the appointee was subject to deep selection;
 - 51.2.3. Reappointment from career to non-career position;
 - 51.2.4. Reemployment; and
 - 51.2.5. Reclassification of position.

Section 52. ***Selection and Evaluation of Promotional Appointments.*** – The following shall strictly be observed:

- 52.1. In the selection process, the University shall strictly observe the above conditions to avoid disapproval or invalidation of promotional appointments¹²⁹;
- 52.2. In the evaluation of promotional appointments, the CSC Regional Office No. VIII and CSC Field Office shall make a thorough evaluation of the manner and merit of the issuance of the appointment vis-à-vis the reasons or justifications of the EVSU Board of Regents through the

¹²⁸ Section 98, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹²⁹ Section 99, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

University President before taking any action on the appointments¹³⁰;

- 52.3. To facilitate review and evaluation of appointments, the University shall submit the SRP to CSC Regional Office No. VIII or CSC Field Office. The University SRP shall be used as one of the bases for determining whether the University observes the policy on the three-salary grade limitation on promotion as herein provided¹³¹; and
- 52.4. The University shall submit this Manual and/or a University MSP to the CSC Regional Office No. VIII, which shall take effect immediately upon approval. All subsequent amendments of this Manual and/or the University MSP shall take effect immediately upon approval by the CSC Regional Office No. VIII¹³².

Section 53. **Binding Effect of the University Merit Selection Plan (MSP) and/or This Manual.** – The University Merit Selection Plan (MSP) and/or this Manual duly approved by the EVSU Board of Regents upon the recommendation by the University President shall be considered as a valid contract binding among the University President, the administrative or non-teaching personnel or employees and the CSC. As such, non-compliance by the University with the policies and procures provided therein shall be considered as ground for disapproval/invalidation of appointment. The same can be a round for administrative action against the official or employee who caused the violation¹³³.

Section 54. **Application of Republic Act No. 10911 and its Implementing Rules and Regulations.** – The University shall adhere to the policies and guidelines mandated under R.A. No. 10911¹³⁴ and its IRR, to wit:

54.1. *Prohibition of Discrimination in Employment on Account of Age.* –

54.1.1. It shall be unlawful for the University to:

1. Print or publish, or cause to be printed or published, in any form of media, including the internet, any notice of advertisement relating to employment suggesting preferences, limitations, specifications, and discrimination based on age;
2. Require the declaration of age or birth date during the application process;

¹³⁰ Section 100, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹³¹ Section 101, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹³² Section 102, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹³³ Section 103, Rule IX, of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹³⁴ "An Act Prohibiting Discrimination Against any Individual in Employment on Account of Age and Providing Penalties Therefor."

3. Decline any employment application because of the individual's age;
 4. Discriminate against an individual in terms of compensation, terms and conditions or privileges of employment on account of such individual's age;
 5. Deny any employee's or worker's promotion or opportunity for training because of age;
 6. Forcibly lay off an employee or worker because of old age; or
 7. Impose early retirement on the basis of such employee's or worker's age.
- 54.1.2. It shall be unlawful for a labor contractor or subcontractor, if any, to refuse to refer for employment or otherwise discriminate against any individual because of such person's age.
- 54.1.3. It shall be unlawful for a labor organization or faculty association or non-teaching personnel association of the University to:
1. Deny membership to any individual because of such individual's age;
 2. Exclude from its membership any individual because of such individual's age;
 3. Cause or attempt to cause an employer to discriminate against an individual in violation of R.A. No. 10911; and
- 54.1.4. It shall be unlawful for a publisher to print or publish any notice of advertisement relating to employment suggesting preferences, limitations, specifications, and discrimination based on age.
- 54.2. *Exceptions.* – It shall not be unlawful for the University to set age limitations in employment if:
- 54.2.1. Age is a *bona fide* occupational qualification reasonably in the normal operation of a particular College or office or office of the University where the differentiation is based on reasonable factors other than age;
 - 54.2.2. The intent is to observe the terms of a *bona fide* seniority system that is not intended to evade the purpose of R.A. No. 10911;

54.2.3. The intent is to observe the terms of a *bona fide* employee retirement or a voluntary early retirement plan consistent with the purpose of R.A. No 10911. *Provided*, That such retirement or voluntary retirement plan is in accordance with the relevant laws; and

54.2.4. The action is duly certified by the Secretary of Labor and Employment or Civil Service Commission in accordance with the purpose of R.A. No. 10911.

Article 16

Certain Modes of Separation- Documents Required for Record Purposes¹³⁵

Section 55. **Resignation.** – Resignation is an act of an official or administrative or non-teaching personnel or employee which he/she voluntarily relinquishes in writing his/her position effective on a specific date which shall not be less than thirty (30) days from the date of such notice or earlier as mutually agreed upon by the official or administrative or non-teaching personnel or employee and the University President duly approved by the EVSU Board of Regents. To constitute a complete and operative resignation of an official or administrative or non-teaching personnel or employee, there must be a written intention to relinquish the office, the acceptance by the University President duly approved by the EVSU Board of Regents and a written notice of such acceptance duly service to the official or administrative or non-teaching personnel or employee.¹³⁶

Resignation shall be governed by the following rules:

- 55.1. An official or an administrative or non-teaching personnel or employee is deemed to have tendered his/her resignation upon receipt by the University President to former's written resignation.
- 55.2. Pending receipt by the official or administrative or non-teaching personnel or employee of the action taken by the University President and EVSU Board of Regents on the resignation, the official or administrative or non-teaching personnel or employee shall remain in office and retain all the powers, duties and responsibilities appurtenant thereof.
- 55.3. The EVSU Board of Regents shall, upon the recommendation by the University President, act on the notice of resignation within thirty (30) days from receipt thereof. In case the resignation of the official or administrative or non-teaching personnel or employee remains unacted upon for thirty (30) days from receipt of the formal letter of resignation by the University President, it shall be deemed complete and operative

¹³⁵ Rule X of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹³⁶ **DTI v. Singun**, G.R. No. 149356, March 14, 2008.

on the specific date of effectivity or thirty (30) days from submission thereof, in cases where the effectivity date is not specified. It is understood, however, that the required clearance from money, property and work-related accountabilities shall be secured by the official or administrative or non-teaching personnel or employee before or immediately after the date of effectivity of resignation.

- 55.4. In the interest of service, however, the EVSU Board of Regents may, upon the recommendation by the University President, set a date of effectivity of the resignation, but in no case shall be earlier than the date specified in the letter of resignation or thirty (30) days from submission thereof.
- 55.5. The acceptance of resignation is mandatory. The EVSU Board of Regents may, upon the recommendation by the University President, suspend the effectivity date of resignation despite its initial written notice of acceptance due to any of the following reasons:
 - 55.5.1. When the country is at war or when any of the national or local emergency has been declared by the appropriate authority; and
 - 55.5.2. When it is necessary to prevent loss of life or property or in case of imminent danger to public safety due to an actual or impending emergency caused by serious accidents, fire, flood, typhoon, earthquake, epidemic or other disaster or calamity.

A resignation previously suspended due to any of the abovementioned reasons shall nonetheless be effective thirty (30) days after the circumstances causing the previous suspension has ceased as certified by the appropriate authority or the University President and/or EVSU Board of Regents.
- 55.6. If the last day of the period given the EVSU Board of Regents and/or University President to act and furnish copy of the written action on the tendered resignation falls on a holiday or non-working day, copy of the written action shall be furnished the official or employee concerned on the next working day immediately following a holiday or non-working day.
- 55.7. The official or administrative or non-teaching personnel or employee concerned may withdraw the tender of resignation any time prior to receipt of notice of acceptance of the resignation from the EVSU Board of Regents through the University President or before the lapse of the thirty (30)- day period given for the latter to act on the resignation, whichever comes first.
- 55.8. Until the resignation is accepted, the tender of resignation is revocable. Once the resignation is deemed complete and operative, the withdrawal

thereof shall not automatically restore the official or administrative or non-teaching personnel or employee to his/her former position.

- 55.9. The following documents shall be submitted to the CSC Field Office within thirty (30) calendar days from the date of effectivity of the resignation, for record purposes:
- 55.9.1. The voluntary written notice of the official or administrative or non-teaching personnel or employee informing the EVSU Board of Regents through the University President that he/she is relinquishing his/her position and the effectivity date of said resignation;
 - 55.9.2. The acceptance of resignation in writing by the EVSU Board of Regents upon the recommendation by the University President which shall indicated the date of effectivity of the resignation; and
 - 55.9.3. The proof of notice of the acceptance of the resignation to the official or administrative or non-teaching personnel or employee.
- 55.10. An official or administrative or non-teaching personnel or employee under investigation, except those prohibited by law¹³⁷, may be allowed to resign pending decision of his/her case without prejudice to the continuation of the proceedings until finally terminated.
- 55.11. Resignation by designation officials of the University may be accepted by the University President subject to the foregoing provisions. *Provided*, that submission of documents to CSC Field Office provided under sub-Section 58.9 above is not applicable.

Section 56. **Dismissal.** – Dismissal is the termination or the act of being discharged from employment or service for cause. It is the definite severance of an official or administrative or non-teaching personnel or employee from employment or service for cause. It is the definite severance of an official or administrative or non-teaching personnel or employee from government service on the initiative of the University, CSC, Ombudsman, or regular courts.

The Report on Database of Individuals Barred from Entering Government Service and Taking Civil Service Examination (DIBAR) together with a certified true copy of the decision rendered which has become executory, where the penalty of dismissal was imposed, shall be submitted by the HRMD Office to the CSC Field Office within thirty (30) calendar days from the date of such decision, for record purposes.

Section 57. **Other Modes.** – For other modes of separation such as dropping form the rolls, termination/expiration of temporary, coterminous, contractual or

¹³⁷ Section 12, Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act).

casual appointment, retirement, or death, a copy of the order of dropping from the rolls or notice of separation signed by the University President upon authority by the EVSU Board of Regents stating the date of such separation, or the death certificate shall be submitted by the HRMD Office to the CSC Field Office within thirty (30) days from the date of the effectivity of the dropping from he rolls, date of separation, or death for record purposes.

Article 17

Disapproval/Invalidation and Recall of Approval/Validation of Appointments

Section 58. **Grounds for Disapproval/Invalidation of Appointment.** – An appointment shall be disapproved/invalidated on any of the following grounds¹³⁸:

- 58.1. The appointee does not meet the qualification standards for the position; or
- 58.2. The appointees has been dismissed for cause as enumerated in Section 50 (A), Rule 10 of the 2017 RACCS or similar provision thereof in the Code of Conduct and Rules on Administrative and Disciplinary Cases of the Officials and Employees of the University approved by the Board of Regents or has been found guilty of a crime where perpetual/temporary disqualification from appointment is attached to the penalty thereof, unless an executive clemency has been granted; or
- 58.3. The appointee has intentionally made false statement of any material fact or has practiced or attempted to practice any deception or fraud in connection with his/her appointment;
- 58.4. The appointment has been issued in violation of the CSC-approved Merit Selection Plan of the University and/or this Manual; or
- 58.5. The contractual/casual appointment has been issued to fill a vacant position in the plantilla of personnel or the contractual/casual appointee will perform the duties and responsibilities of the vacant position; or
- 58.6. The appointment has been issued in violation of existing Civil Service Laws, rules and regulations, the Board/Bar, Publication Law (R.A. no. 7041), the Omnibus Election Code (BP Blg. 881, as amended) and other pertinent laws.

Section 59. **Termination of Services of Appointee with Disapproved/Invalidated Appointment.** – When an appointment is disapproved/invalidated, the services of the appointee shall be terminated after fifteen (15) days from receipt of the letter/decision disapproving/invalidating the

¹³⁸ Section 107, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

appointment, unless a motion for reconsideration or appeal is seasonably filed¹³⁹.

Section 60. **Application and Non-application of De Facto Officership Doctrine.** – If the appointment is disapproved/invalidated on grounds which do not constitute a violation of pertinent laws as provided in Item f, Section 107 of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017 and/or sub-Section 61.6 above, the same is considered effective until the disapproval/invalidation is affirmed by the CSC Regional Office no. VIII or the CSC. The services rendered shall be credited as government services and the appointee shall be entitled to the payment of salaries from the University as a *de facto* officer.

An appointment which is disapproved/invalidated on grounds that constitute a violation of pertinent laws as provided in Item f, Section 107 of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017 and/or sub-Section 61.6 above may be appealed and the appointee may continue to render services. In the event the disapproval/invalidation is affirmed by the CSC, it becomes executory. The services rendered shall not be credited as government service and the EVSU Board of Regents and/or University President and other officials concerned shall be personally liable for the payment of salaries.

If an appeal on a disapproved/invalidated appointment is granted by the CSC Regional Office No. VIII or by the CSC, the dispositive portion of the CSC Regional Office No. VIII or CSC Resolution shall state that the actual service rendered by the appointee are deemed included in his/her service record, without the need to file a request for accreditation of service¹⁴⁰.

Section 61. **Liability.** – The EVSU Board of Regents and/or University President and other officials concerned shall be personally liable for the salary of an appointee paid after the CSC has finally disapproved/invalidated the appointment¹⁴¹.

Section 62. **Reversion to the Former Position.** – An official or administrative or non-teaching personnel or employee whose promotional appointment is disapproved/invalidated shall be reverted to his/her former position¹⁴².

Section 63. **Mass Appointments.** – The issuance of mass appointments of more than twenty (20) appointments may be allowed provided the above conditions in Section 65 hereof or Sections 111 and 112 of XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated

¹³⁹ Section 108, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹⁴⁰ Section 109, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹⁴¹ Section 110, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹⁴² Section 111, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

August 24, 2017, as the case may be, are followed¹⁴³.

Section 64. **Grounds on Recall of Appointments.** – Notwithstanding the initial approval/validation of an appointment, the same may be recalled by the CSC Regional Office No. VIII or by the CSC on any of the following grounds¹⁴⁴:

- 64.1. Non-compliance with the procedures/criteria provided in CSC-approved University Merit Selection Plan and/or under this Manual;
- 64.2. Failure to pass through the University's HRMPSB; or
- 64.3. Violation of existing Civil Service Law, rules and regulations.

Article 18 **Prohibitions**¹⁴⁵

Section 65. **Prohibited Acts.** – The following acts are hereby prohibited which shall strictly be enforced in the University:

- 65.1. No appointive official shall hold any other office or employment in the government or University unless otherwise allowed by law or by the primary functions of his/her position;
- 65.2. No elective official shall be eligible for appointment in any capacity to any public office or position during his/her tenure;
- 65.3. No elective or appointive public officer or employee shall receive additional, double or indirect compensation, unless specifically authorized by law, nor accept without the consent of Congress, any present, emolument, office or title of any kind from any foreign government;

Pensions and gratuities shall not be considered as additional, double or indirect compensation.

- 65.4. A person who lost in an election, except Barangay election, shall not be eligible for appointment or reemployment to any office in the government or in the University within one year following such election;
- 65.5. A person holding public appointive office or position shall be considered *ipso facto* resigned from his/her office upon filing of the certificate of candidacy. He/she must vacate the same at the start of the day of the filing of candidacy with the COMELEC, even if later on disqualified or has withdrawn the certificate for candidacy. This prohibition extends to

¹⁴³ Section 114, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹⁴⁴ Section 116, Rule XI of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

¹⁴⁵ Rule XII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

private citizens appointed as Member of the EVSU Board of Regents representing the private sector.

- 65.6. An administrative or non-teaching personnel or employee who resigned from the government service or University during the three (3)-month period before any election to promote the candidacy of another shall not be reemployed during the six-month period following such election.
- 65.7. No detail or reassignment shall be made within three (3) months before any election unless with the permission of the COMELEC.
- 65.8. No officer, administrative or non-teaching personnel or employee of the University shall engage directly or indirectly in any partisan political activity or influence to coerce the political activity of any person or body. Nothing herein provided shall be understood to prevent any officer, administrative or non-teaching personnel or employee from expressing his/her views on current political problems or issues, or from mentioning the name of candidates for public office whom she/she supports.
- 65.9. No appointment in the University shall be made in favor of a relative of the University President and/or EVSU Board of Regents, or the Vice President/s, Campus Director/s, College Dean/s, Department/Division Director/s/Head/s/Chief/s of the person exercising immediate supervision over the appointee.

Unless otherwise provided by law, the word "relative" and the members of the family referred to are those related within the third degree either of consanguinity or of affinity.

The following are exempted from the operation of the rules on nepotism:

1. Persons employed in a confidential capacity;
2. Faculty Members or Teachers¹⁴⁶;
3. Physicians;
4. Science and Technology personnel under R.A. No. 8439¹⁴⁷;
and
5. Other positions as may be provided by law.

¹⁴⁶ Section 2 of R.A. No. 4670, the term "teacher" shall mean all persons engaged in classroom teaching, in any level of instruction, on full-time basis, including guidance counselor, school librarians, industrial arts or vocational instructors, and all other persons performing supervisory and/or administrative functions in all schools, colleges and universities operated by the Government or its political subdivisions, but shall not include school nurses, school physicians, school dentists and other school employees.

¹⁴⁷ Resolution No. 04-0860 dated July 28, 2004 and disseminated in CSC Memorandum Circular No. 15, s. 2004 (Reiteration of the Exemption of Scientific and Technology Personnel from the Rules on Nepotism) dated July 29, 2004.

The nepotism rule covers all kinds of appointments whether original, promotion, transfer, and reemployment regardless of status, including casual, contractual and coterminous but are not primarily confidential. This rule shall also apply to designation.

- 65.10. The University President and/or EVSU Board of Regents shall not withdraw or revoke an appointment already accepted by the appointee. Such appointment shall remain in full force and effect until disapproved/invalidated by the CSC. However, in case an appointment is void from the beginning due to fraud on the part of the appointee or because it was issued in violation of law, the University President and/or EVSU Board of Regents may request the CSC for its withdrawal or revocation. Provided, that if a protest on the appointment is filed, the Rules on Protest under the 2017 RACCS and/or the Code of Conduct and Rules on Administrative and Disciplinary Cases of the Official and Employees of the University approved by the EVSU Board of Regents shall apply.
- 65.11. No person who has been dismissed or perpetually excluded/disqualified from government service shall be appointed or reemployed unless he/she has been granted executive clemency by the President of the Philippines upon recommendation of the CSC.
- 65.12. Promotion within six (6) months prior to compulsory retirement shall not be allowed except as otherwise provided by law.
- 65.13. No person who has reached the compulsory age of sixty five (65) years can be appointed to any position in the University, except to a primarily confidential position.

A person appointed to a primarily confidential position who reaches the age of 65 years may be allowed for a period of six (6) months and in meritorious circumstances may be extended for other six (6) months. The request for extension shall be made by the University President duly endorsed by the EVSU Board of Regents. The same shall be filed with the CSC not later than three (3) months prior to the date of the official/faculty member/s or academic staff's or academic non-teaching staff's or employee's compulsory retirement. Services rendered during the period of extension shall no longer be credited as government service.

However, for one who will complete the fifteen (15) years of service required under the GSIS Law¹⁴⁸, a maximum period of two (2) years may be allowed. Services rendered during the period of extension shall be credited as part of government service for purpose of retirement. The official/ administrative or non-teaching personnel or

¹⁴⁸ Republic Act No. _____

employee, may file the request for extension of service.

The request shall be submitted to the CSC with the following documents:

1. Request for extension of service by the University President or the official/administrative or non-teaching personnel or employee in case of extension to complete the 15-year service required under the GSIS Law, containing the justifications for the request;
2. Certification by a licensed government physician that the official/ administrative or non-teaching personnel or employee subject of the request is still mentally and physically fit to perform the duties and functions of his/her position;
3. Certified true copy of the official/administrative or non-teaching personnel or employee's Certificate of Live Birth;
4. Clearance of no pending administrative case issued by the CSC, Office of the Ombudsman and the University;
5. Service record of the official/administrative or non-teaching personnel or employee, if the purpose of the extension is to complete 15-year service requirement under the GSIS law;
6. Certification from the GSIS on the Total Length of Service (TLS) of the official/administrative or non-teaching personnel or employee for those are completing the 15-year service requirement;
7. Certified true copy of the updated Plantilla of Personnel issued by the University's HRMD Officer; and
8. Proof of payment of the filing fee.

The only basis of the University to allow official/administrative or non-teaching personnel or employee to continue rendering service after his/her 65th birthday is a CSC Resolution granting the request for extension. In the absence of such resolution, the official/administrative or non-teaching personnel or employee shall not be authorized to perform the duties of the position and his/her salaries shall be the liability of the official responsible for the continued service of the official/ administrative or non-teaching personnel or employee.

During the period of extension, the official/administrative or non-teaching personnel or employee on service extension shall be entitled to salaries and salary increases, allowances, and other remunerations that are normally considered part and parcel of official/administrative

or non-teaching personnel or employee's compensation package subject to the existing regulations on the grant thereof, except step increments. The official/administrative or non-teaching personnel or employee shall also be entitled to 15 days' vacation and 15 days sick leave annually, provided, that the same are not commutative and cumulative.

- 65.14. Unless allowed by the CSC in meritorious cases, heads of University's oversight agencies¹⁴⁹ and their staff are prohibited from transferring or being appointed to any position in the University which their unit is assigned or designated to oversee within one year after the termination of such assignment or designation.
- 65.15. No person appointed to a position in the non-career service shall perform the duties properly belonging to any position in the career service.
- 65.16. No consultant, contractual, non-career or detailed employee shall be designated to a position exercising control or supervision over regular and career employees, except as may be provided by law.
- 65.17. No institutional or individual contract of service employees shall be made to perform functions pertaining to regular positions nor be designated to positions exercising control or supervision over regular and career employees.
- 65.18. No discrimination shall be exercised, threatened or promised against or in favor of any person examined or to be examined or employed by reason of his/her political or religious opinions or affiliations, sex, sexual orientation and gender identity, civil status, age, disability, or ethnicity.
- 65.19. No official/faculty member or academic staff or academic non-teaching staff or employee, whether in a permanent or regular capacity, temporary, casual, or hold-over, shall engage directly or indirectly in any private business or practice profession. Exemptions may be allowed, subject to the limitations provided under R.A. No. 6713 and other special laws. *Provided, further,* that the following requirements/conditions are met:
 1. Written permission from the University President duly approved by the EVSU Board of Regents must be secured and renewed annually;
 2. Time devoted outside of office hours shall not impair in any way the efficiency of the official/administrative or non-teaching personnel or employee nor pose a conflict or tend to conflict with the official functions and must be fixed by the University President duly

¹⁴⁹ Includes CHED, CSC, DBM, COA and Congress of the Philippines.

approved by the ESU Board of Regents; and

3. Government or University facilities, equipment and supplies shall not be used while engaged in private business or practice of profession.

65.20. A person with dual citizenship shall not be appointed in the University unless he/she renounces his/her foreign citizenship pursuant to the provisions of Republic Act No. 9225.¹⁵⁰ However, even if he/she has renounced his/her foreign citizenship, but continues to use his/her foreign passport in travelling after renunciation, he/she shall not be considered for appointment in the University.

This rule shall not apply to Filipino citizens whose foreign citizenship was acquired by birth.

65.21. The right to be appointed to any public office in the Philippines cannot be exercised by, or extended to, those who are candidates for or are occupying any public office in the country of which they are naturalized citizens and/or are in active as commissioned or non-commissioned officers in the armed forces of the country of which they are naturalized citizens.

Article 19

Responsibilities of the Human Resource Management and Development (HRMD) Officer of the University

Section 66. **Responsibilities of the Human Resource Management and Development (HRMD) Officer of the University.** – Subject to the actual accreditation or classification of the University, the HRMD Officer of the University shall have the responsibilities as provided under **Annex D** and/or from Section 139, Rule XIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017 and subsequent issuances thereof and/or as may be provided in the Services' Manuals or policies of the University duly approved by the ESU Board of Regents and CSC upon the recommendation by the University President.

Section 67. **Administrative Offense on the Failure to Perform the Responsibilities of the HRMD Officer or the duly Authorized Employee.** – Failure of the HRMD Officer or the duly authorized employee in charge of human resource management and development to perform any of the responsibilities provided in Section 139, Rule XIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017 and/or in Section 69 above shall be a ground for administrative disciplinary action for neglect of duty which the University President and/or ESU Board of

¹⁵⁰ Item 3, Section 5, Republic Act No. 9225 (Citizenship Retention and Re-acquisition Act of 2003).

Regents or the CSC can initiate¹⁵¹.

Chapter IV **CAREER ADVANCEMENT AND DEVELOPMENT**

Article 20 **Career Advancement and Development**

Section 68. **Declaration of Policy.** – The University shall develop a career and personnel development program for administrative or non-teaching personnel or employee which shall include provisions on training, industry immersion, foreign and local scholarships, study grants, job rotation, counseling, mentoring and other Human Resource Development (HRD) interventions.

Provided, that the Career Development Program and related CSC policies thereof shall form part and serve as the governing guidelines under this 2017 Human Resource Merit Promotion System for Administrative or Non-Teaching Personnel of the University.

Section 69. **Upgrading/Reclassification of Rank/Position of Administrative or Non-Teaching Personnel or Employee.** – upgrading/Reclassification or advancement in rank or position of administrative or non-teaching personnel or employee shall be by promotion or appointment to an upgraded or reclassified position, usually accompanied by increase in salary. The following are the policies and procedures to be observed:

- 69.1. Promotions in ranks and positions follow all provisions of the issuances of the CSC, DBM and applicable laws, rules and regulations of its recent amendment at the time of appointment, to wit:
 - 69.1.1. Educational Qualifications.
 - 69.1.2. Academic Service.
 - 69.1.3. Professional Development and Honors.
- 69.2. An administrative or non-teaching personnel or employee shall be promoted to a higher rank/sub-rank or position provided his performance ratings during the last two rating periods are at least very satisfactory.
- 69.3. The mere filing of an administrative charge shall not constitute disqualification for promotion to appropriate administrative or non-teaching personnel or employee rank or position.
- 69.4. Promotion within six months prior to the compulsory retirement shall

¹⁵¹ Section 140, Rule XIII of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

not be allowed except as otherwise provided by law.

- 69.5. In cases where the competence and qualification of two or more administrative or non-teaching personnel or employee are comparatively at par, preference shall be given to the candidate in the department where the vacancy exists.
- 69.6. An administrative or non-teaching personnel or employee who is on local or foreign scholarship or training grant or on maternity leave or on secondment may be considered for promotion.

For this purpose, the performance ratings to be considered shall be the two ratings immediately prior to the scholarship or training grant or maternity leave or secondment.

- 69.7. If promoted, the effectivity date of the promotional appointment, including that secondment, shall be after the scholarship or training grant or maternity leave or upon assumption to duty.

Article 21

Human Resource Development Interventions

Section 70. **Policies.** - To achieve the main objective of the University's personnel development program in bringing about highly educated and professional administrative or non-teaching personnel or employee, the following policies are promulgated:

- 70.1. The University shall develop and implement a continuing program of training and development for its administrative or non-teaching personnel or employee.
- 70.2. The University shall encourage its administrative or non-teaching personnel or employee to pursue relevant local and foreign-assisted training/scholarship grants, attend seminars, conferences, workshops, industry immersion or related human resource development courses.
- 70.3. Selection of participants in training programs or industry immersion shall be based on actual needs for specialization and enhancement of competence, taking into consideration organizational priorities.
- 70.4. Preference shall be given to candidates with permanent appointment.
- 70.5. The University may adopt other human resource development interventions such as the following:
 - 70.5.1. *Counseling* – entails a one-on-one close interaction between an administrative or non-teaching personnel or employee and a supervisor to jointly look at problems besetting him/her, which affect his/her performance and relationships with others. It is

used generally as a corrective approach in helping an employee overcome his/her problem, which may be either personal or work related.

70.5.2. *Mentoring* – a mechanism that guides a administrative or non-teaching personnel or employee to the inner network of the University, which may assist him/her in career advancement. It involves a manager’s investment on a high potential administrative or non-teaching personnel or employee, providing an objective assessment of one’s strength and weaknesses and ensuring opportunities to address them. This mechanism allows the faculty member to clarify “ambiguous” expectations of the University and facilitates career growth.

70.5.3. *Job Rotation* – the sequential or reciprocal movement of an administrative or non-teaching personnel or employee from one office to another or from one division to another within the University as a means for developing and enhancing his/her potentials in an organization by being exposed to the various functions of the University.

The duration of the job rotation shall be within the period prescribed by the University President but shall not exceed twelve (12) months.

Provided, that designation of administrative or non-teaching personnel or employees shall not be considered as job rotation measure.

Article 22 **Professional Growth**

Section 71. **General Policy.** – Every official and employee of the government is an asset or resource to be valued, developed and utilized in the delivery of basic services to the public.

A highly educated and motivated professional staff is the legitimate goal of the university because the academic functions of instruction, research and extension services as well as income generating technologies can only find fruition in the development of human resources. Thus, the Eastern Visayas State University pursuant to Section 5.2 of Presidential Decree No. 807 dated October 6, 1975¹⁵² and CSC MC No. 83, s. 1983¹⁵³ as supplemented by CSC MC No. 2, s. 1984¹⁵⁴ shall prepare or develop and undertake professional growth programs for its administrative or non-teaching personnel or employee.

¹⁵² “Providing for the Organization of the Civil Service Commission in Accordance with Provisions of the Constitution, Prescribing its Powers and Functions and For Other Purposes.”

¹⁵³
¹⁵⁴

Section 72. **Definition of Terms.** – for purposes of common understanding of all parties, the following terms are hereby defined, unless otherwise provided by laws, rules and regulations:

- 72.1. *Administrative or Non-teaching Personnel or Employee* – A regular employee of the University appointed to any non-teaching personnel or employee positions in various positions of general administration of the University.
- 72.2. *Fellow* – refers to a member of the faculty and non-teaching personnel who is a recipient of a study grant provided under these guidelines.
- 72.3. *Industry/Community Immersion* – refers to the deployment of faculty member to the company or industry directly related to his or her field of specialization, subjects thought and/or career path. The period of which shall be determined by the duly constituted HRMPS-ANTP.
- 72.4. *Preferred Institution* – Institutions of higher learning of recognized standards in the country duly recognized by accrediting agencies or recommended by PASUC, DOST, CHED and other sponsoring agencies.
- 72.5. *Priority field of specialization* – area of expertise defined by EVSU consistent with its Staff Development Program.
- 72.6. *Scholarship* – a privilege granted to a faculty member and non-teaching personnel because of merit/need, study with pay and with or without other privileges to pursue studies and/or advanced studies as provided under the 2017 Human Resource Scholarship Program of the University labeled as **Annex A** and made as integral part hereof.
- 72.7. *Scholarship Agreement* – refers to the written agreement between the grantee and EVSU which contains their respective obligations and responsibilities in connection with the study grant under the 2017 Human Resource Scholarship Program of the University labeled as **Annex C** and made as integral part hereof.
- 72.8. *Career Development Program* – refers to the scholarship programs, and other trainings and development opportunities for the faculty and academic non-teaching personnel.
- 72.9. *Relevant Degree* - is a degree or program pursued by the grantee related to his / her nature of work and academic preparation.
- 72.10. *Return to Service* – refers to the period required from the scholar to render service in the University and/or in any government agency after the expiration and/or termination of his or her scholarship grant. *Provided*, that should the scholar render the required return service in other government agency, he or she shall submit proof or evidence on the actual services rendered equivalent to the period required under

his or his scholarship agreement with the University. The said proof shall be submitted to the HRMPSB-ANTP of the University for evaluation and to the University President for approval as basis for action of the clearance and issuance of appropriate documents.

- 72.11. *Total Scholarship Value* – refers to the total benefits received by the grantee during the scholarship period specifically, stipend, book allowance, transportation, salaries and school fees and other emoluments, and the like.
- 72.12. *Training* – refers to skills enhancement program conducted for a duration of a month or more.

Section 73. ***Kinds of Programs.*** – The following guidelines shall be strictly observed:

- 73.1. *Degree Programs.* – The applicant must pursue a Master’s Degree/Doctorate Degree relevant to his/her baccalaureate/graduate degree, nature of work and in a University classified as any of the following: National University, Top 1000 University, Level III Accredited, CHED Center of Development/Center of Excellence. The University shall not support the practice of inbreeding.
- 73.2. *Non-Degree Programs:*
 - 73.2.1. Diploma Courses
 - 73.2.2. Trainings/Faculty Immersion
 - 73.2.3. Bar/Board Examinations
 - 73.2.4. Industry/Community Immersion
- 73.3. *Employee’s Exchange and Other Similar Programs.*

Section 74. ***Qualifications and Requirements.*** – The University President upon the recommendation of the HRMPSB-ANTP of the University shall select grantees based on the following conditions:

- 74.1. *Nomination.* – Candidates shall be nominated by their respective Directors and Heads using as basis the following:
 - 74.1.1. Priority needs of the College/Department as contained in the Career Development Plan which should be reviewed and updated to be relevant.
 - 74.1.2. Field of specialization which must be related to his function in the University or his present teaching assignment.
 - 74.1.3. The applicant must enroll in a preferred institution.
 - 74.1.4. He/She has not been convicted of any administrative and/or criminal charges or offenses.

- 74.2. *Age Requirements.* – Candidates for Plan A scholarship/fellowship shall preferably be fifty (50) years old or younger, provided they still can satisfy the service requirement vis-à-vis the type of scholarship. For other scholarship plans, age requirement may be waived at the discretion of the donor/sponsoring agencies.
- 74.3. *Good Health Requirement.* – A certification of good health has to be secured from a government physician after a thorough medical examination.
- 74.4. *Tenure and Experience.* – The applicant must hold a permanent status of appointment and have at least two (2) consecutive years of very satisfactory service in the University immediately prior to application.

Section 75. ***Limitations.*** – The following limitations shall strictly be observed:

- 75.1. The completion of the scholarship does not insure automatic permanent appointment, instead subject to existing CSC rules and procedures.
- 75.2. The applicant should not have been a recipient of any scholarship or training grant within the last two (2) years before his/her nomination. However, in the absence of qualified staff, this condition may be waived.
- 75.3. The applicant must have obtained prior admission from the Institution where he/she intends to enroll in.
- 75.4. Deadlines set for submission of application for Degree Program:
- 75.4.1. Scholarship that should take effect during the first semester of the School Year, not later than end of October.
- 75.4.2. Scholarship that should take effect during the second semester of the School Year, not later than end of May.

Section 76. ***Categories of Scholarship.*** – Scholarship in the University under the Training and Career Development Program shall be of different categories as provided under the Human Resource Scholarship Program of the University labeled as **Annex A** made as integral part hereof with their corresponding criteria, requirements, duration, and service obligations of the grantee.

Section 77. ***Extension of Fellowship/Scholarship.*** – The following rules shall govern in the extension of fellowship or scholarship:

- 77.1. The fellowship/scholarship grant may be extended in cases deemed to be meritorious by the HRMPSB-ANTP of the University. An extension of one semester can be granted only to those who have finished all their academic courses, passed their comprehensive examinations and submitted their research outline approved by the Dean of the Graduate

School where the scholar is enrolled.

- 77.2. Extension shall be granted one term at a time and is renewable for another term but in no case shall it exceed the maximum period as specified in item 24.1.
- 77.3. The privileges of extended fellowship grant shall be the same as those enjoyed by a regular fellow/scholar grantee except for the book allowance.
- 77.4. Requirements for approval of extension:
 - 77.4.1. A plan of activities to show that the degree will be completed within the contract period of extension.
 - 77.4.2. The extension shall be granted with justifiable reasons beyond the control of the grantee and extension due to pregnancy shall be granted on a case-to-case basis upon the approval of the EVSU Board of Regents.
 - 77.4.3. A summary report on what has been accomplished by the grantee, showing that sufficient volume of work has yet to be done, attested by the respective Directors where the grantee is enrolled in, including the course work checked against the curriculum program.
 - 77.4.4. Certification from the thesis/dissertation adviser that extension is needed and noted by the Director where the grantee is enrolled in.
 - 77.4.5. The grantee shall sign a supplemental scholarship agreement upon approval of the EVSU Board of Regents.

Section 78. **Responsibilities of the Grantee.** – The responsibilities of the grantees during the scholarship period shall be the following:

- 78.1. The grantee shall sign a contract with the University upon approval by the EVSU Board of Regents, indorsed by the University President through the recommendation of the HRMPSB-ANTP of the University; and shall be responsible for meeting all the stipulations contained therein in Item 4.0. In addition he/she shall:
 - 78.1.1. Devote full time to his/her study;
 - 78.1.2. Pursue his/her program of study in the field of specialization at the Institution indicated in his/her letter of admission and Scholarship Agreement;
 - 78.1.3. Finish the degree for which the scholarship is awarded within the maximum duration of his/her program;

- 78.1.4. Shall not change his/her program of study without prior approval of the University based on the recommendation or certification of the school where he/she is enrolled subject to the execution of a new Scholarship Agreement;
- 78.1.5. Shall not drop any subject without prior clearance and approval from the Graduate School where the grantee is enrolled;
- 78.1.6. Shall not engage in any work for pay or accept other forms of scholarship during the fellowship and shall not engage in any research activity/training and other activities which are not stipulated in the scholarship contract or agreement;
- 78.1.7. Shall not accept other forms of scholarship during the grant that requires obligation in conflict with the interest of the University;
- 78.1.8. Maintain a general average grade that satisfies the requirement of the Institution enrolled in;
- 78.1.9. Such other duties and obligations as may be mutually agreed upon by the parties duly approved by the University President and/or EVSU Board of Regents.
- 78.2. In case the grantee incurs a failing grade or has dropped a subject, he/she should be made to return. However, a grace period of two years to finish the program on his/her own shall be given to the fellow/scholar, otherwise, he/she will be made to pay back.
- 78.3. In case of failure in the comprehensive examination, he/she has to return to duty and has to retake the same on official time. If he fails again, he/she will be given a grace period of three (3) years to finish the program on his/her own, otherwise he will be made to pay back.
- 78.4. Carry not less than twelve (12) units of academic load for each semester and at least six (6) units for each summer during the course work. However, the grantee may be allowed to carry less than the required academic load, provided it is fully justified and duly approved by the Director. He/She must submit a copy of said report to the University President through the HRMPSB-ANTP of the University.
- 78.5. In case a subject is not offered or is dissolved, the fellow/scholar is allowed to petition the subject, *provided*, this subject is a pre-requisite subject or the last academic subject to be taken. *Provided, further*, that he/she submits to the University President a justification duly signed by the Dean where he/she is enrolled, copy furnished the HRMPSB-ANTP of the University.

- 78.6. Shall submit the following to the University through the HRMPSB-ANTP of the University:
- 78.6.1. Registration receipt not later than two (2) weeks after Registration;
 - 78.6.2. Program of study for the entire course;
 - 78.6.3. Semester/Summer progress reports, indicating grades in subjects taken as well as other accomplishments and problems met immediately after the term. Non-submission of required reports will defer release of subsequent benefits;
 - 78.6.4. Results of comprehensive examination;
 - 78.6.5. A copy of approved thesis/dissertation outline/proposal not later than two (2) weeks upon approval by the Graduate School where the grantee is enrolled; and
 - 78.6.6. Progress report on thesis/dissertation writing every Semester.

Section 79. **Responsibilities After the Scholarship/Fellowship.** – The parties shall perform the following responsibilities after the scholarship or fellowship:

- 79.1. A copy of Transcript of Records, Special Order and diploma within one semester after the date of graduation.
- 79.2. Submit two (2) hard bound copies of thesis/dissertation/special problem/technical paper with three publishable articles to the University through the Staff Development Committee within one semester after date of graduation.
- 79.3. Serve EVSU as indicated under item sub-Section 22.11 hereof corresponding to the Plan of scholarship availed of.
- 79.4. Failure to comply with the terms and conditions of scholarship through his fault or willful neglect, resignation, voluntary retirement, or other causes within his control, the grantee shall refund to the University the total amount defrayed for his/her scholarship. Otherwise, the University shall pursue appropriate legal remedies against the grantee.
- 79.5. Refund shall be governed by the following:
 - 79.5.1. Proportionate refund shall be allowed, *provided*, that the grantee has served the University at least seventy-five percent (75%) of his/her total service obligation.
 - 79.5.2. Percentage of non-compliance will be computed based on the total number of units completed as compared to the number of units required to complete the degree.

Example (for illustration purposes only):

Total No. of Units Completed-- 30 units
Total No. of Units Required --- 54 units
To complete the degree----- 42 units

Computation (for illustration purposes only):

$30/42 = 71\%$ completed
Only 29% of the total scholarship value will be refunded.

79.5.3. Failure to comply with the terms and conditions of scholarship for reasons beyond the control of the grantee such as the occurrence of accidents, death, and fortuitous events, the grantee is exempted from refunding the total scholarship value, *provided*, that he/she shall serve the total service obligation as stipulated in the contract and/or in this Manual.

79.5.4. Refund shall commence two (2) years immediately preceding the date of reinstatement and to be completed within five (5) years.

Section 80. **Allowable Expenses.** – The following expenditures shall be provided by EVSU and such other benefits/allowances:

- 80.1. Matriculation and other school fees;
- 80.2. Books purchased, if any, during a particular semester/summer shall only be those related to the subject taken by the grantee not to exceed the amount for book allowance as stipulated in the contract or agreement;
- 80.3. Thesis/dissertation expenditures, provided it does not exceed the amount stipulated in the scholarship contract;
- 80.4. Transportation expenses before and after the scholarship period (one-time payment only); and
- 80.5. Such assistance the University President may determine.

Provided, that all requests for reimbursement should be made in writing and approved by the University President.

Section 81. **Clearance.** – Grantees shall secure an approved University clearance before the scholarship period.

Section 82. **Sanctions.** – In case the grantee fall short of responsibilities and obligations provided under these guidelines, the following shall be imposed on him/her:

82.1. *Refund of Benefits.* – Subject to the provisions of Section 29.5. above, refund the remaining proportionate value in case he/she fails to finish the program within the maximum duration of his/her scholarship. However, upon completion of his/her approved degree/program within the prescribed graced period, he/she shall be entitled to a full refund.

82.1.1. In case he/she fails to render the required service to the University:

1. full amount if grantee did not render service.
2. fraction thereof for the remaining years unserved.

82.1.2. If the scholar under Plan A is found working in other agencies during his/her scholarship and/or accepts overload within the EVSU System:

1. he/she will be subject to forfeiture of scholarship and full refund of scholarship grant and other privileges.
2. disqualified from all other scholarship grant.

82.1.3. If the scholar fails to meet the minimum grade requirement, the provision under Section 6.1.9 shall apply.

82.1.4. If found guilty of administrative and/or criminal charges during his/her scholarship.

82.2. *Mode of Refund.* – Refund should be implemented after the lapse of the grace period of two (2) years and upon receipt of notice issued by the University President. *Provided*, that refund should be on installment basis equally distributed for a period of five (5) years through salary deduction or full payment for those who are to retire and are separated from the service.

Section 83. ***Provision for Exceptional Cases or Absolution Measures.*** – In case the grantee experience permanent disability or death he/she is absolved from his/her obligations. Accident/illness which put the grantee incapacitated to do mental work; he/she is absolved from performing his/her obligations.

Section 84. ***Entitlement to Increase of Salaries and Scholarship Benefits.*** – In case of increase of salaries and scholarship benefits shall be granted, administrative or non-teaching personnel or employees who are on scholarship grant at the time of the approval of said increases shall be entitled thereof without need of executing a new contract.

Section 85. ***Mechanism in the Resolution of Issues on Refund and Rendition of Return to Service of Scholars.*** – The duly constituted HRMPSB-ANTP of the University shall undertake and recommend appropriate measures to resolve

issues on refund and rendition of return to service of scholars with subsisting or terminated or completed scholarship agreement/s subject to the following rules:

85.1. *Waiver of Refund by the Scholar/Grantee of Scholarship Grants and Financial Support Provided by the University.* – Refund by the scholar/grantee of scholarship grants and financial support provided by the University may be waived subject to any of the following circumstances:

85.1.1. If the scholar has completed the academic requirements and the completion of the thesis or dissertation, as the case may be, has been terminated due to reasons beyond control of the scholar such as, but not limited to,

1. Occurrence of force *majeure* during data gathering and such research processes that substantially compromised the integrity of the investigation or research results;
2. Obsolescence or enfeebling of the quality of data gathered that are statistically weak and irrelevant to support the objectives of the thesis or dissertation;
3. Inability to gather data and conduct the research processes due to limitations of the sources;
4. Disagreement among Panel of Oral Defense or Examiners that compromised the quality and timely completion of thesis or dissertation;
5. Additional cost and resources will be incurred to conduct another study (thesis or dissertation) as a result of any of the grounds in items 1-4 above; and
6. Such conditions analogous to the foregoing.

Provided, that the scholar concerned shall submit the appropriate Certificate of Completed Academic Requirement (CAR) issued by the University Registrar and Dean of the Graduate School where the scholar/grantee took the program or degree, and Certification stating, among others, the failure of the scholar/grantee to complete the thesis or dissertation, as the case may be, duly issued by the Panel of Oral Defense and/or Dean of the Graduate School where the scholar/grantee took the program or degree;

85.1.2. If the scholar/grantee has completed the return to service required under his/or scholarship agreement with the University or in any government agency upon submission of proof thereof;

- 85.1.3. If the scholar/grantee has completed allied degree or program as replacement of the scholarship program granted by the University subject to the accreditation by the HRMPSB-ANTP of the University;
- 85.1.4. Such grounds or conditions analogous to the foregoing the as the duly constituted HRMPSB-ANTP of the University may recommend to the University President and/or EVSU Board of Regents for approval.
- 85.2. *Rendition of Return of Work.* – A scholar/grantee who comply with any of the following conditions shall be issued with the appropriate clearance and credentials or documents, unless otherwise the University may consider any reason/s or accountabilities that would warrant deferment or non-issuance thereof, to wit:
 - 85.2.1. If the scholar/grantee has rendered services in the University equivalent to the required period or services under his or her scholarship contract or agreement; or
 - 85.2.2. If the scholar/grantee has rendered services in any government agency more than the required period or services under his or her scholarship contract or agreement. *Provided*, that services of the scholar/grantee on secondment or detail and/or under regular employment in any government agency shall be recognized and credited in the computation of the return to work requirement.

Chapter V

WORKLOAD, WORKING HOURS, AND RECORD OF ATTENDANCE

Article 23

General Policies

Section 86. **General Policies.** – The following policies shall strictly be observed:

- 86.1. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibilities, integrality, loyalty, and efficiency, act with patriotism and lead modest lives¹⁵⁵. Part of this accountability is the observance of the prescribed office hours in a given working day¹⁵⁶.
- 86.2. Sections 1 to 5, Rule XVII of the Omnibus Rules Implementing Book V

¹⁵⁵ Section 1, Article XI of the 1987 Constitution.

¹⁵⁶ CSC MC No. 01, s. 2017 dated January 31, 2017 entitled, "Reiteration of the policy on Government Office Hours; and the Administrative Offenses of Frequent Unauthorized Absences (Habitual Absenteeism); Tardiness in Reporting for Duty; and Loafing from, Duty During Regular Office Hours."

of Executive Order No. 292 provide:

“SECTION 1. It shall be the duty of each head of the department or agency to require all officers and employees under him to strictly observe the prescribed office hours.

SEC. 2. Each head of department or agency shall require a daily record of attendance of all the officers and employees under him including those servicing in the field or on the water, to be kept on the proper form and, whenever possible, registered on the bundy clock.

Service “in the field” shall refer to service rendered outside the office proper and service “on the water” shall refer to service rendered on board a vessel which is the usual place of work.

SEC. 3. Chiefs and Assistants Chiefs of agencies who are appointed by the President, officers who rank higher than these chiefs in the three branches of the government, and other presidential appointees need not punch in the bundy clock, but attendance and all absences of such officers must be recorded.

SEC.4. Falsification or irregularities in the keeping of time records will render the guilty officer or employee administratively liable without prejudice to criminal prosecution as the circumstances warrant.

SEC. 5. Officers and employees of all departments and agencies except those covered by special laws shall render not less than eight hours of work a day for five days a week or a total of forty hours a week, exclusive of time for lunch. As a general rule, such hours shall be from eight o’clock in the morning to twelve o’clock noon and from one o’clock to five o’clock in the afternoon on all days except Saturdays, Sundays and Holidays.”

Article 24

Workload for Regular and Non-Regular Faculty Members, Faculty Members with Administrative Designations

Section 87. **Workload.** – The workload of administrative or non-teaching personnel or employee shall be based on their respective job description and such tasks assigned to them by the University President upon the recommendation by the immediate supervisors concerned.

Section 88. **Teaching Workload of Faculty Members with Administrative Designation/s.** – Faculty members with administrative designations shall have reduced teaching load assignments pursuant to the provisions of Section 422 of the 2017 Revised University Code, 2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff of the University Manual, and such

University policies, rules and regulations duly approved by the EVSU Board of Regents upon the recommendation by the University President.

Section 89. **Teaching after Office Hours by the Regular Administrative or Non-Teaching Personnel and Faculty with Administrative Designations.** – Regular administrative or non-teaching personnel and faculty members with administrative designations may be allowed to teach after office hours in the University subject to the limitation on the maximum load of nine (9) units in a semester as prescribed under Section 422.3 of the 2017 Revised University Code, 2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff of the University Manual and such University policies, rules and regulations.

Article 25 **Working Hours and Attendance Reports**

Section 90. **General Rule.** – It shall be the duty of the University President to require all officials and employees of the University to strictly observe the prescribed office or work hours. All officials and employees are prohibited from taking extended lunch breaks and spending outside the office doing unauthorized and non-work related activities during office hours¹⁵⁷.

Provided, that when the University President allows officials, faculty members and employees to leave the office during office hours on unofficial business, the same shall be reflected in their time cards and charged to their leave credits.

Section 91. **Proof of Rendition of Service and Delay/Late or Non-Submission Thereof.** – The following rules shall be strictly observed:

- 91.1. *On Proof of Rendition of Service.* – The University President shall, upon authority from the EVSU Board of Regents, prescribe the appropriate monitoring scheme pertaining to attendance of administrative officials, non-teaching personnel or employees as proof of rendition of service pursuant to Civil Service laws, rules and regulations, without prejudice to existing binding or subsisting agreements in so far as expressly authorized by the EVSU Board of Regents.

Provided, that the entries in the proof of service such as, but not limited to, DTR/bundy card or certificate of service must reflect the employee's true and actual times of arrival and departure. Furthermore, failure of an employee to reflect in the DTR/bundy card the actual times of arrival and departure not only reveals the employee's lack of candor; it also disturbingly shows his/her disregard of office rules¹⁵⁸.

¹⁵⁷ Memorandum Circular No. 03, s. 2016 issued by the Office the President on August 8, 2016 entitled, "Enjoining all Government Officials and Employees to Strictly Observe and Comply with the Required Work Hours."

¹⁵⁸ **Absence Without Leave (AWOL) of Ms. Lydia A. Ramil, Court Stenographer III, Regional Trial Court,**

Provided, further, that the University shall adopt effective and efficient mode of recording of services and payroll system of faculty members such as, but not limited, to the procurement and installation of electronic or on-line recording of services of in accordance with existing laws, rules and regulations.

91.2. *On Late or Non-Submission of Proof of Rendition of Service.* – Any official, academic or non-teaching personnel or employee who submitted late or does not submit the proof of rendition of service shall be subjected to the following:

91.2.1. If the delay or non-submission is equivalent to a month, his/her salary shall be processed in the general payroll but be withheld until full compliance of the proof or requirements;

91.2.2. If the delay or non-submission is equivalent to two (2) months or more, the HRMD Office or Accounting Office shall delete the entries of his/her salary and other mandatory premiums or contributions in the general payroll;

91.2.3. To facilitate the processing and liquidation of the cash advance, the name of the official, academic or non-teaching personnel or employee concerned may be transferred or placed in a separate sheet of general payroll for the delay/late or non-submission of proof of rendition of service equivalent to two (2) months or more applying the decision in **Virginia M. Andrade v. Court of Appeals and Dominador S. Wingsing**¹⁵⁹.

91.2.4. A joint notice shall be served to the concerned official, academic or non-teaching personnel or employee by the HRMD Office and Accounting for such act/s enumerated above. The said joint notice shall be furnished to the immediate supervisor/s and the Office of the University President for appropriate action.

91.2.5. The delay or late or non-submission of the proof of rendition

Branch 14, Davao City, A.M. No. P-07-2380 September 25, 2008 citing *Servino v. Adolfo*, A.M. No. P-06-2204, November 30, 2006, 509 SCRA 42; In Re: Irregularities in the Use of Logbook and Daily Time Records by Clerk of Court Raquel D.J. Razon, Cash Clerk Joel M. Magtuloy and Utility Worker Tiburcio O. Morales, All of the Municipal Trial Court-OCC, Guagua, Pampanga, A.M. No. P-06-2243, September 26, 2006, 503 SCRA 52.

¹⁵⁹ In **Virginia M. Andrade v. Court Of Appeals and Dominador S. Wingsing**, G.R. No. 127932, December 7, 2001, the Supreme Court upheld the transfer of the name of the petitioner to the last page of the roll, to wit:

“With regards to the deletion of petitioner’s name from the regular monthly payroll of teachers, we find the same to be merely the result of a school policy being implemented by the school personnel. Private respondent Wingsing had nothing to do with the preparation of the payroll, as it was the school payroll clerk who prepared the same. As explained by payroll clerk Aida Soliman, petitioner’s name was not deleted from the regular monthly payroll but merely transferred to the last page of the roll since she failed to submit her Form 48 or Daily Time Record (DTR) sheet on time. The move was made so that the other teachers would not be unduly prejudiced by the delayed release of petitioner’s salary, which as a policy was the consequence for late submission of DTRs.”

of service shall be a ground for disciplinary action.

Section 92. **Required Working Hours.** – Administrative or non-teaching personnel or employees are required to render forty (40) working hours per week pursuant to Civil Service laws, rules and regulations.

Provided, that regular faculty members with administrative designation shall be required to render services based on the functions or components provided under the 2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff of the University Manual and such University

Section 93. **Payment of Part-time Teaching Load of Administrative or Non-Teaching Personnel.** – The University President may grant payment of part-time reaching load of administrative or non-teaching personnel subject to the maximum load as hereunder provided:

Highest Educational Attainment	Maximum Teaching Overload with Pay	
	Regular Faculty	Regular Faculty with Designation
Doctoral	9 units	6 units
Master’s	6 units	6 units
Baccalaureate	6 units	6 units

Section 94. **Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES).** – The following shall strictly be enforced:

- 94.1. *Design and Content of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instrument.*– The Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) instrument or its equivalent shall be designed in accordance with the weight allocations of the components or functions taking into consideration the performance indicators Strategic Performance Management System (SPMS) of the University and such policies of the University duly approved by the EVSU Board of Regents upon the recommendation by the University President. For this purpose, the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instruments (for the Summary Ratings and the different Performance Indicators) shall be in such form as provided in **C-1 to C-5** for Regular Administrative or Non-Teaching Personnel and the Rules Governing the Faculty Performance Evaluation in **Annex C** which are made as integral parts hereof shall strictly be observed and enforced. The performance of the faculty members with administrative designation shall utilize the Faculty Performance Evaluation System (FPES) Instruments as provided under the 2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff of the University Manual.

- 94.2. *Accomplishment, Submission and Administration of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instrument.* – Each administrative or non-teaching personnel or employee shall accomplish and submit the ANTP-PES Instruments fiscal year.

Provided, that the instrument for the instruction performance indicator shall be administered by the HRMD Office personnel in coordination with the Department Head/Section Chief concerned within seven (7) days after the end of the fiscal year and the results of which shall be indicated by the Department Head/Section Chief concerned in the appropriate space of the PFES instrument. It is understood that administrative or non-teaching personnel or employee shall not be allowed to distribute the ANTP-PES instrument to their raters to avoid conflict of interest.

- 94.3. *Adjustment or Revision of the Design and Content of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instrument.* – Any adjustments to or revision of the said ANTP-PES Instruments shall be made, upon authority by the University President upon recommendation by the HRMPSB-ANTP of the University and after proper consultations with the stakeholders concerned, taking into considerations the provisions of this Manual, applicable issuances by CSC, DBM, CHED, and PASUC duly approved by the EVSU Board of Regents.
- 94.4. *Continuing Reproduction and Distribution of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instrument.* – The ANTP-PES instruments shall be continually reproduced and distributed to the Department Heads/Section Chiefs to ensure access thereof by the administrative or non-teaching personnel.
- 94.5. *Depository of the Accomplished Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instruments and Authority to Issue Performance Ratings of Faculty Members.* – The Human Resource Management and Development (HRMD) Office of the University shall be the authorized depository of all accomplished ANTP-PES instruments of the faculty members. The HRMD Office shall ensure safety and sanctity of the ANTP-PES instruments for future reference.

The HRMD Officer shall be the authorized officer to issue the performance rating of faculty members based on the records and such certification shall duly be attested to by the University President.

Section 95. **Attendance During Meetings and Activities.** – Administrative or non-teaching personnel employees shall attend department, College and Institutional administrative or non-teaching personnel meetings and activities as required by the Head, Dean, Director or other higher officials of the University.

Section 96. **Extension of Daily Working Hours.** – When the exigency of the service and the interest of the University so requires, the Head, Dean and/or Director may request the University President to extend the daily hours of work of any or all of the administrative or non-teaching personnel or employees under him/her, and may likewise require any or all of them to do overtime work, provided that such overtime work shall be compensated in accordance with law.

Section 97. **Flexible Time Work and Compressed Work Schedules.** – The following guidelines shall strictly be observed on the grant of flexible time work and compressed work schedules:

- 97.1. *Grounds.* – University officials or officers, administrative or non-teaching personnel or employees shall be allowed to a flexible time work or compressed schedules on grounds, among others, to cope with the traffic, taking graduate courses, and other situation or circumstances obtaining in the area of work subject to the approval by the University President in accordance with existing laws, rules and regulations.
- 97.2. *Options.* – The following flexi-time work schedule may be authorized by the University President upon submission of application by the administrative or non-teaching personnel or employee concerned duly endorsed by the concerned supervisors, to wit:

Options	Morning (Time-in)	Afternoon (Time-out)	Total Number of Hours	
			Per Day	Per Week
A	6:30AM	3:30PM	8	40
B	7:00AM	4:00PM	8	40
C	7:30AM	4:30PM	8	40
D	8:30AM	5:30PM	8	40
E	9:00AM	6:00PM	8	40
F	9:30AM	6:30PM	8	40
G	10:00AM	7:00PM	8	40

Provided, that the University President shall, upon the recommendation by the immediate supervisors concerned, approve an application for a compressed four-day work week subject to the provisions hereof.

- 97.3. *Mandatory Compliance of the Forty (40) Hours Per Week Based on the Workload Distribution Under Relevant Policies of the University.* – A grantee of the flexi-time work and/or compressed schedules must comply the mandatory forty (40) hours per week based on the workload distribution under Article 25 hereof.
- 97.4. *Continuity in the Delivery of Services of the Office is Assured.* – The Administrative Officers in their recommendation shall, among others,

categorically state the grant of the flexible time work or compressed schedules to the applicant shall assure continuity in the delivery of services of the office.

97.5. *Limitations.* – The following shall be observed:

97.5.1. In no instance that a flexible time work or compressed work schedule be recommended and approved on ground of limited practice by an applicant;

97.5.2. Flexible time work or compressed work schedule shall not be granted during submission of critical requirements such as, but not limited to, budget, periodic accreditation and other assessments by competent authority/ies;

97.5.3. Flexible time work or compressed work schedule for administrative or non-teaching personnel or employee shall be limited to one (1) year only subject to renewal at the discretion by the University President. *Provided*, that should the University President issues no adverse decision to the request for renewal within ten (10) days from receipt thereof, the same is deemed approved to facilitate subject loading until nullified which shall take effect after fifteen (15) days from receipt of the appropriate order;

97.5.4. Designated officials must ensure that they have their respective Alternate Signing Officers of the Day (ASOD) so as to ensure continuity in the delivery of services during the period of their approved flexible time work or compressed work schedule; and

97.5.5. The approved flexible time work or compressed work schedule may be suspended, rescinded or shortened by the University President on grounds of exigency of the service which the same shall take effect after issuance of the appropriate order.

97.6. *Mandatory Posting or Display of Flexible Time Work and/or Compressed Work Schedule.* – The flexible time work or compressed work schedules shall be posted or displayed in the organizational structure and Freedom of Information and Transparency Bulletin Boards of the concerned Academic Department or College or Campus. The approved flexible time work schedule must clearly be reflected in their respective workload or schedule of activities.

Section 98. ***Undertime.*** – A working time that is less than the full time or the required minimum. This is usually incurred by an officer or employee of the University who leaves or quits from work earlier than the usual eight-hour work schedule in a

given working day¹⁶⁰. Undertime is not classified as tardiness¹⁶¹, however, due to the inimical effect of undertime to public service, which cannot be countenanced, the following guidelines shall be strictly applied to and observed by the University officials or officers and personnel¹⁶², to wit:

- 98.1. Any officer or employee who incurs undertime, regardless of the number of minutes/hours, ten (10) times a month for at least two months in a semester shall be liable for Simple Misconduct and/or Conduct Prejudicial to the Best Interest of the Services, as the case may be.
- 98.2. Any officer or employee who incurs undertime, regardless of the number of minutes/hours, ten (10) times a month for at least two (2) consecutive months during the year shall be liable for Simple Misconduct and/or Conduct Prejudicial to the Best Interest of the Services, as the case may be.

Section 99. **Half-day Absence.** – Half-day absence is incurred when an officer or employee does not report for work either for the whole morning or the whole afternoon¹⁶³. The following guidelines on half-day absence shall be applied to and strictly observed by all officers and employees of the University¹⁶⁴, to wit:

- 99.1. Any officer or employee who is absent in the morning is considered to be tardy and is subject to the provisions on Habitual Tardiness; and
- 99.2. Any officer or employee who is absent in the afternoon is considered to have incurred undertime, subject to the provisions on Undertime.

Section 100. **Strict Observance of CSC MC No. 01, s. 2017, and Report on Tardiness, Undertime and Half-day Absences.** – The pertinent provisions of CSC MC No. 01, s. 2017 dated January 31, 2017 shall strictly be observed by all officials, administrative or non-teaching personnel or employees of the University.

The Vice Presidents, Campus Directors, Deans, or Directors or Heads/Chairpersons/Coordinators of academic and administrative Departments or Units or office, shall submit a monthly report on tardiness, undertime and half-day absences incurred by their respective faculty members and academic and administrative staff to the Human Resource Management Office (HRMO) of the University for consolidation and submission to the Office of the University President for appropriate action in accordance with the provisions of this Manual and applicable CSC rules and regulations.

¹⁶⁰ CSC Resolution No. 00-0970 dated April 7, 2000.

¹⁶¹ CSC Resolution No. 10-1357 dated July 6, 2010.

¹⁶² CSC MC No. 16, s. 2010 entitled, "Policy on Undertime."

¹⁶³ CSC Resolution No. 00-0970 dated April 7, 2000.

¹⁶⁴ CSC MC No. 17, s. 2010, entitled "Policy on Half-day Absence."

Chapter VI **LEAVES PRIVILEGES**

Article 26

General Guidelines Governing on Leaves of Faculty Members

Section 101. **General Provisions.** – Except as expressly provided under applicable laws, rules and regulations in so far as authorized by the EVSU Board of Regents upon the recommendation of the University President, the following policies shall strictly be observed:

- 101.1. *Application and Interpretation of Terms on Leave.* – The following terms shall be applied and interpreted as hereunder provided:
 - 101.1.1. *Leave of Absence* – is generally defined as a right granted to officials and employees not to report for work with or without pay as may be provided by law and as the rules prescribed by the Civil Service Commission.
 - 101.1.2. *Commutation of Leave Credits* – refers to conversion of unused leave credits to their corresponding money value.
 - 101.1.3. *Cumulating of Leave Credits* – refers to incremental acquisition of unused leave credits by an official or employee.
 - 101.1.4. *Sick Leave* – refers to leave of absence granted only on account of sickness or disability on the part of the employee concerned or any member of his/her immediate family. Immediate family refers to the spouse, children, parents, unmarried brothers and sisters and any relative living under the same roof or dependent upon the employee for support.
- 101.2. *Application for Sick Leave.* – All applications for sick leave of absence for one full day or more shall be made on the prescribed form and shall be filed immediately upon employee's return from such leave. Notice of absence, however, should be sent to the immediate supervisor and/or to the University President. Application for sick leave in excess of five (5) successive days shall be accompanied by a proper medical certificate.
 - 101.2.1. Sick leave may be applied for in advance in cases where the official or employee will undergo medical examination or operation or advised to rest in view of ill health duly supported by a medical certificate.
 - 101.2.2. In ordinary application for sick leave already taken not exceeding five (5) days, the University President may duly determine whether or not granting of sick leave is proper

under the circumstances. In case of doubt, a medical certificate may be required.

- 101.3. *Approval of Sick Leave.* – Sick leave shall be granted only on account of sickness or disability on the part of the employee concerned or of any member of his immediate family.

Provided, that approval of sick leave, whether with pay or without pay, is mandatory provided proof of sickness or disability is attached to the application in accordance with the requirements prescribed under the preceding section. Unreasonable delay in the approval thereof or non-approval without justifiable reason shall be a ground for appropriate sanction against the official concerned.

- 101.4. *Vacation Leave.* – refers to leave of absence granted to officials and employees for personal reasons, the approval of which is contingent upon the necessities of the service.

- 101.5. *Application for Vacation Leave.* – All applications for vacation leave of absence for one (1) full day or more shall be submitted on the prescribed form for action by the University President or his or her duly authorized representative five (5) days in advance, wherever possible, of the effective date of such leave.

- 101.6. *Approval of Vacation Leave.* – Leave of absence for any reason other than illness of an official or employee or of any member of his or her immediate family must be contingent upon the needs of the service. Hence, the grant of vacation leave shall be at the discretion of the University President or his or her duly authorized representative.

- 101.7. *Accumulation of Vacation and Sick Leave.* – Vacation and sick leave shall be cumulative and any part thereon which may not be taken within the calendar year may be carried over to the succeeding years. Whenever any official or employee retires, voluntarily resigns, or is allowed to resign or is separated from the service through no fault of his own, he or she shall be entitled to the commutation of all the accumulated vacation and/or sick leave to his or her credit, exclusive of Saturdays, Sundays, and holidays, without limitation as to the number of days of vacation and sick leave that he or she may accumulate provided his or her leave benefits are not covered by special law.

When a person whose leaves have been commuted following his or her separation from the service is reemployed in the government before the expiration of the leave commuted, he/she shall no longer refund the money value of the unexpired portion of the said leave. Insofar as his or her leave credits are concerned, he/she shall start from zero balance.

Section 102. **Entitlement to Leave Privileges.** – In general, appointive officials up to the level of heads of executive departments, heads of departments and employees of the University, whether permanent, temporary, or casual, who render work during the prescribed office hours, shall be entitled to fifteen (15) days vacation and fifteen (15) days sick leave annually with full pay exclusive of Saturdays, Sundays and Public Holidays, without limitation as to the number of days of vacation and sick leave that they may accumulate.

Section 103. **Basis for Computation of Salary during Leave with Pay.** – An official or employee who applies for vacation or sick leave shall be granted leave with pay at the salary he or she is currently receiving.

Section 104. **Computation of Leave for Employees Observing Flexible Working Hours.** – Employees observing flexible working hours who render less than the usual eight (8) hours of work per day but complete the forty (40) hours of work a week, shall be deducted from their leave credits only the number of hours required to be served for a day but which was not served. Any absence incurred must be charged in proportion to the number of hours required for a day's work. The number of hours to be served for a day refers not to the eight (8) regular hours but to the number of hours covered by the core hours prescribed by the University President.

Section 105. **Compensatory Service.** – Compensatory service may be availed of outside of the regular working hours, except Sundays, to offset non-attendance or undertimes during the regular office hours subject to the written approval of the University President. The University shall formulate policies for this purpose subject to the provisions of DBM-CSC Joint Circular No. 2, s. 2004 dated October 4, 2004¹⁶⁵ and applicable laws, rules and regulations promulgated by competent authority/ies.

Section 106. **Absence on a Regular Day for which Suspension of Work is Announced.** – Where an official or an employee fails to report for work on a regular day for which suspension of work is declared after the start of regular working hours, he/she shall not be considered absent for the whole day. Instead, he/she shall only be deducted leave credits or the amount corresponding to the time when official working hours start up to the time the suspension of work is announced.

Section 107. **Deducting Tardiness and Undertime Against Vacation Leave Credits.** – Tardiness and undertime are deducted from vacation leave credits and shall not be charged against sick leave credits, unless the undertime is for health reasons supported by medical certificate and application for leave.

Section 108. **Monetization.** – refers to payment in advance under prescribed limits and subject to specified terms and conditions of the money value of leave credits to an employee upon his/her request without actually going on leave.

¹⁶⁵ "Non-monetary Remuneration for Overtime Services Rendered."

- 108.1. Officials and employees in the University whether permanent, temporary, or casual, who have accumulated fifteen (15) days of vacation leave credits shall be allowed to monetize a minimum of ten (10) days: *Provided*, That at least five (5) days is retained after monetization and provided further that a maximum of thirty (30) days may be monetized in a given year.
- 108.2. Monetization of fifty percent (50%) or more of the accumulated leave credits may be allowed for valid and justifiable reasons subject to the discretion of the University President and the availability of funds¹⁶⁶. The valid and justifiable reasons shall refer any of the following:
 - 108.2.1. Health, medical and hospital needs of the employee and the immediate members of his/her family;
 - 108.2.2. Financial aid and assistance brought about by force majeure events such as calamities, typhoons, fire, earthquake and accidents that affect the life, limb and property of the employee and his/her immediate family;
 - 108.2.3. Payment of mortgages and loans which were entered into for the benefit or which inured to the benefit of the employee and his/her immediate family; educational needs of the employee and the immediate members of his/her family;
 - 108.2.4. In cases of extreme financial needs of the employee or his/her immediate family where the present sources of income are not enough to fulfill basic needs such as food, shelter and clothing; and
 - 108.2.5. Other analogous cases as may be determined by the Commission or CSC.
- 108.3. Sick leave credits may be monetized if an employee has no available vacation leave credits, in accordance with the general rule under Section 23 of the Omnibus Rules on Leave, that vacation leave credits must be exhausted first before sick leave credits may be used¹⁶⁷.

Article 27

Maternity and Paternity Leaves

Section 109. **Maternity Leave**¹⁶⁸ **and Special Leave for Women.** – refers to leave of absence granted to female government employees legally entitled thereto in addition to vacation and sick leave. The primary intent or purpose of granting

¹⁶⁶ Section 23 of CSC Resolution No. 98-3142 dated December 14, 1998 otherwise known as the Omnibus Rules on Leave.

¹⁶⁷ CSC Resolution No. 000034 dated January 5, 2000 entitled, "Monetization of Leave Credits."

¹⁶⁸ Commonwealth Act No. 647 otherwise known as "An Act to Grant Maternity Leave to Married Women Who Are in the Service of the Government or of Any of its Instrumentalities."

maternity leave is to extend working mothers some measure of financial help and to provide her a period of rest and recuperation in connection with her pregnancy. Pregnancy refers to the period between conception and delivery or birth of a child. For purposes of maternity leave, miscarriage is within the period of pregnancy¹⁶⁹.

- 109.1. *Conditions for the Grant of Maternity Leave*¹⁷⁰. - Every woman employed in the University who has rendered an aggregate of two (2) or more years of service, shall, in addition to the vacation and sick leave granted to her, be entitled to maternity leave of sixty (60) calendar days with full pay.

In the case of faculty members, maternity benefits can be availed of even if the period of delivery occurs during the long vacation, in which case, both the maternity benefits and the proportional vacation salary shall be received by the faculty member concerned.

Maternity leave of those who rendered one (1) year or more but less than two (2) years of service shall be computed in proportion to their length of service, *provided*, that those who have served for less than one (1) year shall be entitled to sixty (60) maternity leave with half pay.

It is understood that enjoyment of maternity leave cannot be deferred but it should be availed of either before or after the actual period of delivery in a continuous and uninterrupted manner, not exceeding 60 calendar days.

- 109.2. *Every woman, married or unmarried may be granted maternity leave more than once a year.* - Maternity leave shall be granted to female employees in every instance of pregnancy irrespective of its frequency.
- 109.3. *Every married or unmarried woman may go on maternity leave for less than sixty (60) days.* - When a female employee wants to report back to duty before the expiration of her maternity leave, she may be allowed to do so provided she presents a medical certificate that she is physically fit to assume the duties of her position.

The commuted money value of the unexpired portion of the leave need not be refunded and that when the employee returns to work before the expiration of her maternity leave, she may receive both the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports to work.

- 109.4. *Maternity leave with pay may be granted even if delivery occurs just a few days after the termination of an employee's service.* - Maternity

¹⁶⁹ CSC Resolution No. 98-3142 dated December 14, 1998 and Omnibus Rules on Leave, Rule XVI of the Omnibus Rules Implementing Book V of Executive Order No. 292, July 2010.

¹⁷⁰ CSC Resolution No. 021420 dated October 22, 2002 entitled, "Amendment to the Maternity Leave Rules."

leave with pay may be granted even if the delivery occurs not more than fifteen (15) calendar days after the termination of an employee's service as her right thereto has already accrued.

- 109.5. *Maternity leave of an employee on extended leave of absence without pay.* – If already entitled, a woman employee can still avail of sixty (60) days maternity leave with pay even if she is on extended leave of absence without pay.
- 109.6. *Maternity leave of a female employee with pending administrative case.* – Every woman employee in the government service is entitled to maternity leave of absence with pay even if she has a pending administrative case.
- 109.7. *Special Leave Benefits For Women Under R.A. No. 9710¹⁷¹ and Its IRR.* – Guidelines on entitlement to the special leave benefits for women under R.A. No. 9710 and its IRR:
- 109.7.1. Any female faculty member of the University regardless of age and civil status, shall be entitled to a special leave of a maximum of two months with full pay based on her gross monthly compensation, provided she has rendered at least six (6) months aggregate service in any or various government agencies for the last twelve (12) months prior to undergoing surgery for gynecological disorders.
- 109.7.2. The Special leave may be availed for every instance of gynecological disorder requiring surgery for a maximum period of two (2) months per year.
- 109.7.3. Generally, availment of the said special leave benefits shall be in accordance with the attached List of Surgical Operations for Gynecological Disorders which reflects, among others, the estimated periods of recuperation from surgery due to the specific gynecological disorder.

The said List of Surgical Operations for Gynecological Disorders reflects, among others a classification of the Procedure based on the patient's estimated period of recuperation, defined as follows:

Classification of the Procedure Based on the Patient's Estimated Period of Recuperation if Without Concomitant Medical Problems	Descriptions
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¹⁷¹ "An Act Providing for the Magna Carta of Women."

Minor	Surgical Procedures requiring a maximum period of recuperation of two (2) weeks.
Major	Surgical Procedures requiring a minimum period of recuperation of three (3) weeks to a maximum period of two (2) months.

- 109.7.4. Other Surgical Operations for Gynecological Disorders which are not found in Annex A of this Guidelines maybe allowed subject to certification of a competent medical authority and submission of other requirements provided under item 3.1 hereof.
- 109.7.5. The earned leave credits may be used for preparatory procedures and/or confinement prior to the surgery. Moreover, should the period of recuperation after the surgery exceed two (2) months, the female official/employee may use her earned sick leave credits for the same. If the sick leave credits have been exhausted, the vacation leave credits may be used pursuant to Section 56 of the Omnibus Rules on Leave.
- 109.7.6. This special leave benefits are non-cumulative and not convertible to cash.

Section 110. ***Paternity Leave.*** – refers to the privilege granted to a married male employee allowing him not to report for work for seven (7) days while continuing to earn the compensation therefor, on the condition that his legitimate spouse has delivered a child or suffered a miscarriage, for purposes of enabling him to effectively lend care and support to his wife before, during and after childbirth as the case may be and assist in caring for his newborn child¹⁷².

- 110.1. *Conditions for the grant of paternity leave.* – Every married male employee is entitled to paternity leave of seven (7) working days for the first four (4) deliveries of his legitimate spouse with whom he is cohabiting.
- 110.2. *Paternity leave non-cumulative/non-commutative.* – Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before,

¹⁷² Section 3 of Republic Act No. 8187 otherwise known as “An act Granting Paternity Leave of Seven (7) Days with Full Pay to All Married Male Employees in the Private and Public Sectors for the First Four (4) Deliveries of the Legitimate Spouse with Whom He is Cohabiting and for Other Purposes.”

during and after the childbirth or miscarriage of his legitimate spouse. Said Leave shall be availed of not later than sixty (60) days after the date of the child's delivery¹⁷³.

Section 111. **Five Days Forced/Mandatory Leave.** – All officials and employees with ten (10) days or more vacation leave credits shall be required to go on vacation leave whether continuous or intermittent for a minimum of five (5) working days annually under the following conditions:

- 111.1. The University President shall, upon prior consultation with the employees, prepare a staggered schedule of the mandatory five-day vacation leave of officials and employees, *provided*, that he/she may, in the exigency of the service, cancel any previously scheduled leave.
- 111.2. The mandatory annual five-day vacation leave shall be forfeited if not taken during the year. However, in cases where the scheduled leave has been cancelled in the exigency of the service by the University President, the scheduled leave not enjoyed shall no longer be deducted from the total accumulated vacation leave.
- 111.3. Retirement and resignation from the service in a particular year without completing the calendar year do not warrant forfeiture of the corresponding leave credits if concerned employees opted not to avail of the required five-day mandatory vacation leave.
- 111.4. Those with accumulated vacation leave or not. However, officials and employees with accumulated vacation leave of fifteen (15) days who availed of monetization for ten (10) days, under Section 363 of the 2017 Revised University Code, shall still be required to go on forced leave.

Article 28

Terminal and Special Privilege Leaves

Section 112. **Terminal Leave.** – refers to money value of the total accumulated leave credits of an employee based on the highest salary rate received prior to or upon retirement date/voluntary separation. Terminal leave is applied for by an official or an employee who intends to sever his/her connection with the University. Accordingly, the filing of application for terminal leave requires as a condition *sine qua non*¹⁷⁴, the employee's resignation, retirement or separation from the service. It must be shown first that public employment ceased by any of the said modes of severances.

¹⁷³ CSC MC No. 01, s. 2016 entitled, "Amendment to Section 20 of the Omnibus Rules on Leave on the Period Within Which to Avail of Paternity Leave."

¹⁷⁴ thelawdictionary.org>sine-qua-non:

"Without which not. A thing that is absolutely indispensable or essential."

- 112.1. *Approval of terminal leave.* – Application for commutation of vacation and sick leave in connection with separation through no fault of an official or employee shall be sent to the University President for approval. In this connection, clearance from the Ombudsman is no longer required for processing and payment of terminal leave as such clearance is needed only for payment of retirement benefits.
- 112.2. *Payment of terminal leave.* - Any official/employee of the government who retires, voluntarily resigns, or is separated from the service and who is not otherwise covered by special law, shall be entitled to the commutation of his/her leave credits exclusive of Saturdays, Sundays and Holidays without limitation and regardless of the period when the credits were earned.
- 112.3. *Period within which to claim terminal leave pay.* - Request for payment of terminal leave benefits must be brought within ten (10) years from the time the right to action accrues upon an obligation created by law.
- 112.4. *Basis of computation of terminal leave.* - Payment of terminal leave for purposes of retirement or voluntary resignation shall be based on the highest monthly salary received at anytime during his or her period of employment in the government service and not on his or her latest salary, unless the latter is the highest received by the retiree.

Section 113. **Official/Employee on Terminal Leave Does Not Earn Leave Credits.** – The official/employee who is on terminal leave does not earn any leave credit as he/she is already out of the service. While on terminal leave, he/she merely enjoys the benefits derived during the time of such employment. Consequently, he/she is no longer entitled to the benefits or salary increases that may be granted thereafter.

Section 114. **Special Leave Privileges.** – refer to leave of absence which officials and employees may avail of for a maximum of three (3) days annually over and above the vacation, sick, maternity and paternity leaves to mark personal milestones and/or attend to filial and domestic responsibilities. This privilege shall be granted to all officials and employees of the University except faculty members and those covered by special leave laws, subject to the conditions hereunder stated:

- 114.1. Personal milestones such as birthdays/wedding/wedding anniversary celebrations and other similar milestones, including death anniversaries.
- 114.2. Parental obligations such as attendance in school programs, PTA¹⁷⁵ meetings, graduations, first communion, medical needs, among others where a child of the University employee is involved.

¹⁷⁵ Parents and Teachers Association.

- 114.3. Filial obligations to cover the employee's moral obligation toward his or her parents and siblings for their medical and social needs.
- 114.4. Domestic emergencies such as sudden urgent repairs needed at home, sudden absence of a kasambahay or maid, and the like.
- 114.5. Personal transactions to cover the entire range of transactions an individual does with government and private offices such as paying taxes, court appearances, arranging a housing loan, etc.
- 114.6. Calamity, accident, hospitalization leave pertains to force majeure events that affect the life, limb, and property of the employee of his or her immediate family.
- 114.7. An employee can still avail of his/her birthday or wedding anniversary leave if such occasion falls on either a Saturday, Sunday or Holiday, either before or after the occasion.
- 114.8. Employees applying for special privilege leaves shall no longer be required to present proof that they are entitled to avail of such leaves.
- 114.9. Three-day limit for a given year shall be strictly observed: an employee can avail of one special privilege leave for three (3) days or a combination of any of the leaves for maximum of three (3) days in a given year. Special leave privileges are non-cumulative and strictly non-convertible to cash.

Section 115. **Relocation Leave.** – refers to a special leave privilege granted to official/employee whenever he/she transfers residence.

Section 116. **Rehabilitation Leave for Job-related Injuries.** – Applications of officials and employees for leave of absence on account of wounds or injuries incurred in the performance of duty must be made on the prescribed form, supported by the proper medical certificate and evidence showing that the wounds or injuries were incurred in the performance of duty. The University President shall direct that absence of any employee during his/her period of disability thus occasioned shall be on full pay, but not to exceed six (6) months. He/she shall also authorize the payment of medical attendance, necessary transportation, subsistence and hospital fees of the injured person. Absence in the case contemplated shall not be charged against sick leave or vacation leave, if there are any.

Section 117. **Parental Leave.** – refers to the leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required. Parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered services of at least one (1) year.

Section 118. **Study Leave.** – Officials and employees of the University may

apply for study leave in accordance with the implementing guidelines of the 2017 Human Resource Scholarship Program of the University approved by the EVSU Board of Regents. The leave shall be covered by a contract between the University and the official/employee concerned.

Provided, that the study leave is a time-off from work not exceeding the period specified in the contract executed between the grantee and the University, to help qualified officials and employees to complete a degree or help them prepare for their bar or board examinations.

Section 119. **Teachers Who are Designated to Perform Non-teaching Functions.** – Teachers who are designated to perform non-teaching functions and who render the same hours of service as other employees shall be entitled to vacation and sick leave.

Section 120. **Transfer from Teaching to Non-teaching Service during Summer Vacation/Entitlement to Proportional Vacation Salary.** – A faculty member who transferred to the non-teaching service or who resigned from government service ten (10) days before the close of the school year, is entitled to proportional vacation salary inasmuch as his or her right thereto has already accrued; *Provided, further*, that the service will not be prejudiced and, *provided further*, that he/she fulfills his or her responsibilities and obligations.

Section 121. **Transfer of Leave Credits.** – When an official or employee transfers from one government agency to another, he or she can either have his or her accumulated vacation and/or sick leave credits commuted or transferred to his or her new agency.

The second option can be exercised as a matter of right only by an employee who does not have gaps in his or her service. However, a gap of not more than one month may be allowed provided same is not due to his/her fault.

The option to transfer accumulated leave credits can be exercised within one (1) year only from the employee's transfer to the new agency.

Section 122. **Period Within Which to Act on Leave Application.** – Whenever the application for leave of absence, including terminal leave, is not acted upon by the University President or his or her duly authorized representative within five (5) working days after receipt thereof, the application for leave of absence shall be deemed approved.

Section 123. **Effect of Unauthorized Leave.** – An official/employee who is absent without approved leave shall not be entitled to receive his/her salary corresponding to the period of his or her unauthorized leave of absence. It is understood, however that his or her absence shall no longer be deducted from his/her accumulated leave credits, if there are any.

Section 124. **Leave Without Pay and its Limitations.** – All absences of an

official or employee in excess of his or her accumulated vacation or sick leave credits earned shall be without pay. When an employee had already exhausted his sick leave credits, he/she can use his or her vacation leave credits but not vice versa.

Provided, that leave without pay not exceeding one year may be granted, in addition to the vacation and/or sick leave earned. Leave without pay in excess of one month shall require clearance from money, property and other accountabilities.

Section 125. **Effect of Failure to Report for Duty After Expiration of One Year Leave.** – If an official or an employee who is on leave without pay pursuant to the preceding Section, fails to report for work at the expiration of one year from the date of such leave, he or she shall be considered automatically separated from the service.

Section 126. **Effect of Absence Without Approved Leave.** – An official or an employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. He or she shall, however, be informed, at his or her address appearing on his or her 201 files or at his or her last known written address, of his or her separation from the service, not later than five (5) days from its effectivity.

If the number of unauthorized absences incurred is less than thirty (30) working days, a written Return-to-Work Order shall be served to him or her at his or her last known address on record. Failure on his or her part to report for work within the period stated in the Order shall be a valid ground to drop him or her from the rolls.

Section 127. **Status of the position of an Official or Employee on Vacation or Sick Leave.** – While the incumbent is on vacation or sick leave with or without pay, his or her position is not vacant. During the period of such leave, therefore, only substitute appointment can be made to such position.

Article 29 Sabbatical Leave

Section 128. **General Policies.** – The following policies shall strictly be observed:

- 128.1. In addition to the special leaves provided in the preceding Article, sabbatical leave may be granted to an administrative or non-teaching personnel or employee to enhance scholarly pursuits and revitalize his/her administrative competence provided that the grantee is a regular administrative or non-teaching personnel or employee with a minimum of six (6) years service to the University, which can be availed of once every seven (7) years subject to the implementing guidelines approved by the EVSU Board of Regents upon the recommendation of

the University President. The sabbatical leave shall be not longer than one (1) year, with full salary, which may be commuted.

- 128.2. The grant of sabbatical leave is not a matter of right, but a privilege applying the decision in ***Diaz v. Encanto, et al.***¹⁷⁶ in which the Supreme Court ruled:

“There is no dispute, and both the RTC and the Court of Appeals agree, that the grant of a sabbatical leave is not a matter of right, but a privilege.”

Section 129. **Guidelines.** – The following guidelines shall be strictly observed in the processing and grant of sabbatical leave:

- 129.1. *Constitution, Composition and Duties of the Sabbatical Leave Evaluation Committee (SLEC).* – The University President shall constitute a Sabbatical Leave Committee who is tasked to screen and evaluate all applicants is composed of the following:

- 129.1.1. Vice President for Academic Affairs, *Chairperson*;
- 129.1.2. Vice President for Planning, Research, Development & Extension, *Co- Chairperson*;
- 129.1.3. Vice President for Administration and Finance, *Vice-Chairperson*;
- 129.1.4. College Dean concerned, *Member*;
- 129.1.5. Campus Director concerned, *Member*;
- 129.1.6. Director, University Quality Assurance Center (UQAC), *Member*;
- 129.1.7. Director, Finance Management Officer, *Member*;
- 129.1.8. COA Chair or its representative, *Member*;
- 129.1.9. President of Faculty Association of the Campus, *Member*; and
- 129.1.10. President, Student Council/Government of the Campus, *Member*.

Provided, that the HRMD Officer in case of the Main Campus and Administrative/HRMD Officer designate in case of External Campuses shall serve as ex-officio Secretary of the SLEC.

- 129.2. *Meetings and Quorum.* – The duly constituted SLEC shall hold at least once a month or as its Chair or majority of its members may determine. The quorum of the SLEC shall be 50%+ 1 of the total membership.

- 129.3. *Term of Office and Hold-over Capacity.* – The Chair and Members of the SLEC shall serve for a term of two (2) years subject to the provisions of the 2017 Revised University Code. They shall be allowed to hold over after the expiration of their terms with all the duties of a regular Chair or Member, respectively, until the designation and

¹⁷⁶ ***Elizabeth L. Diaz v. Geognina R. Encanto, et al.***, G.R. No. 171303, January 20, 2016.

assumption of their respective replacements.

129.4. *Requirements and Conditions.* – Applicants shall submit to the *SLEC* Chairperson the following requirements not later than the last working day of January:

129.4.1. Duly notarized Written Application;

129.4.2. Recommendation from the Immediate Supervisor and respective Dean and/or Campus Directors;

129.4.3. Project or Research Proposal to satisfy the following criteria:

Criteria and Brief Description	Weight Allocation
Acceptability. The project/proposal should be adequate and suited to the needs and interests of the stakeholders of the University.	10%
Contribution of the output to the body of knowledge. The project/proposal should contribute to the development of knowledge.	40%
Relevancy. The output should be appropriate for the attainment of the University's mission, goals and objectives.	30%
Usability. The project should be useful and beneficial to the clientele of the University.	10%
Viability. The educational output is practical and workable to serve as instrument for development.	10%
Total	100%

Provided, that the applicant must have earned an overall rating of at least seventy percent (70%) to qualify for the next stage of processing of his or her application and eventual grant of the sabbatical leave. *Provided,* that an applicant obtains an overall rating of sixty nine percent (69%) and below shall automatically be disqualified from the consideration by the Committee.

129.4.4. Benefits of the Grantee. The grantee shall be entitled to the following:

1. Basic Salary and other remunerations.
2. All other allowable benefits subject to COA and DBM rules and regulations.

3. A financial assistance equivalent to a maximum of Two Hundred Thousand Pesos (Php200,000.00) subject to the availability of funds, and which shall be released as follows:
 - a. 50% upon approval of Sabbatical Leave;
 - b. 40% upon submission of the written Progress Report;
and
 - c. 10% upon submission of Final Output.

Provided, that the financial assistance is given based on the rating obtained based on the criteria set in subsection 82.2.2 and distributed as follows:

Overall Rating	Amount of Financial Assistance
90-100%	Php 200,000.00
80-89%	Php 150,000.00
70-79%	Php 100,000.00

Provided further, that the necessary amounts to support the financial assistance of sabbatical leave grantees shall be charged from the Human Resource Development fund, or income and/or appropriate fund/s of the University subject to availability of funds and usual accounting and auditing rules and regulations.

Provided, furthermore, that the grant of the foregoing financial assistance shall not preclude Faculty members who are interested to avail of this leave must look for funding from outside the University.

- 129.4.5. The Sabbatical Leave shall take effect upon approval by the Board of Regents;
- 129.4.6. Upon approval of the Sabbatical Leave, its effectivity shall be for a maximum period of one (1) year only;
- 129.4.7. He/She shall submit to the Committee a Progress Report of the project/proposal undertaken six (6) months after the leave is granted;
- 129.4.8. He/She shall not be allowed to seek employment elsewhere while on Sabbatical Leave;
- 129.4.9. The final output shall be submitted at the end of the Sabbatical Leave and presented to the Committee for purposes of liquidation;

- 129.4.10. Failure of the grantee to return to the University at the end of the Sabbatical leave, or failure to submit the final output within two (2) months after the end of the Sabbatical Leave, shall be construed as a violation thereof. He/She shall be made to pay back all benefits received during the Sabbatical Leave;
- 129.4.11. The Sabbatical Leave Committee shall decide whether the written output is acceptable based on the objectives and expected outcomes of the duly approved proposal. The written output should conform on the requirements provided under 61.2.2.
- 129.5. *Meetings and Quorum.* – The duly constituted SLEC shall hold at least once a month or as its Chair or majority of its members may determine. The quorum of the SLEC shall be 50%+ 1 of the total membership. *Provided,* that the total average rating as provided above shall be the major consideration by the SLEC and the University President to recommend the application of a faculty member for a sabbatical leave.
- 129.6. *Term of Office and Hold-over Capacity.* – The Chair and Members of the Sabbatical Leave Committee shall serve for a term of two (2) years subject to the provisions of the 2017 Revised University Code. They shall be allowed to hold over after the expiration of their terms with all the duties of a regular Chair or Member, respectively, until the designation and assumption of their respective replacements. *Provided,* that the HRMO shall serve in an *Ex-officio* capacity.

Article 30 **Workers' Education Programs**

Section 130. ***Entitlement of Administrative or Non-Teaching Personnel or Employees during Workers Education Programs, Seminars, Meetings and Similar Activities.*** – The University shall grant official time/business and appropriate budget for the attendance of administrative officials, non-teaching personnel or employees in workers' education programs, seminars, meetings, conventions, conferences, symposia and other similar activities conducted by government agencies and non-government organizations, subject to the prevailing laws, rules and regulations. *Provided,* that as much as practicable, each non-teaching personnel or employee shall be allowed to attend a training or seminar at least once a year subject to availability funds, and usual accounting and auditing rules and regulations.

Section 131. ***Authority to Conduct In-House Trainings, Seminars and Similar Professional and Technical Enhancement Activities.*** – The University shall also conduct in-house trainings or seminars for the development of its administrative officials, non-teaching personnel or employees.

Chapter VII
COMPLAINTS AND GRIEVANCE MACHINERY

Article 31
Declaration of Policy, Objectives, and Basic Features

Section 132. **General Policy.** – There shall be established a Grievance Machinery (GM) in the Eastern Visayas State University to promote harmony in the workplace, and foster the productivity of each administrative or non-teaching personnel or employee.

Section 133. **Basic Policies**¹⁷⁷. – The University shall provide for amicable internal procedures or remedies, including provisions for voluntary arbitration, as a preferable measure in the settlement of any issue, dispute, or grievance arising from employment relations pursuant to Civil Service laws, rules and regulations along with the following:

- 133.1. A grievance shall be resolved expeditiously at all times at the lowest level possible in the University. However, if not settled at the lowest level possible, an aggrieved party shall present his/her grievance step by step following the hierarchy of positions provided herein.
- 133.2. The aggrieved party shall be assured freedom from coercion, discrimination, reprisal and biased action on the grievance.
- 133.3. Legal rules and technicalities shall not bind grievance proceedings. Even verbal grievance must be acted upon expeditiously. The service of a legal counsel shall not be allowed.

Section 134. **Objectives.** – The objectives of the grievance machinery of the University shall be as follows:

- 134.1. **General Objectives.** – This grievance machinery to create a work atmosphere conducive to good supervisor-employee relations and improve employee morale.
- 134.2. **Specific Objectives.** – The specific objectives of this grievance machinery are as follows:
 - 134.2.1. Activate and strengthen the University's existing grievance machinery;
 - 134.2.2. Settle grievances at the lowest possible level in the University¹⁷⁸; and

¹⁷⁷ Section 477, Article 112, Chapter XLV of the 2017 Revised University Code approved per Board Resolution No. 115, s. 2017.

¹⁷⁸ **Duty Free Philippines v. Rossano J. Mojica** (G.R. No. 166365, September 30, 2005), the Supreme Court ruled:

“EO No. 292 provided that civil service employees have the right to present their complaints or grievances

- 134.2.3. Serve as a catalyst for the development of capabilities of personnel on dispute settlement, especially among supervisors in the University.

Section 135. **Basic Features.** – The University shall conform to the guidelines set forth under CSC MC No. 02, s. 2001 dated January 26, 2001¹⁷⁹ and its subsequent issuances. As such, the grievance machinery refers to the system or method of determining and finding the best way to address the specific cause or cause of conflicts, to help promote wholesome and desirable personnel relations within the University, to prevent personnel discontentment and dissatisfaction and to have the complaint or grievance resolved as expeditiously as possible at the lowest possible level¹⁸⁰.

Article 32 Coverage and Exclusion

Section 136. **Coverage**¹⁸¹. – The following instances shall be acted upon through the grievance machinery:

- 136.1. Non-implementation of policies, practices and procedures on economic and financial issues and other terms and conditions of employment fixed by law, including salaries, incentives, working hours, leave benefits such as delay in the processing of overtime pay, unreasonable withholding of salaries and inaction on application for leave;
- 136.2. Non-implementation of policies, practices and procedures which affect employees from recruitment to promotion, detail, transfer, retirement, termination, lay-offs, and other related issues that affect them such as failure to observe selection process in appointment, and undue delaying the processing of retirement papers;
- 136.3. Poor interpersonal relationships and linkages such as unreasonable refusal to give official information by one employee to another;
- 136.4. Inadequate physical working conditions such as lack of proper ventilation in the workplace, and insufficient facilities and equipment necessary for the safety and protection of employees whose nature and place of work are classified as high risk or hazardous;
- 136.5. Protest on appointments; and

to management and have them adjudicated as expeditiously as possible in the best interest of the agency, the government as a whole, and the employee concerned. Such complaint or grievances shall be resolved at the lowest possible level in the department or agency, as the case may be, and the employee shall have the right to appeal such decision to higher authorities. In case any dispute remains unresolved after exhausting all the available remedies under existing laws and procedure, the parties may jointly refer the dispute in the Public Sector Labor Management Council for appropriate action.”

¹⁷⁹ “Revised Policies on the Settlement of Grievances in the Public Sector.”

¹⁸⁰ Section 476, Article 112, Chapter XLV of the 2017 Revised University Code.

¹⁸¹ Section 478, Article 112, Chapter XLV of the 2017 Revised University Code.

136.6. All other matters giving rise to employee dissatisfaction and discontentment outside of those cases enumerated above.

Section 137. **Exclusion**¹⁸². – The following cases shall not be acted upon through the grievance machinery:

- 137.1. Disciplinary cases which shall be resolved pursuant to the uniform rules on administrative cases;
- 137.2. Sexual harassment cases as provided for in R. A. No. 7877; and
- 137.3. Union-related issues and concerns.

Article 33 **The University Grievance Committee (UGC)**

Section 138. **General Guidelines**. – The following guidelines shall strictly be implemented:

- 138.1. *Qualifications*. – Only permanent officials and personnel shall be appointed or elected as members of the Grievance Committee to be constituted by the University President.
- 138.2. *Gender Equality*. – The University President shall ensure equal opportunity for men and women to be represented in the Grievance Committee.
- 138.3. *Essential Qualities*. – In the appointment or designation or election of the UGC Chairperson, Vice Chairperson and Members, their integrity, probity, sincerity and credibility shall be considered.
- 138.4. *Inhibition Due to Conflict of Interest*. – To avoid conflict of interest, the UGC Chairperson or Vice Chairperson or Member shall immediately if the grievance relates to him/herself or any of the party who shall be related to him or her by consanguinity or affinity.
- 138.5. *Prioritization to Perform Duty and Credit Equivalency of Membership to the University Grievance Committee*. – Membership in the University Grievance Committee shall be considered part of the members' regular duties¹⁸³ and shall be given utmost priority over their respective activities.

Provided, further, that the Chair, Vice Chair and Members of the University Grievance Committee shall be entitled to credit equivalency of not more than six (6) units teaching workload or administrative function which shall be deloaded and be integrated in their semestral

¹⁸² Section 480, Article 112, Chapter XLV of the 2017 Revised University Code.

¹⁸³ Item 16 of CSC MC No. 02, s. 2001 dated January 26, 2001.

or annual regular workload or duties and responsibilities, as the case may be, as determined by the University President.

Section 139. **Composition and Designation.** – The University Grievance Committee shall be composed of a Chairperson, who shall be any of the Vice Presidents, a Vice Chairperson who shall not be lower than a Dean or Director, a Secretary and at least two (2) Members with equal representation from the Faculty and Non-Teaching personnel.

Provided, that the Chairperson and Vice Chairperson shall be designated by the University President while the representatives of the Faculty and Non-teaching personnel shall be recommended to the University President by their respective duly recognized union officers or general assembly, subject to the provisions of the duly approved Collective Negotiation Agreement (CNA).

Provided, further, that the University may create Grievance Committee in the External or Integrated Campuses of the University upon the recommendation of the duly constituted University Grievance Committee with all the duties and functions as provided under Section 15, Article 4, Chapter III of this Manual.

Provided, furthermore, that of the two (2) members from the rank-and-file; one from the first level and another from the second level who shall participate in the resolution of the grievance of first level employees and second level employees, respectively.

Section 140. **Duties and Responsibilities.** – In addition to finding the best way to address specific grievance, the University Grievance Committee shall have the following duties and responsibilities:

- 140.1. Establishes its own internal procedures and strategies. Members in the University Grievance Committee shall be considered part of the members' regular duties as provided for under this 2017 Human Resource Merit Promotion and Section for Administrative or Non-Teaching Personnel (HRMPS-ANTP) of the University Manual;
- 140.2. Develops and implement pro-active and positive measures or activities to prevent grievance such as employee assembly which shall be conducted at least once every quarter, "talakayan", counseling and other Human Resource Development (HRD) interventions. Minutes of the proceedings of these activities shall be documented for audit purposes;
- 140.3. Conducts continuing information drive on Grievance Machinery among officials and employees in collaboration with the Human Resource Development Offices of the University Campuses;
- 140.4. Conducts dialogue between and among the parties involved;

- 140.5. Conducts an investigation and hearing within ten (10) working days from receipt of the grievance and render a decision within five (5) working days after the investigation. *Provided, however,* that where the object of the grievance is the grievance committee, the aggrieved party may submit the grievance to the University President;
- 140.6. Adopts any of the modes of settling employee-management disputes as provided under this Manual;
- 140.7. Documents the grievance including the preparation and signing of written agreements reached by the parties involved;
- 140.8. Issues Certification on the Final Action on the Grievance (CFAG) which shall contain, among other things, the following information: history and final action taken by the University on the grievance;
- 140.9. Conducts periodic review to any and/or all provisions hereof and recommend the same to the University President or EVSU BOR for approval;
- 140.10. Submits a quarterly report of its accomplishments and status of unresolved grievances to the CSC Regional Office No. VIII;
- 140.11. Ensures proper, effective and efficient the provisions hereof and its subsequent issuances; and
- 140.12. Discharge such duties as expressly provided under this Manual and/or as may be authorized by the University President from time to time.

Section 141. **Term of Office.** – The Chairperson, Vice Chairperson and Members of the UGC shall serve for a period of two (2) years qualified for another term as the University President may determine.

Section 142. **Hold Over Capacity**¹⁸⁴. – In order to ensure continuity of services and avoid hiatus, the Chairperson, Vice Chairperson and Members of the UGC shall exercise their respective duties and responsibilities upon expiration of their respective terms of office, on hold over capacity, with all the duties and benefits enjoyed by a *de jure* or regular Chairperson, Vice Chairperson or Member, as the case may be, until their respective replacements are duly designated or appointed by the University President, or elected by their respective sectors, as the case may be.

Section 143. **Vacancy.** – Vacancies, by reasons of resignation, death, incapacity, retirement or disqualification of the Chairperson, Vice Chairperson or Members of the University Grievance Committee shall be filled within fifteen (15) days from actual occurrence of the vacancy by designation of qualified official or personnel of the University subject to the provisions of this Manual.

¹⁸⁴ Section 114, Article 18 of the 2017 Revised University Code.

Section 144. **Meetings, Notice of Meeting, Quorum, and Secretariat.** – The duly constituted Grievance Committee shall hold meetings as herein provided:

144.1. *Regular Meeting.* – The duly constituted Grievance Committee shall hold regular meeting at least once a month on the date, time and venue determined by a majority of the committee members.

144.2. *Special Meeting.* – A special meeting may be called by the Committee Chairperson or a position of at least three (3) of the total membership.

Provided, that the Committee Secretary shall be responsible in preparing and issuing the notice of every meeting upon the direction of the Committee Chairperson. The notice of meeting shall be distributed at least two (2) days prior to the conduct of the meeting.

Provided, further, that the quorum of every meeting shall be 50+1 of the total membership of the UGC.

Provided, furthermore, that the Human Resource Development Offices through the Directors/Heads thereof shall serve as the Secretariat of the University Grievance Committee.

Section 145. **Attendance.** – The Chairperson, Vice Chairperson and Members shall regularly attendance the committee meetings. *Provided,* that failure to attend at least three (3) meetings per year, whether consecutive or not, shall be a valid ground for the suspension of the credit equivalency and revocation of committee membership and disqualification for renewal of the designation. *Provided, further,* that all persons, identified by both the aggrieved party and subject of the grievance who can help facilitate the settlement, shall attend in a particular meeting called by the UGC or upon invitation by its Chairperson.

Section 146. **Internal Procedures and Strategies.** – The duly constituted University Grievance Committee shall establish its own internal procedures and strategies deemed necessary in ensuring efficient, effective and productive discharge of its mandates and duties subject to the approval by the University President.

Article 34

Modes of Settling Employee-Management Disputes, Pro-Active and Positive Measures, Information Drive, and Continuing Enhancement Capability Trainings

Section 147. **Modes of Settling Employee-Management Disputes.** – Disputes among officials and employees in the University may be settled by the process of conciliation, mediation or arbitration as the University Grievance Committee adopt from time to time, to wit:

147.1. A **conciliator** shall be tasked with bringing the contending parties together, encouraging them to talk to each other about their

differences in a non-adversarial manner, and assist them in arriving at a mutually acceptable solution.

- 147.2. A **mediator** shall come in after conciliation fails. He/She shall take a more active role in helping the parties arrive at a mutually acceptable solution to their problem; failing which, he/she shall recommend his/her own solutions for the settlement of disputes.
- 147.3. An **arbitrator** may be an individual or a board of three, either of whom is empowered to make a decision to resolve the dispute. An arbitrator may be chosen by both parties who shall be known as a voluntary arbitrator and whose decision shall be final and binding on both parties.

Where voluntary arbitration fails, a compulsory arbitrator shall be appointed by the Chairperson of the University Grievance Committee, whose decision after due hearing shall be appealable subject to the provision of this Manual.

- 147.4. **Conciliation** – process whereby a third party (conciliator) brings the parties together encourages them to discuss their difference and assists them in developing their own proposed solutions.
- 147.5. **Mediation** – process whereby a third party (mediator) is more active in assisting the parties reach acceptable solutions to the problem/s and help the disputing parties develop or come out with an acceptable solution. He/She can even submit his/her own proposal/s for the settlement of disputes.
- 147.6. **Arbitration** – process whereby a third party (individual arbitrator), a board of arbitrators, or an arbitration court not acting as a court, is empowered to make a decision which disposes of the dispute.
- 147.7. **Voluntary** – a method of settling dispute/s by submitting the “controversy” before an arbitrator chosen by both parties. The voluntary arbitrator shall render a decision after proper hearing of the issues. The decision of the arbitrator shall be final and binding on the contending parties.
- 147.8. **Compulsory** – a method resorted to when the dispute has become hardened and irreconcilable and remains unresolved after exhausting all the available remedies under existing laws and procedures. The dispute is thus submitted to the Public Sector Labor Management Council (PSLMC), which shall render a decision after proper hearing of the issues. The decision of the Council shall be final and binding on the contending parties.

Section 148. **Development and Implementation of Pro-active and Positive Measures.** – The University through the University Grievance Committee (UGC) shall develop and implement pro-active and positive measures that would

prevent grievance such as, but not limited to:

- 148.1. Employee assembly which shall be conducted at least once every quarter, "talakayan", counseling, Human Resource Development (HRD) interventions and other similar activities.
- 148.2. *Continuing Information Drive.* – The Human Resource Management Offices of the University Campuses, in collaboration with the University Grievance Committee (UGC), shall conduct a continuing information drive on grievance machinery among its officials and employees.
- 148.3. *Continuing Enhancement Capability Trainings.* – The Chairperson, Vice Chairperson and Members of the University Grievance Committee including the conciliators, mediators, and arbiters shall undertake continuing enhancement capability for them to effectively, efficiently, productively and meaningfully discharge their respective duties and functions.

Section 149. **Technical Assistance.** – As much as practicable, the CSC Regional Office No. VIII shall provide technical assistance to the duly constituted University Grievance Committee.

Article 35

Decisions or Agreements

Section 150. **Finality and Execution of the Decisions or Agreements.** – Unless appealed, or otherwise provided, the decision of the concerned authorities shall take effect immediately and/or upon receipt of the decision of all parties involved.

Section 151. **Appeal.** – Any party may appeal of any decision as provided under Article 11 of this Manual.

Article 36

Form and Substance, Procedures and Requirements of a Grievance

Section 152. **Form and Substance of a Grievance.** – A grievance shall be presented verbally or in writing in the first instance by the aggrieved party to his or her immediate supervisor. The latter shall, within three (3) working days from the date of presentation, inform verbally the aggrieved party of the corresponding action.

If the party being complained of is the immediate supervisor, the grievance shall be presented to the next higher supervisor.

For this purpose, an immediate supervisor based on the hierarchy of position shall be as follows:

Aggrieved Party	Immediate Supervisor (Academic/Instructional and Administrative)
Administrative or Non-teaching Personnel	Program Chair or Coordinator or its equivalent
Program Chair or Coordinator/Section Chief	Center/Department Head or its equivalent
Center/Department Head	Department Director/Division Chief or Dean as the case may be
Department Director/Division Chief	Campus Director or Vice President
College Dean	Vice President for Academic Affairs
Campus Director	University President
Vice President	University President
University President and Regent	Chairperson of the EVSU BOR
Chairperson of the EVSU BOR	CHED Chairperson or Executive Secretary in case of CHED Commissioner or CHED Chairperson sitting as Chairperson of the EVSU BOR, respectively

Section 153. **Grievance Procedures.** – The procedures for seeking redress of grievances shall be as follows:

153.1. *Discussion with Immediate Supervisor.* – At the first instance, a grievance shall be presented verbally or in writing by the aggrieved party to his or her immediate supervisor.

The supervisor shall inform the aggrieved party of the corresponding action within three (3) working days from the date of presentation.

Provided, however, that where the object of the grievance is the immediate supervisor, the aggrieved party may bring the grievance to the next higher supervisor.

153.2. *Appeal to the Higher Supervisor.* – If the aggrieved party is not satisfied with the verbal decision, he or she may submit the grievance in writing, within five (5) days to the next higher supervisor who shall render his or her decision within (5) workings days from receipt of the grievance.

153.3. *Appeal to the University Grievance Committee.* – The decision of the next higher supervisor may be elevated to the University Grievance Committee within five (5) working days from receipt of the decision of the next higher supervisor.

The University Grievance Committee may conduct an investigation and hearing within ten (10) working days from receipt of

the grievance and render within five (5) working days after the investigation. *Provided, however,* that where the object of the grievance is the University Grievance Committee or University President or top management, the aggrieved party may submit the grievance to the University President or EVSU BOR, respectively.

- 153.4. *Appeal to the University President or EVSU Board of Regents.* – If the aggrieved party is not satisfied with the decision of the University Grievance Committee, he or she may elevate his or her grievance within five (5) working days from receipt of the decision through the University Grievance Committee who shall make the decision within ten (10) working days after the receipt of the grievance.

Provided, however, that where the object of the grievance is the University President or top management or the EVSU BOR, the aggrieved party may bring his or grievance directly to the EVSU BOR or to the CSC Regional Office No. VIII, respectively.

- 153.5. *Appeal to the EVSU Board of Regents or CSC Regional Office No. VIII.* – If the aggrieved party is not satisfied with the decision of the University President or EVSU BOR, he or she may appeal or elevate to EVSU Board of Regents or CSC Regional Office No. VIII within fifteen (15) working days from the receipt of such decision. Together with the appeal, the aggrieved party shall submit a Certification on the Final Action on the Grievance (CFAG). The CSC Regional Office No. VIII shall rule on the appeal in accordance with existing civil service laws, rules and regulations.

Section 154. ***Period of Grievance Investigation.*** – The University Grievance Committee may conduct an investigation and hearing within ten (10) workings days from receipt of the grievance and render a decision within five (5) working days after the investigation. *Provided, however,* that where the object of the grievance is the grievance committee, the aggrieved party may submit the grievance to the University President or top management.

Section 155. ***Non-Application of the Rules of Court and Technicalities.*** – The Rules of Court shall not apply in settling grievances as provided under this Manual. The University Grievance Committee and the parties involved shall not be allowed to use or resort to technicalities in order to achieve the objectives of the grievance machinery of the University.

Section 156. ***Elevation to and Assumption of Jurisdiction on Grievances or Complaints by the Civil Service Commission.*** – A grievance may be elevated to and assumed jurisdiction by the CSC Central Office and/or CSC Regional Office No. VIII only upon submission of a Certification on the Final Action on the Grievance (CFAG) issued by the University Grievance Committee. The CFAG shall contain, among others things, the following information: history and final action taken by the University on the grievance.

Section 157. **Suppletory Application of the Grievance Machinery Manual and Applicable Laws, Rules and Regulations.** – The Grievance Machinery Manual of the University approved by the EVSU Board of Regents and applicable laws, rules and regulations shall suppletorily apply to and serve as the governing guidelines of this Chapter.

Chapter VIII

PUBLIC SECTOR UNIONISM AND RIGHT TO SELF-ORGANIZATION

Article 37

Declaration of Policy

Section 158. **General Policy.** – Administrative or non-teaching personnel or employees can from or join faculty association/union of their choice for the furtherance and protection of their interests. They can also form, in conjunction with appropriate government authorities, labor-management committees, work councils and other forms of worker's protection scheme to achieve the same objectives. *Provided*, that in no case shall membership in a union consist of both teaching and non-teaching personnel of the University.

Thus, the University shall fully recognize and protect the right of its administrative or non-teaching personnel or employees¹⁸⁵ and the right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged¹⁸⁶."

Article 38

Collective Negotiations Agreement

Section 159. **Coverage.** – Only accredited employee's organizations shall have the right to represent the rank-and-file in collective negotiation and for the furtherance and protection of their interest and improvement of public service delivery¹⁸⁷.

Section 160. **Ineligibility of High-Level Employees to Join Rank-and-File Employees' Organization.** – High-level employees whose functions are normally considered as policy-making or managerial or whose duties are of highly confidential nature shall not be eligible to join the organization of rank-and-file government employees¹⁸⁸. The following employees of the University shall not be eligible to form, join or assist any employees' organization for purposes of collective negotiations¹⁸⁹:

¹⁸⁵ Section 3, para. 2, Article XIII of the 1987 Philippine Constitution.

¹⁸⁶ Section 16, Article XIII of the 1987 Philippine Constitution.

¹⁸⁷ Section 1, Rule II of Resolution No. 2, s. 2004 dated September 28, 2004 entitled, "Approving and Adopting the Amended Rules and Regulations Governing the Exercise of the Right of Government Employees to Organize" promulgated by the Public Sector Labor-Management Council (PSLMC).

¹⁸⁸ Section 3, Item I of Executive Order No. 180 dated June 1, 1987 and Section 39, Chapter 6, Subtitle A, Title 1, Book V of Executive Order No.292.

¹⁸⁹ Section 2, Rule II of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

160.1. *High level, highly confidential and coterminous employees;*

Highly Confidential Employee refers to an employee who occupies a position which requires a high degree of trust and confidence and close intimacy with the appointing authority or immediate supervisor which ensures free and open communication without harassment or freedom from misgivings of betrayal of personal trust or confidential matters of state. The term is used interchangeably with primary confidential employee¹⁹⁰.

160.2. Other personnel who, by the nature of their functions, are authorized to carry firearms, except when there is an express written approval from management.

Section 161. **Protection of the Right to Organize**¹⁹¹. – The following conditions shall strictly be observed:

161.1. Administrative or non-teaching personnel or employees shall not be discriminated against in respect of their employment by reason of their membership in employees' organizations or participation in the normal activities of their organizations. Their employment shall not be subject to the condition that they shall not join or shall relinquish their membership in the employees' organizations.

161.2. University authorities shall not interfere in the establishment, functioning or administration of government employees' organizations through acts designed to place such organizations under the control of government authority.

Section 162. **Sole and Exclusive Bargaining Agent; Duly Registered Employees' Organization.** – The duly registered employees' organization having the support of the majority of the employees in the appropriate organizational unit shall be designated as the sole and exclusive representative of the employees¹⁹².

Section 163. **Voluntary Recognition.** – A duly registered employees' organization shall be accorded voluntary recognition upon a showing that no other employees' organization is registered or is seeking registration, based on records of the Bureau of Labor Relations, and that the said organization has the majority support of the rank-and-file employees in the organizational unit¹⁹³.

Section 164. **Certification Election.** – Where there are two or more duly registered employees' organizations in the appropriate organizational unit, the Bureau of Labor Relations shall, upon petition, order the conduct of a certification

¹⁹⁰ Section 1(aa), Rule I of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

¹⁹¹ Section 5, Item I of Executive Order No. 180 dated June 1, 1987 and Section 40, Chapter 6, Subtitle A, Title 1, Book V of Executive Order No. 292.

¹⁹² Section 10, item IV of Executive Order No. 180.

¹⁹³ Section 11, item IV of Executive Order No. 180.

election and shall certify the winner as the exclusive representative of the rank-and-file employees in said organizational unit¹⁹⁴.

Section 165. **Subject of Negotiation.** – Terms and conditions of employment or improvements thereof, except those that are fixed by law, may be the subject of negotiation¹⁹⁵.

Section 166. **Negotiable Matters.**¹⁹⁶ – The following concerns may be the subject of negotiation between the management and the accredited employees’ organization:

- 166.1. Schedule of vacation and other leaves;
- 166.2. Personnel growth and development;
- 166.3. Communication system – internal (lateral and vertical), external;
- 166.4. Work assignment/reassignment/detail/transfer;
- 166.5. Distribution of work load;
- 166.6. Provision for protection and safety;
- 166.7. Provision for facilities for handicapped personnel;
- 166.8. Provision for first aid medical services and supplies;
- 166.9. Physical fitness program;
- 166.10. Provision for family planning services for married women;
- 166.11. Annual medical/physical examination;
- 166.12. Recreational, social, athletic and cultural activities and facilities;
- 166.13. CNA incentive pursuant to PSLMC Resolution No. 4, s. 2002 and Resolution No. 2, s. 2003 and their subsequent issuances.

Provided, that “A Collective Negotiation Agreement (CNA) Incentive – This may be granted to both management and rank-and-file employees of agencies with approved and successfully implemented CNAs in recognition of their efforts in accomplishing performance targets at lesser cost, in attaining more efficient and viable operations through cost-cutting measures and systems improvement, such CNA incentive shall be provided for under the annual General Appropriations Act xxx.”¹⁹⁷; and

¹⁹⁴ Section 12, item IV of Executive Order No. 180.

¹⁹⁵ Section 1, Rule XII of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

¹⁹⁶ Section 2, Rule XII of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

¹⁹⁷ Item (4)(h)(ii)(aa) of the Senate and House of Representatives Joint Resolution (JR) No. 4, s. 2009, “Joint Resolution Authorizing the President of the Philippines to Modify the Compensation and Position Classification

166.14. Such other concerns which are not prohibited by law and CSC rules and regulations.

Section 167. **Compensation Matters.** – Increase in salary, allowances, travel expenses, and other benefits that are specifically provided by law are not negotiable¹⁹⁸.

Section 168. **Effectivity of the Collective Negotiation Agreement (CNA).**
– The CNA shall take effect immediately upon its signing by the parties and ratification by the majority of rank-and-file employees in the negotiation unit¹⁹⁹.

Section 169. **Other Matters.** – Nothing herein shall be construed to prevent any of the parties from submitting proposals regarding other matters to Congress and the proper authorizes to improve the terms and conditions of their employment²⁰⁰.

Section 170. **Suppletory Application the Public Sector Labor-Management Council (PSLMC) Resolutions and DBM Policies.** – The resolutions promulgated by the Public Sector Labor-Management Council (PSLMC) and DBM policies shall apply suppletorily and serve as the governing guidelines of this Article in so far as duly adopted or approved by the EVSU Board of Regents upon the recommendations by the parties of the CNA.

Article 39

Non-Teaching Personnel Associations of University Campuses

Section 171. **Establishment and Sustainability of Autonomous Duly Recognized Non-Teaching Personnel Association in Each University Campus.**
– The University shall ensure the establishment and sustainability of autonomous duly recognized non-teaching personnel association in each Campus.

Section 172. **Government of the Autonomous Duly Recognized Non-Teaching Personnel Association in Each University Campus.** – The University shall ensure the establishment and continued operations of the duly recognized non-teaching personnel association in each University Campus subject to the requirements of applicable laws, rules and regulations.

Provided, that the duly established non-teaching personnel associations shall be autonomous and must operate in accordance with their respective Constitution and by-laws consistent with existing laws, rules and regulations.

System of Civilian Personnel and the Base Pay Schedule of Military and Uniformed Personnel in the Government, and for Other Purposes," approved on June 17, 2009", item 3.0 of DBM Circular Letter No. 2011-9, dated September 29, 2011, "Reminder on the Observance of the Guidelines on the Grant of the Collective Negotiation Agreement (CNA) Incentive."

¹⁹⁸ Section 3, Rule XII of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

¹⁹⁹ Section 4, Rule XII of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

²⁰⁰ Section 5, Rule XII of PSLMC Resolution No. 2, s. 2004 dated September 28, 2004.

Section 173. **Rights, Duties and Obligations of Members and Officers.** – The rights, duties and obligations of members and officers shall be in accordance with the provisions of their respective Constitution and by-laws consistent with existing laws, rules and regulations.

Article 40

Federation of Non-Teaching Personnel Associations of the University

Section 174. **Establishment and Sustainability of Autonomous Duly Recognized Federation of Non-Teaching Personnel Associations of the University.** – The University shall ensure the establishment and continued operations of the duly recognized Federation of Non-Teaching Personnel Associations of the University subject to the requirements of existing laws, rules and regulations.

Provided, that the duly established Federation of Non-Teaching Personnel Associations of the University shall be autonomous and must operate in accordance with its respective Constitution and by-laws consistent with existing laws, rules and regulations.

Section 175. **Government of the Autonomous Duly Recognized Federation of Non-Teaching Personnel Associations of the University.** – The government of the duly recognized Federation of Non-Teaching Personnel Associations of the University shall be in accordance of its Constitution and by-laws and policies of the University.

Section 176. **Rights, Duties and Obligations of Members and Officers.** – The rights, duties and obligations of members and officers shall be in accordance with the provisions of its respective Constitution and by-laws consistent with existing laws, rules and regulations.

Chapter IX

CODE OF CONDUCT AND DISCIPLINE

Article 41

Code of Conduct

Section 177. **Accountability of the Officials and Employees of the University.** – Public Office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and just, and lead modest lives.²⁰¹ These constitutionally-enshrined principles, oft-repeated in our case law, are not mere rhetorical flourishes or idealistic sentiments. They should be taken as working standards by all in the public service²⁰². Public office therefore is given utmost regard,

²⁰¹ Section 1, Article XI of the 1987 Philippine Constitution.

²⁰² **GSIS v. Mayordom**, G.R. No. 191218, May 31, 2011.

and the highest standards of service are expected from it²⁰³.

Further, the University shall adhere to the policies laid down under Republic Act No. 9485²⁰⁴ and its IRR²⁰⁵ and subsequent issuances thereof. Relatedly, all Offices, Centers, Units and Sections of the University Campuses shall strictly observe the "no noon break" policy and ensure that frontline services must at all times be complemented with adequate staff by adopting mechanisms such as rotation system among office personnel, sliding flexi-time, reliever system especially in peak times of the transaction, or providing skeletal personnel during lunch and snack time²⁰⁶.

Section 178. **Norms of Conduct of the Executive Officials, Officers or Managers of Administrative Offices, and Non-Teaching Personnel or Employees of the University.** – Pursuant to Section 4 of R.A. No. 6713²⁰⁷ and its IRR, every Regent, Executive Official, Officer or Director/Head/Manager of Administrative Offices, Non-Teaching Personnel or Employees of the University, shall observe the following as standards of personal conduct in the discharge and execution of official duties:

- 178.1. *Commitment to public interest.* – University officials and employees shall always uphold the public interest over and above personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in University funds and revenues.
- 178.2. *Professionalism.* – University officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.
- 178.3. *Justness and sincerity.* – University officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favors on

²⁰³ ***Palecpec v. Davis***, G.R. No. 171048, July 31, 2007 citing *Bernardo v. Court of Appeals*, G.R. No. 124261, 27 May 2004, 429 SCRA 285, 298-299.

²⁰⁴ "An Act to Improve Efficiency in the Delivery of Government Service to the Public by Reducing Bureaucratic Red Tape, Preventing Graft and Corruption, and Providing Penalties Thereof" or the Anti-Red Tape Act of 2007."

²⁰⁵ Implementing Rules and Regulations of Republic Act No. 9485.

²⁰⁶ Section 3, Rule VI of CSC MC No. 12, s. 2008.

²⁰⁷ "An Act Establishing a Code of Conduct and Ethnical Standards for Public Officials and employees, To Uphold the Time-Honored Principle of Public Office being a Public Trust, Granting Incentives and Rewards for Example Service, Enumerating Prohibited Acts and Transactions and Providing Penalties for Violations thereof and for Other Purposes."

account of their office to their relatives whether by consanguinity or affinity except with respect to appointments of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are coterminous with theirs.

- 178.4. *Political neutrality.* – University officials and employees shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.
- 178.5. *Responsiveness to the public.* – University officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law or when required by the public interest, University officials and employees shall provide information of their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socio-economic conditions prevailing in the country, especially in the depressed and rural and urban areas.
- 178.6. *Nationalism and patriotism.* – University officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of locally-produced goods, resources and technology and encourage appreciation and pride of country and people. They shall endeavor to maintain and defend Philippine sovereignty against foreign intrusion.
- 178.7. *Commitment to democracy.* – University officials and employees shall commit themselves to the democratic way of life and values, maintain the principles of public accountability, and manifest by deeds the supremacy of civilian authority over the military. They shall at all times uphold the Constitution and put loyalty to country above loyalty to persons or party.
- 178.8. *Simple living.* – University officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

Section 179. ***Duties of Conduct of the Executive Officials, Officers or Directors/Heads/Managers of Administrative Offices, and Non-Teaching Personnel or Employees of the University.*** – In the performance of their duties, all Regents, Executive Officials, Officers or Directors/Heads/Managers of Administrative Offices, and Non-Teaching Personnel of the or Employees University hereinafter referred to as employees of the University, *for brevity*, are under obligation to:

- 179.1. *Act promptly on letters and requests.* – All University officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public. The reply must contain the action taken on the request.
- 179.2. *Submit annual performance reports.* – All University officials and other responsible officers and offices of the University shall, within forty-five (45) working days from the end of the year, render a performance report of the University or office. Such report shall be open and available to the public within regular office hours.
- 179.3. *Process documents and papers expeditiously.* – All official papers and documents must be processed and completed within a reasonable time from the preparation thereof and must contain, as far as practicable, not more than three (3) signatories therein. In the absence duly authorized signatories, the official next-in-rank or officer-in-charge shall sign for and in their behalf.
- 179.4. *Act immediately on the public's personal transactions.* – All University officials and employees must attend to anyone who wants to avail himself of the services of their offices and must, at all times, act promptly and expeditiously.
- 179.5. *Make documents accessible to the public.* – All public documents must be made accessible to and readily available for inspection by the public within reasonable working hours.

Section 180. **Membership to the EVSU Board of Regents as a Public Office.** – As enunciated in **Serana**²⁰⁸ and **Javier**²⁰⁹ doctrines, Membership in the

²⁰⁸ **Serana v. Sandiganbayan**, G.R. No. 162059, January 22, 2008, citing, G.R. No. 125296, July 20, 2006, 495 SCRA 452, 458-459, G.R. No. L-30057, January 31, 1984, 127 SCRA 231, 237-238, 430 Phil. 658 (2002), Laurel v. Desierto, citing F.R. Mechem, A Treatise on the Law of Public Offices and Officers, Sec. 1., G.R. No. 158187, February 11, 2005, 451 SCRA 187, Presidential Decree No. 1606, Sec. 4(A)(1)(g), University of the Philippines v. Court of Industrial Relations, 107 Phil. 848 (1960), the Supreme Court held:

"Petitioner UP student regent is a public officer.

X X X

In **Aparri v. Court of Appeals**, the Court held that:

"A public office is the right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of the government, to be exercised by him for the benefit of the public ([*Mechem Public Offices and Officers*,] Sec. 1).

x x x.

In **Laurel v. Desierto**, the Court adopted the definition of Mechem of a public office:

"The individual so invested is a public officer.

X X X

Petitioner claims that she is not a public officer with Salary Grade 27; she is, in fact, a regular tuition fee-paying student. This is likewise bereft of merit. It is not only the salary grade that determines the jurisdiction of the Sandiganbayan. x x x.

X X X

Moreover, it is well established that compensation is not an essential element of public office. At most, it is merely incidental to the public office."

²⁰⁹ **Javier v. Sandiganbayan**, G.R. Nos. 147026-27, September 11, 2009, the Supreme Court enunciated as follows:

EVSU Board of Regents is a public office and therefore, Regents are public officers during their incumbency.

Section 181. **Professional Code of Ethics for the Administrative or Non-Teaching Personnel or Employees, and Prohibitions Against Plagiarism.** – In addition to the ethical standards and accountability provided under the 2017 Revised University Code and in R.A. No. 6713 and its IRR, the following strictly be observed:

181.1. *Professional Code of Ethics.* – Administrative or non-teaching personnel employees of the University in the practice of their respective noble profession, shall strictly adhere to, observe and practice set of ethical and moral principles, standard, and values as prescribed under existing laws, rules and regulations.

181.2. *Prohibition Against Plagiarism.* – To fully observe academic integrity in the University, administrative or non-teaching personnel or employees are prohibited from committing any form of plagiarism as defined in relevant jurisprudence such as, but not limited to, ***“In the Matter of the Charges of Plagiarism, etc., Against Associate Justice Mariano C. Del Castillo”***²¹⁰ which shall be punishable as provided herein.

Section 182. **Prohibited Acts and Transactions of University Officials or Officers, and Non-Teaching Personnel or Employees of the University.** – In addition to the acts and omissions of public officials and employees prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any University officials or officers, non-teaching personnel or employees:

“A perusal of the above powers and functions leads us to conclude that they partake of the nature of public functions. A public office is the right, authority and duty, created and conferred by law, by which, for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of the government, to be exercised by him for the benefit of the public.” (*Italics supplied*).

²¹⁰ ***In the Matter of the Charges of Plagiarism, etc., Against Associate Justice Mariano C. Del Castillo*** (A.M. No. 10-7-17-SC, February 8, 2011) citing Black’s Law Dictionary (8th Edition, 2004), <http://www.admu.edu.ph/index.php?p=120&type=2&sec=25&aid=9149>, Webster’s Third New International Dictionary, p. 2374, the Supreme Court sustained:

“Plagiarism, a term not defined by statute, has a popular or common definition. To plagiarize, says Webster, is to steal and pass off as one’s own the ideas or words of another. Stealing implies malicious taking. Black’s Law Dictionary, the world’s leading English law dictionary quoted by the Court in its decision, defines plagiarism as the deliberate and knowing presentation of another person’s original ideas or creative expressions as one’s own. The presentation of another person’s ideas as one’s own must be deliberate or premeditated taking with ill intent.

There is no commonly-used dictionary in the world that embraces in the meaning of plagiarism errors in attribution by mere accident or in good faith.

Certain educational institutions of course assume different norms in its application. For instance, the Loyola Schools Code of Academic Integrity ordains that plagiarism is identified not through intent but through the act itself. The objective act of falsely attributing to one’s self what is not ones work, whether intentional or out of neglect, is sufficient to conclude that plagiarism has occurred. Students who plead ignorance or appeal to lack of malice are not excused.

Original scholarship is highly valued in the academe and rightly so. A college thesis, for instance, should contain dissertations embodying results of original research, substantiating a specific view. This must be so since the writing is intended to earn for the student an academic degree, honor, or distinction. He earns no credit nor deserves it who takes the research of others, copies their dissertations, and proclaims these as his own. There should be no question that a cheat deserves neither reward nor sympathy.”

- 182.1. *Financial and Material Interest.* – University officials or officers, non-teaching personnel or employees shall not, directly or indirectly, have any financial or material interest in any transaction requiring the approval of their office.
- 182.2. *Outside Employment and Other Activities Related Thereto.* – University officials or officers, non-teaching personnel or employees shall not engage in the private practice of their profession unless authorized by competent authorities, *provided*, that such practice will not conflict or tend to conflict with official functions.
- 182.3. *Disclosure and/or Misuse of Confidential Information.* – Subject to the Freedom of Information (FOI) Manual of the University approved per Board Resolution No. 118, s. 2017 and such applicable laws, rules and regulations, University officials or officers, faculty members, non-teaching personnel or employees shall not, except in the interest of the greater public, use or divulge confidential or classified information officially known to them by reason of their office and not made available to the public.
- 182.4. *Promoting or Furthering Private Interest or Giving Undue Advantage.* – To further their private interest, or give undue advantage to anyone.
- 182.5. *Prejudicial to Public Interest.* – To prejudice the University and public interest.
- 182.6. *Solicitation or Acceptance of Gifts and Others.* – University officials and employees shall not solicit or accept directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by or any transaction which may be affected by the functions of their office.

Provided, however, that this shall apply to the conduct of solicitations that are undertaken with the approval of the University President to augment the financial sources for the conduct of events and activities duly sanctioned by the University officials.
- 182.7. *Deals with Any Students.* – No academic and administrative officials and employees shall enter into deals with any student of the University involving money, property, or other valuable consideration which might influence the scholastic standing of the student.
- 182.8. *Selling of Goods and Services.* – Administrative or non-teaching personnel or employees are strictly prohibited from selling goods, books and services directly to students.

Provided, however, that the instructional materials developed by administrative or non-teaching personnel or employees which are

authorized under the Production Services or IGP Manuals duly approved by the EVSU Board of Regents are exempted from this prohibition.

Provided, that administrative or non-teaching personnel or employees who are authors of instructional materials, duly approved by the Instructional Materials Evaluation Committee created by the University President, shall be entitled to at least sixty percent (60%) of the net income and be entitled to royalties subject to the appropriate Auxiliary Services/IGP Manual of the University and existing laws, rules and regulations duly approved by the EVSU Board of Regents upon the recommendation by the University President.

Article 42

Discipline and Disciplinary Cases

Section 183. **General Policies.** – In the exercise of its academic freedom and institutional autonomy, pertinent provisions of R.A. No. 8292 and R.A. No. 9311, and relevant laws and jurisprudence, the University hereby adopts the following policies for be strictly compliance of all concerned:

- 183.1. *Adoption, Application and Liberal Interpretation of CSC Resolution No. 1701077 promulgated on July 3, 2017²¹¹, Jurisprudence and Applicable Laws and Relevant and Subsequent Issuances Thereof.* – The pertinent provisions of CSC Resolution No. 1701077 promulgated on July 3, 2017, jurisprudence and applicable laws and related and subsequent issuances thereof are hereby adopted as provided herein which shall be liberally construed, applied and interpreted to promote their objective in obtaining just, speedy, and inexpensive disposition of administrative cases²¹².
- 183.2. *Compliance of Administrative Exhaustion.* – Administrative or non-teaching personnel/officials or employees comply administrative exhaustion in seeking for resolution of their complaint/s or issues as elucidated in **Republic of the Philippines v. Lacap**²¹³, the Supreme Court unequivocally held:

“The general rule is that before a party may seek the intervention of the court, he should first avail of all the means afforded him by administrative processes. The issues which administrative agencies are authorized to decide should not be summarily taken from them and submitted to a court without

²¹¹ 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS).

²¹² Section 3, Rule 1 of CSC Resolution No. Resolution No.1701077 promulgated on July 3, 2017.

²¹³ **Republic of the Philippines, Represented by the Department of Public Works and Highways, Commission on Audit and the National Treasurer v. Carlito Lacap**, G.R. No. 158253, March 2, 2007 citing *ACWS, Ltd. v. Dumlao*, 440 Phil. 787, 801-802 (2002); *Zabat v. Court of Appeals*, 393 Phil. 195, 206 (2000); *Paloma v. Mora*, G.R. No. 157783, September 23, 2005, 470 SCRA 711, 725; and *Fabia v. Court of Appeals*, 437 Phil. 389, 403 (2002).

first giving such administrative agency the opportunity to dispose of the same after due deliberation.

Corollary to the doctrine of exhaustion of administrative remedies is the doctrine of primary jurisdiction; that is, courts cannot or will not determine a controversy involving a question which is within the jurisdiction of the administrative tribunal prior to the resolution of that question by the administrative tribunal, where the question demands the exercise of sound administrative discretion requiring the special knowledge, experience and services of the administrative tribunal to determine technical and intricate matters of fact.”

Further, in **COA v. CA**²¹⁴, the Supreme ruled:

“The failure to fulfill the requirements of Rule 65 disallows the CA from taking due course of the Petition; otherwise appeals and motions for reconsideration would be rendered meaningless, as stated time and again by this Court:

If resort to a remedy within the administrative machinery can still be made by giving the administrative officer concerned every opportunity to decide on a matter that comes within his or her jurisdiction, then such remedy should be exhausted first before the court's judicial power can be sought. The premature invocation of the intervention of the court is fatal to one's cause of action. The doctrine of exhaustion of administrative remedies is based on practical and legal reasons. The availment of administrative remedy entails lesser expenses and provides for a speedier disposition of controversies. Furthermore, the courts of justice, for reasons of comity and convenience, will shy away from a dispute until the system of administrative redress has been completed and complied with, so as to give the administrative agency concerned every opportunity to correct its error and dispose of the case. x x x.

Moreover, courts have accorded respect for the specialized ability of other agencies of government to deal with the issues within their respective specializations prior to any court intervention. The Court has reasoned thus:

We have consistently declared that the doctrine of

²¹⁴ **The Special Audit Team, Commission on Audit v. Court of Appeals and Government Service Insurance System**, G.R. No. 174788, April 11, 2013 citing *William Golangco Construction Corporation, v. Ray Burton Development Corporation*, G.R. NO. 163582, 9 August 2010, 627 SCRA 74, 82-83; *Dimarucot v. People*, G.R. NO. 183975, 20 September 2010, 630 SCRA 659, 668-669; *Domdom v. Third and Fifth Divisions of Sandiganbayan*, G.R. Nos. 182382-83, 24 February 2010, 613 SCRA 528; *Ongsuco v. Malones*, G.R. NO. 182065, 27 October 2009, 604 SCRA 499, 511-512, *Fua, Jr. v. Commission on Audit*, G.R. NO. 175803, 4 December 2009, 607 SCRA 347; *Addition Hills Mandaluyong Civic & Social Organization Inc. v. Megaworld Properties and Holdings Inc.*, G.R. NO. 175039, 18 April 2012, 670 SCRA 83, 89; and *Atty. Sanchez v. Judge Vestil*, 358 Phil. 477, 481 (1998).

exhaustion of administrative remedies is a cornerstone of our judicial system. The thrust of the rule is that courts must allow administrative agencies to carry out their functions and discharge their responsibilities within the specialized areas of their respective competence. The rationale for this doctrine is obvious. It entails lesser expenses and provides for the speedier resolution of controversies. Comity and convenience also impel courts of justice to shy away from a dispute until the system of administrative redress has been completed.

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Once again, the Court must remind the parties to judicial disputes to adhere to the standards for litigation as set by procedural rules. These rules exist primarily for the benefit of litigants, in order to afford them both speedy and appropriate relief from a body duly authorized by law to dispense the remedy. If a litigant prematurely invokes the jurisdiction of a court, then the potential result might be a deafening silence. Although we recognize that justice delayed is justice denied, we must also bear in mind that justice in haste is justice defiled.”

- 183.3. *Requirements of Administrative Due Process.* – No administrative or non-teaching personnel/official or employees of the University shall be removed or suspended except for cause as provided under this Manual or 2017 Revised University Code, CSC Resolution No. 1701077 promulgated on July 3, 2017, and such applicable laws, jurisprudence and after due process of law. As enunciated in **Fontanilla v. COA**²¹⁵, the Supreme Court instructively declared:

“Time and again, we have ruled that the essence of due process is the *opportunity to be heard*. In administrative proceedings, one is heard when he is accorded a *fair and reasonable opportunity* to explain his case or is given the chance to have the ruling complained of reconsidered.

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We stress that administrative due process also requires the following: 1) A finding or decision by a competent tribunal that is supported by **substantial evidence**, either presented at the hearing or at least contained in the records of disclosed to the parties affected: 2) The tribunal must act on its own independent consideration of the law and facts of the

²¹⁵ **Raphael C. Fontanilla v. The Commission Proper, Commission on Audit**, G.R. No. 209714, June 21, 2016 citing *Basaga v. Spouses Acosta*, G.R. No. 194061, April 20, 2015 citing *Vivo V. Pagcor*, G.R. No. 187854, November 12, 2013, 709 SCRA 276, 281; *Air Manila, Inc. v. Hon. Balatbat, et al.*, 148 Phil. 502 (1971); *Garcia v. Executive Secretary*, 116 Phil. 344 (1962); and *Ang Tibay v. Court of Industrial Relations*, 69 Phil. 635, 642-644 (1940).

controversy and **not simply accept the view of a subordinate in arriving at a decision**; and 3) The tribunal should in all controversial questions, render its decision **in such a manner that the parties to the proceedings can know the various issues involved** and the reason for the decision rendered."

In **Montoya v. Varilla**²¹⁶, the Supreme Court instructively held:

"Though procedural rules in administrative proceedings are less stringent and often applied more liberally, administrative proceedings are not exempt from basic and fundamental procedural principles, such as the right to due process in investigations and hearings. The right to substantive and procedural due process is applicable to administrative proceedings.

Well-settled is the rule that the essence of due process is simply an opportunity to be heard or, as applied to administrative proceedings, an opportunity to explain ones side or an opportunity to seek a reconsideration of the action or ruling complained of. Unarguably, this rule, as it is stated, strips down administrative due process to its most fundamental nature and sufficiently justifies freeing administrative proceedings from the rigidity of procedural requirements. In particular, however, due process in administrative proceedings has also been recognized to include the following: (1) the right to actual or constructive notice of the institution of proceedings which may affect a respondents legal rights; (2) a real opportunity to be heard personally or with the assistance of counsel, to present witnesses and evidence in ones favor, and to defend ones rights; (3) a tribunal vested with competent jurisdiction and so constituted as to afford a person charged administratively a reasonable guarantee of honesty as well as impartiality; and (4) a finding by said tribunal which is supported by substantial evidence submitted for consideration during the hearing or contained in the records or made known to the parties affected."

Relatedly, in **Ray Peter O. Vivo v. PAGCRO**²¹⁷, the Supreme Court enunciated:

²¹⁶ **P02 Ruel C. Montoya v. Police Director Reynaldo P. Varilla**, G.R. No. 180146, December 18, 2008 citing *Civil Service Commission v. Lucas*, 361 Phil. 486, 491 (1999); *Westmont Pharmaceuticals, Inc. v. Samaniego*, G.R. Nos. 146653-54, 20 February 2006, 482 SCRA 611, 619; and *Fabella v. Court of Appeals*, 346 Phil. 940, 952-953 (1997).

²¹⁷ **Ray Peter O. Vivo v. PAGCOR**, G.R. No. 187854, November 12, 2013.

“The essence of due process is to be heard, and, as applied in to administrative proceedings, this means a fair a reasonable opportunity to explain one’s side, or an opportunity to seek a reconsideration of the action or ruling complained of.”

Further, in **LTO v. Gutierrez**²¹⁸, the Supreme Court declared:

“The sense of procedural due process is embodied in the basic requirements of notice and a real opportunity to be heard. In administrative proceedings, xxxxxxxx, procedural due process simply means the opportunity to explain one’s side or the opportunity to seek a reconsideration of the action or ruling complained of. To be heard does not mean only verbal arguments in court; one may also be heard thru pleadings. Where opportunity to be heard, either through oral arguments or pleadings, is accorded, there is no denial of procedural due process. This was extensively discuss in **Vivo v. Philippine Amusement and Gaming Corporation**, as follows:

“The observance of fairness in the conduct of any investigation is at the very heart of procedural due process. The essence of due process is to be heard, and, as applied to administrative proceedings, this means a fair and reasonable opportunity to explain one’s side, or an opportunity to seek a reconsideration of the action or ruling complained of. Administrative due process cannot be fully equated with due process in its strict judicial sense, for in the former a formal trial-type hearing is not always necessary, and technical rules of procedure are not strictly applied. *Ledesma v. Court of appeals* [(565 Phil. 731, 740 [2007])] elaborates on the well-established meaning of due process in administrative proceedings in this wise:

x x x Due process, as a constitutional precept, does not always and in all situations require a trial-type proceeding. Due process is satisfied when a person is notified of the charge against him and given an opportunity to explain or defend himself. In administrative proceedings, the filing of charges and giving reasonable opportunity for the person so charged to answer the accusations against him constitute the minimum requirements of due process. The essence of due of process is simply

²¹⁸ **Disciplinary Board, Land Transportation v. Mercedita E. Gutierrez**, G.R. No. 224395, July 3, 2017, citing *Ebdane, Jr. v. Apurillo*, G.R. No. 204172, December 9, 2015 777 SCRA 324, 332, citing *Department of Agrarian Reform v. Samson*, 577 Phil. 370, 380 (2008); and *Vivo v. Philippine Amusement and Gaming Corporation*, 721 Phil. 34 (2013).

to be heard, or as applied to administrative proceedings, an opportunity to explain one's side, or an opportunity to seek a reconsideration of the action or ruling complained of."

- 183.4. *Responsibility on the Burden of Proof.* – The complainant has the burden of proof of proving by substantial evidence the allegations in his complaint. The basic rule is that mere allegation is not evidence and is not equivalent to proof. Charges based on a mere suspicion and speculation likewise cannot be given credence. Hence, when the complainant relies on mere conjectures and suppositions, and fails to substantiate his allegations, the administrative complaint must be dismissed for lack of merit²¹⁹.

In a "**Letter of Rafael Dimaano Requesting Investigation of the Alleged Illegal Activities Purportedly Perpetrated by Associate Justice Jane Aurora C. Lantion of the Court of Appeals, Cagayan De Oro City and Unsworn Complaint Rosa Abdulharan Against Associate Justice Jane Aurora C. Lantion Jane of the Court of Appeals, Cagayan De Oro City**"²²⁰, the Supreme Court clearly held:

"In administrative proceedings, the quantum of proof necessary for a finding of guilt is substantial evidence or that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion. It must be stressed that the burden of substantiating the charges in an administrative proceeding falls on the complainant, who must be able to prove the allegations in the complaint with substantial evidence. Reliance on mere allegations, conjectures and suppositions will leave an administrative complaint with no leg to stand on."

- 183.5. *Requirement of Substantial Evidence.* – As pronounced by the Supreme Court in **Ombudsman v. Torres**²²¹, the requirement of administrative culpability of any Administrative or non-teaching personnel or employee of the University shall be as follows:

²¹⁹ **Dr. Castor C. de Jesus v. Rafael D. Guerero III, et al.**, G.R. No. 171491, September 4, 2009 citing *Manalabe v. Cabie*, A.M. No. P-05-1984, July 6, 2007, SCRA 582, 589; *Adajar v. Develos*, A.M. No. P-05-2056, November 18, 2005, 475 SCRA 361, 376-377; *Ong v. Rosete*, A.M. No. MTJ-04-1538, October 22, 2004, SCRA 150, 160; and *Datuin, Jr. v. Soriano*, A.M. No. TRJ-01-1640, October 15, 2002, 391 SCRA 1, 5.

²²⁰ **In Letter of Rafael Dimaano Requesting Investigation of the Alleged Illegal Activities Purportedly Perpetrated by Associate Justice Jane Aurora C. Lantion of the Court of Appeals, Cagayan De Oro City, A.M. No. 17-03-03-CA and Unsworn Complaint Rosa Abdulharan Against Associate Justice Jane Aurora C. Lantion Jane of the Court of Appeals, Cagayan De Oro City**, IPI No. 17-258-CA-J, July 11, 2017 citing *Complaint of Imelda D. Ramil against Stenographer Evelyn Antonio*, 552 Phil. 92, 100 (2007); *Dayag v. Judge Gonzales*, 526 Phil. 48, 57 (2006); and *Alfonso v. Igancio*, 487 Phil. 1, 7 (2004).

²²¹ **Office of the Ombudsman v. Marian D. Torres and Maricar D. Torres**, G.R. No. 168309, January 29, 2008 citing *Apolinario v. Flores*, G.R. No. 152780, January 22, 2007, 512 SCRA 113, 119; *Resngit-Marquez v. Judge Llamas, Jr.*, 434 Phil. 184, 203 (2002), *Mariano v. Roxas*, 434 Phil. 742, 749 (2002), and *Liquid v. Camano, Jr.*, 435 Phil. 695, 706 (2002).

“To sustain a finding of administrative culpability only substantial evidence is required, not overwhelming or preponderant, and very much less than proof beyond reasonable doubt as required in criminal cases. Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”

In ***Civil Service Commission v. Herminigildo L. Andal***, the Supreme Court held:

“Substantial evidence, which is the quantum of proof required in this administrative case, the amount of relevant evidence that a reasonable mind might accept as adequate to justify a conclusion. This standard is satisfied in the present case so long as there is reasonable ground to believe that respondent is responsible for the misconduct complained of, even if the evidence may not be overwhelming or even preponderant.”²²²

- 183.6. *Resignation Not a Way Out to Evade Administrative Liability.* – Resignation is not a way out to evade administrative liability when facing administrative sanction. The resignation of a public servant does not preclude the finding of any administrative liability to which he or she shall still be answerable.²²³

However, an administrative or non-teaching personnel or employees under investigation may be allowed to resign pending decision of his/her case without prejudice to the continuation of the proceedings until finally terminated.²²⁴

- 183.7. *Effects of Desistance by the Complainant.* – The settled rule is that the filing of an affidavit of desistance by complainant for lack of interest does not *ipso facto* result in the termination of an administrative case against the respondent²²⁵. In ***Pastor C. Pinlac v. Oscar T. Llamas***²²⁶, the Supreme Court ruled:

“We reiterate the settled rule that administrative actions cannot depend on the will or pleasure of the complainant who may, for reasons of his own, accept and condone what it otherwise detestable.”

However, well-established is the rule in administrative

²²² ***Civil Service Commission v. Herminigildo L. Andal***, A.M. No. SB-12-19-P (Formerly OCA IPI No. 10-26-SB-P), November 18, 2014 citing *Jallorina v. Taneo-Regner*, A.M. No. P-11-2948, 23 April 2012, 670 SCRA 301.

²²³ ***Esther S. Pagano v. Juan Nazarro, Jr., et al.***, G.R. No. 149072, September 21, 2007 citing *Baquerfo v. Sanchez*, A.M. No. P-05-1974, 6 April 2005, 455 SCRA 13, 19-20.

²²⁴ ***Light Rail Transit Authority V. Aurora A. Salvaña***, G.R. No. 192074, June 10, 2014.

²²⁵ ***Leonila S. Raymundo v. Enrique M. Calaguas***, A.M. No. P-01-1496, 28 January 2005, 449 SCRA 437, citing *Teodoro v. Carpio*, A.M. No. MTJ-02-1416, 27 February 2004, 424 SCRA 56.

²²⁶ ***Pastor C. Pinlac v. Oscar T. Llamas***, A.M. No. P-10-2781 (Formerly OCA IPI No. 02-1419-P), November 24, 2010.

proceedings that the burden of proof rests on the complainant, who must be able to support and prove by substantial evidence his accusations against respondent²²⁷.

- 183.8. *Hearsay*. – Evidence is hearsay when its probative force depends in whole or in part on the competency and credibility of some persons other than the witness by whom it is sought to produce. However, while the testimony of a witness regarding a statement made by another person given for the purpose of establishing the truth of the fact asserted in a statement is clearly hearsay evidence, it is otherwise if the purpose of placing the statement on record is merely to establish the fact that the statement, or the tenor of such statement, was made. Regardless of the truth or falsity of a statement, when what is relevant is the fact that such statement has been made, the hearsay rule does not apply and the statement may be shown. As a matter of fact, evidence as to making of the statement is not secondary but primary, for the statement itself may constitute a fact in issue or is circumstantially relevant as to the existence of such a fact. This is known as the doctrine of independently relevant statements.²²⁸
- 183.9. *Limitations on the Application of Technical Rules Obtaining to Cases in Ordinary Court of Law, and Formal and Trial-Type Hearing is Not Necessary*. – The administrative cases and proceedings against any Administrative or non-teaching personnel or employee of the University shall not be bound by the strict technical rules obtaining cases in ordinary court of law²²⁹. In **Augusto Samalio v. Court of Appeals**²³⁰, the Supreme Court clearly pronounced:

“Further, administrative bodies are not bound by the technical niceties of law and procedure and the rules obtaining in courts of law. Administrative tribunals exercising quasi-judicial powers are unfettered by the rigidity of certain procedural requirements, subject to the observance of fundamental and essential requirements of due process in justiciable cases presented before them. In administrative proceedings, technical rules of procedure and evidence are not strictly applied and administrative due process cannot be fully equated with due process in its strict judicial sense.”

In **Lastimoso v. Asayo**²³¹, the Supreme Court held:

²²⁷ **Antonino Monticalbo v. Judge Crescente F. Mraya, Jr.**, A.M. No. RTJ-09-2197, 13 April 2011, 648 SCRA 573, citing *Office of the Court of Administrator v. Lopez*, A.M. No. P-10-2788, January 18, 2011.

²²⁸ **Jose Espineli v. People of the Philippines**, G.R. No. 179535, June 9, 2014, citing *Republic v. Heirs of Felipe Alejaga, Sr.*, Phil. 656, 672 (2002).

²²⁹ CSC Decision No. 150715 dated September 22, 2015.

²³⁰ **Augusto Samalio v. Court of Appeals, et al.**, G.R. No. 140079, March 31, 2005.

²³¹ **Deputy Director General Roberto Lastimoso v. P/Senior Inspector Jose J. Asayo**, G.R. NO. 154243, December 4, 2007 citing G.R. No. 164876, January 23, 2006, 479 SCRA 495; and *Casimiro v. Tandog*, G.R. No. 146137, June 08, 2005, 459 SCRA 624, 631; *Samalio v. Court of Appeals*, supra note 1, at 471.

“It is a settled jurisprudence that in administrative proceedings, technical rules of procedure and evidence are not strictly applied. In *Land Bank of the Philippines v. Celada*, the Court stressed thus:

After all, technical rules of procedure are not ends in themselves but are primarily devised to help in the proper and expedient dispensation of justice. In appropriate cases, therefore, the rules may be construed liberally in order to meet and advance the cause of substantial justice.”

Further, in *Imperial v. GSIS*²³², the Supreme Court declared:
“Procedural due process is the constitutional standard demanding that notice and an opportunity to be heard be given before judgment is rendered. As long as a party is given the opportunity to defend his interests in due course, he would have no reason to complain; the essence of due process is in the opportunity to be heard. A formal or trial-type hearing is not always necessary.”

183.10. *Penalty, Punishment and Fines Distinguished.* – In *SPARK v. Quezon City*²³³, the Supreme Court ruled:

“Penalty” is defined imposed on a wrongdoer usually in the form of imprisonment or fine”; “[p]unishment imposed by lawful authority upon a person who commits a deliberate or negligent act.” Punishment, in turn, is defined as “[s]anction—such as fine, penalty, confinement, or loss of property, right, or privilege – assessed against a person who has violated the law.

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Fines/and/or imprisonment, on the other hand, undeniably constitute penalties – as provided in our various criminal and administrative laws and jurisprudence xxxxxxxxxxxx.”

Section 184. **Original and Concurrent Jurisdictions.** – The EVSU Board of Regents or University President insofar as authorized by the Board shall have original concurrent jurisdiction of with the CSC over the administrative or non-teaching personnel or employees of the University. It shall take cognizance of complaints involving their respective faculty members. Its decisions shall be final in case the penalty imposed is suspension for not more than thirty (30) days or fine in an amount not exceeding thirty (3) days salary. In case the decision rendered by a the EVSU Board of Regents is appealable to the CSC, the same may be initially appealed to the

²³² *Monico K. Imperial, Jr. v. Government Service Insurance System*, G.R. No. 191224, October 4, 2011 citing *Catmon Sales International Corporation v. Yngson, Jr.*, G.R. No. 179761, January 15, 2010, 610 SCRA 236, 244; and *Cuenca v. Atas*, G.R. No. 146214, October 5, 2007, 535 SCRA 48, 72.

²³³ *SPARK v. Quezon City*, G.R. No. 225442, August 8, 2017.

University President and finally to the CSC and pending appeal, the same shall be executory except when the penalty is removal, in which case the same shall be executory only after confirmation by the EVSU Board of Regents²³⁴.

Provided, that the CSC shall have concurrent jurisdiction with the EVSU Board of Regents over the disciplinary action/s against any faculty member or academic official or staff of the University²³⁵.

Section 185. **Penalties; Classification of Offenses**²³⁶. – Administrative offenses with corresponding penalties are classified into grave, less grave or light, depending on their gravity or depravity and effects on the government service as provided hereunder:

- 185.1. *Grave Offense*. – The following grave offenses shall be punishable by dismissal from the service:
 - 185.1.1. Serious Dishonesty;
 - 185.1.2. Gross Neglect of Duty;
 - 185.1.3. Grave Misconduct;
 - 185.1.4. Being Notoriously Undesirable;
 - 185.1.5. Conviction of a Crime Involving Moral Turpitude;
 - 185.1.6. Falsification of Official Document;

²³⁴ Section 50, Rule 10 of CSC Resolution No. 1701077 promulgated on July 3, 2017.

²³⁵ **CSC v. Court of Appeals**, G.R. No. 176162, October 9, 2012 citing G.R. No. 179452, June 11, 2009, 589 SCRA 88, G.R. No. 168766, May 22, 2008, 554 SCRA 160, and *Civil Service Commission v. Alfonso*, supra note 31.

**“CSC has concurrent original jurisdiction
with the Board of Regents over
administrative cases**

It is the Court’s position that the Uniform Rules did not supplant the law which provided the CSC with original jurisdiction. While the Uniform Rules may have so provided, the Court invites attention to the cases of *Civil Service Commission v. Alfonso* and *Civil Service Commission v. Sojor*, to be further discussed in the course of this decision, both of which buttressed the pronouncement that the Board of Regents shares its authority to discipline erring school officials and employees with the CSC. It can be presumed that, at the time of their promulgation, the members of this Court, in *Alfonso* and *Sojor*, were fully aware of all the existing laws and applicable rules and regulations pertaining to the jurisdiction of the CSC, including the Uniform Rules.

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We are not unmindful of certain special laws that allow the creation of disciplinary committees and governing bodies in different branches, subdivisions, agencies and instrumentalities of the government to hear and decide administrative complaints against their respective officers and employees. Be that as it may, we cannot interpret the creation of such bodies nor the passage of laws such as – R.A. Nos. 8292 and 4670 allowing for the creation of such disciplinary bodies – as having divested the CSC of its inherent power to supervise and discipline government employees, including those in the academe. To hold otherwise would not only negate the very purpose for which the CSC was established, i.e. to instill professionalism, integrity, and accountability in our civil service, but would also impliedly amend the Constitution itself.

Based on all of the foregoing, the inescapable conclusion is that the CSC may take cognizance of an administrative case filed directly with it against an official or employee of a chartered state college or university. This is regardless of whether the complainant is a private citizen or a member of the civil service and such original jurisdiction is shared with the Board of Regents of the school.

²³⁶ Section 50, Rule 10 of CSC Resolution No. 1701077 promulgated on July 3, 2017.

- 185.1.7. Physical or mental incapacity or disability due to immoral or vicious habits;
- 185.1.8. Receiving for personal use of a fee, gift or other valuable thing in the course of official duties or in connection therewith when such fee, gift or other valuable thing is given by any person in the hope or expectation of receiving favor or better treatment than that accorded to other persons, or committing acts punishable under the anti-graft laws;
- 185.1.9. Contracting loans of money or other property from persons with whom the office of the employee has business relations;
- 185.1.10. Soliciting or accepting directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his/her/their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of one's office. The propriety or impropriety of the foregoing shall be determined by its value, kinship, or relationship between giver and receiver and the motivation. A thing of monetary value is one which is evidently or manifestly excessive by its very nature.
- 185.1.11. Nepotism; and
- 185.1.12. Disloyalty to the Republic of the Philippines and to the Filipino people.
- 185.2. *Other Grave Offenses.* – The following grave offenses shall be punishable by suspension of six (6) months and one (1) day to one (1) year for the first offense and dismissal from the service for the second offense:
 - 185.2.1. Less Serious Dishonesty;
 - 185.2.2. Oppression;
 - 185.2.3. Disgraceful and Immoral Conduct;
 - 185.2.4. Inefficiency and Incompetence in the Performance of official duties;
 - 185.2.5. Frequent Unauthorized Absences (Habitual Absenteeism);
 - 185.2.6. Habitual Tardiness in reporting for duty causing prejudice to the operations of the office;

- 185.2.7. Loafing from Duty During Regular Office Hours;
 - 185.2.8. Refusal to Perform Official Duty;
 - 185.2.9. Gross Insubordination;
 - 185.2.10. Conduct prejudicial to the best interest of the service;
 - 185.2.11. Directly or indirectly having financial and material interest in any transaction requiring the approval of one's office. Financial and material interest is defined as pecuniary or proprietary interest by which a person will gain or lose something.
 - 185.2.12. Owning, controlling, managing or accepting employment as officer, employee, consultant, counsel, broker, agent, trustee, or nominee in any private enterprise regulated, supervised or licensed by one's office, unless expressly allowed by law.
 - 185.2.13. Disclosing or misusing confidential or classified information officially known to one's office and not made available to the public, to further one's private interests or give undue advantage to anyone, or prejudice the public interest.
 - 185.2.14. Obtaining or using any statement filed under the Code of Conduct and Ethnical Standards for Public Officials and employees for any purpose contrary to morals or public policy or any commercial purpose other than by news and communications media for dissemination to the general public;
 - 185.2.15. Recommending any person to any position in a private enterprise which has a regular or pending official transaction with his/her/their office, unless such recommendation or referral is mandated by (1) law, or (2) international agreements, commitment and obligation, or (3) as part of the functions of one's office; and
 - 185.2.16. Plagiarism.
- 185.3. *The grave offense of Inefficiency and Incompetence in the Performance of Official Duties.* – The grave offense of Inefficiency and Incompetence in the performance of official duties is punishable by Demotion. In this case, the guilty person shall suffer diminution in salary corresponding to the next lower salary grade or rank.

Provided, that designated faculty members guilty of inefficiency and incompetence shall immediately be replaced or substituted and

be disqualified for designation in any of the designated position/s for the period of five (5) continuous years subject to the provisions of the 2017 Revised University Code.

- 185.4. *Less Grave Offenses.* – The following less grave offenses are punishable by suspension of one (1) month and one (1) day to six (6) months for the first offense; and dismissal from the service for the second offense:
- 185.4.1. Simple Neglect of Duty;
 - 185.4.2. Simple Misconduct;
 - 185.4.3. Discourtesy in the Course of Official Duties;
 - 185.4.4. Violation of existing Civil Service Law and rules of serious nature;
 - 185.4.5. Insubordination;
 - 185.4.6. Habitual Drunkenness;
 - 185.4.7. Unfair discrimination in rendering public service due to a party affiliation or preference;
 - 185.4.8. Failure to file sworn statements of assets, liabilities and net worth (SALN), and disclosure of business interest and financial connections including those of their spouses and unmarried children under eighteen (18) years of age living in one's households;
 - 185.4.9. Failure to resign from one's position in the private business enterprise within thirty (30) days from assumption of public office when conflict of interest arises, and/or failure to divest himself/herself of his/her shareholdings or interest in private business enterprise within sixty (60) days from assumption of public office when conflict of interest arises; *Provided, however,* that for those who are already in the service and conflict of interest arises, the official or faculty member must either resign or divest himself/herself of said interest within the periods hereinabove provided, reckoned from the date when the conflict of interest had arisen; and
 - 185.4.10. Engaging directly or indirectly in partisan political activities by one holding non-political office.
- 185.5. *Less Grave Offense of Simple Dishonest and Failure to Attend Meetings and Functions Duly Authorized by the EVSU Board of Regents or its Board Committee/s and/or University President and Immediate Supervisors.* – Less Grave Offense of Simple Dishonest is punishable

by suspension of one (1) month and one (1) day to six (6) months for the first offense; six (6) months and one (1) day to one (1) year for the second offense; and dismissal for third offense.

Further, the failure of an official or faculty member or academic staff or academic teaching staff or employee to attend meetings or functions duly authorized by the EVSU Board of Regents or its Board Committee/s and/or University President or immediate supervisors, without prior notice and justification grounds, shall be considered grave offense and be penalized as prescribed above. Provided, that this shall not preclude for the imposition of penalties subject to the circumstances and merits of the case.

185.6. *Light Offenses.* – The following light offenses are punishable by reprimand for the first offense; suspension of one (1) to thirty (30) days from the second offense; and dismissal from the service for the third offense:

185.6.1. Simple Discourtesy in the Course of Official Duties;

185.6.2. Improper or unauthorized solicitation of contributions from subordinate employees and by teachers or University Officials from students or school children;

185.6.3. Violation of Reasonable Office Rules and Regulations;

185.6.4. Habitual Tardiness;

185.6.5. Gambling Prohibited by Law;

185.6.6. Refusal to Render Overtime Service;

185.6.7. Disgraceful, Immoral or Dishonest Conduct Prior to Entering the service;

185.6.8. Borrowing money by superior officers from subordinates and borrowing money by the faculty member from his/her student/s;

185.6.9. Willful failure to pay just debts or willful failure to pay taxes due to the government. Provided, that term "just debts" shall apply only to:

1. Claims adjudicated by a court of law; or

2. Claims the existence of justness of which are admitted by the debtor;

185.6.10. Lobbying for personal interest or gain in legislative halls and offices without authority;

- 185.6.11. Promoting the sale of tickets in behalf of private enterprises that not intended for charitable or public welfare purposes and even in the latter cases, if there is no prior authority from the University President and/or EVSU Board of Regents;
 - 185.6.12. Failure to act promptly on letters and request within fifteen (15) working days from receipt, except as otherwise provided in the rules implementing the Code of Conduct and Ethnical Standards for Public Officials and Employees;
 - 185.6.13. Failure to process documents and complete action on documents and papers within a reasonable time from preparation thereof, except as otherwise provided in the rules implementing the Code of Conduct and Ethnical Standards for Public Officials and Employees;
 - 185.6.14. Failure to attend to anyone who wants to avail himself/herself of the services of the office, or act promptly and expeditiously on public transactions;
 - 185.6.15. Engaging in private practice of one's profession unless authorized by the Constitution, law or regulation and/or EVSU Board of Regents upon the recommendation by the University President, *provided*, that such practice will not conflict with one's official functions; and
 - 185.6.16. Pursuit of private business, vocation or profession without the permission required by the Civil Service rules and regulations.
- 185.7. *Other Specific Offenses*²³⁷. – The following acts also constitute administrative offenses:
- 1867.1. The Offense of Sexual Harassment:
 - 1. Grave Offenses punishable by dismissible from the service shall include but are not limited to:
 - a. Unwanted touching of private parts of the body (inner thighs, genitalia, buttocks and breast);
 - b. Sexual assault;
 - c. Malicious touching;
 - d. Requesting for sexual favor in exchange for employment, promotion, local or foreign travels,

²³⁷ Section 51, Rule 10 of CSC Resolution No. 1701077 promulgated on July 3, 2017.

- favorable working conditions or assignments, a passing grade, the granting of honors or scholarship, or the grant of benefits or payment of a stipend or allowance; and
- e. Other analogous cases.
2. Less Grave Offenses shall include, but are not limited to:
 - a. Unwanted touching or brushing against a victim's body;
 - b. Pinching not falling under grave offenses;
 - c. Derogatory or degrading remarks or innuendoes directed toward the members of one sex, or one's sexual orientation or used to describe a person;
 - d. Verbal abuse with sexual overtones; and
 - e. Other analogous cases.
 3. Light Offenses shall include, but are not limited to:
 - a. Surreptitiously looking at a person's private part or worn undergarments;
 - b. Making sexist statements and uttering smutty jokes or sending these through text, electronic mail including but not limited to social media platform, causing embarrassment or offenses and carried out after the offender has been advised that they are offensive or embarrassing or, even without such advise, when they are by their nature clearly embarrassing, offensive or vulgar;
 - c. Malicious leering or ogling;
 - d. Display of sexually offensive pictures, materials or graffiti;
 - e. Unwelcome inquiries or comments about a person's sex life;
 - f. Unwelcome sexual filtration, advances, propositions;
 - g. Making offensive hand or body gestures at an employee;

- h. Persistent unwanted attention with sexual overtones;
 - i. Unwelcome phone calls with sexual overtones causing discomfort, embarrassment, offense or insult to the receiver; and
 - j. Other analogous cases.
4. For the purpose of this Manual and/or in the 2017 RACCS, the administrative offense of sexual harassment is further described in the following circumstances:
- a. Work-related sexual harassment is committed under the following circumstances:
 - 1. Submission to or rejection of the act or series of acts is used as a basis for any employment decision (including, but not limited to, matters related to hiring, promotion, raise in salary, job security, benefits and any other human resource action) affecting the applicant/employee; or
 - 2. The act or series of acts have the purpose or effect of interfering with the complainant's work performance, or creating an intimidating, hostile or offensive work environment; or
 - 3. The act or series of acts might reasonably be expected to cause discrimination, insecurity, discomfort, offense or humiliation to a complainant who may be a co-employee, applicant, customer, or word of the person complained of.
 - b. Education or training-related sexual harassment is committed against one who is under the actual or constructive care, custody or supervision of the offender, or against one whose education, training, apprenticeship, internship or tutorship is directly or constructively entrusted to or is provided by, the offender, when:
 - 1. Submission to or rejection of the act or series of acts as a basis for any decision affecting the complainant, including, but not limited to, the giving of a grade, the granting of honors or a scholarship, the payment of a stipend or

- allowance, or the giving of any benefit, privilege or consideration; or
2. The act or series of acts have the purpose or effect of interfering with the performance, creating an intimidating, hostile or offensive academic environment of the complainant;
 3. The act or series of acts might reasonably be expected to cause discrimination, insecurity, discomfort, offense or humiliation to a complainant who may be a trainee, apprentice, intern, tutee or ward of the person complained of.
- c. The offense may also take place in the following instances:
1. In the premises of the workplace or office of the University;
 2. In any place where the parties were found as a result of work or education or training responsibilities or relations;
 3. At work or education or training-related social functions;
 4. While on official business outside the office or University or during work or University or training-related travel;
 5. At official conferences, *fora*, symposia or training sessions; or
 6. By telephone, cellular phone, fax machine or electronic mail.
5. Persons Liable for Sexual Harassment. – Any University official, faculty member or academic staff or academic non-teaching staff or employee, regardless of sex, is liable for sexual harassment when he/she:
- a. Directly participates in the execution of any act of sexual harassment as defined hereof;
 - b. Induces or direct another or others to commit sexual harassment as defined hereof;

- c. Cooperates in the commission of sexual harassment by another through an act without which the sexual harassment would not have been accomplished; or
 - d. Cooperates in the commission of sexual harassment by another through previous or simultaneous acts.
- 185.7.1. Violations of Republic Act No. 9485 or Anti-Red Tape Act of 2007.
- 1. Grave Offense:

Fixing and/or collusion with fixers in consideration of economic and/or other gain or advantage shall be penalized by Dismissal and perpetual disqualification from public service.
 - 2. Light Offenses:
 - a. Refusal to accept application and/or request within the prescribed period or any document being submitted by a client;
 - b. Failure to act on an application and/or request or failure to refer back to the client a request which cannot be acted upon due to lack of requirements within the prescribed period;
 - c. Failure to attend to clients who are within the premises of the office or University prior to the end of official working hours and during lunch break;
 - d. Failure to render frontline services within the prescribed period on any application and/or request without due cause;
 - e. Imposition of additional irrelevant requirements other than those listed in the first notice;
 - f. The foregoing light offenses shall be penalized as follows:
 - First Offense- Thirty (30) days suspension without pay and mandatory attendance in Values Orientation Program;
 - Second Offense- Three months suspension without pay;
 - Third Offense- Dismissal and perpetual disqualification from public service.

Section 186. **Elements, Definitions or Determination of Offenses.** – Notwithstanding as may be provided under applicable laws, rules and regulations as well as jurisprudence, the elements or definitions of administrative offenses shall be as follows:

- 186.1. *Absence Without Leave (AWOL)* – means that the employee is leaving or abandoning his post without justifiable reason and without notifying his employer.²³⁸ As provided under CSC Resolution No. 070631 promulgated on April 10, 2007 and circularized per MC No. 13, s. 2007 dated July 25, 2007²³⁹, clearly declared and sustained: “In order to curb such practice, to promote efficiency and effective personnel administration in government and to obviate any prejudice to the service, the Civil Service Commission, pursuant to CSC Resolution No. 07-0631 dated April 10, 2007, hereby amends the abovementioned rule to read as follows:

“Sec. 63. *Effect of Absences without approved leave.*
– An official or employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. However, when it is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than thirty working (30) days 3x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.”

In ***Palecpec v. Davis***,²⁴⁰ the Supreme Court clearly ruled:

“Absence without leave for a prolonged period of time constitutes conduct prejudicial to the best interest of public service and justifies the dismissal of an employee and the forfeiture of benefits with prejudice to re-employment in the government since it is an established fact that frequent unauthorized absences cause inefficiency in the public services.”

- 186.2. *Being Notoriously Undesirable* – in determining whether an employee is notoriously undesirable, the CSC prescribes a two-fold test: (1) whether it is common knowledge or generally known as universally

²³⁸ ***Hon. Remedios L. Petilla v. Court of Appeals, et al.***, G.R. No. 150792, March 3, 2004 citing *City Government of Makati v. Civil Service Commission*, G.R. No. 131392, 6 February 2002, 376 SCRA 248.

²³⁹ “Amendment to Section 63, Rule XVI of the Omnibus Rules on Leave, CSC Memorandum Circular Nos. 41 and 14, Series of 1998 and 1999, Respectively.”

²⁴⁰ ***Rudy A. Palecpec, Jr. v. Hon. Corazon C. Davis, G.R. No. 171048***, July 31, 2007 citing *Caa v. Gebusion*, 385 Phil. 773, 786 (2000); *Masadao, Jr. v. Glorioso*, 345 Phil. 861, 864 (1997).

believed to be true or manifest to the world that the employee committed the acts imputed against him; and (2) whether he had contracted the habit for any of the enumerated misdemeanors. An employee who cannot get along with his co-employees and superiors can upset and strain the working environment and is therefore detrimental to institution.²⁴¹

186.3. *Conduct Prejudicial to the Best Interest of the Service* – refers to acts or omissions that violate the norm of public accountability and diminish or tend to diminish the people's faith xxxxxxxxx.²⁴²

186.4. *Conduct Unbecoming of Public Official or Employee* – means that conduct of public official or employee has a great tendency to destroy public respect.²⁴³

186.5. *Crime Involving Moral Turpitude* – refers to everything which is done contrary to justice, modesty, or good morals; an act of baseness, vileness or depravity in the private and social duties which a man owes his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and woman, or conduct contrary to justice, honesty, modesty, or good morals. Not every criminal act, however, involves moral turpitude.²⁴⁴

186.6. *Discourtesy in the Course of Official Duties* – refers to rude and hostile behavior exhibited by an official or employee affecting public service. It also includes acts of, among others, fighting between officials or employees during office hours reflecting adversely on the good image of the University, shouting at one another in the workplace and during office hours, and high-strung and belligerent behavior.²⁴⁵

186.7. *Disgraceful and Immoral Conduct* – is an act which violates the basic norm of decency, morality and decorum abhorred and condemned by the society and conduct which is willful, flagrant or shameless, and which shows a moral indifference to the opinions of the good and respectable members of the community.²⁴⁶

²⁴¹ **Ma. Rosario R. Escaño v. Adrian P. Manaois**, A.M. No. 16-02-01-CTA, November 15, 2016 citing *San Luis v. Court of Appeals*, G.R. No. 80160, June 26, 1989, 174 SCRA 258, 270-271; and *Heavylift Manila, Inc. v. Court of Appeals*, G.R. No. 154410, October 20, 2005, 473 SCRA 541, 549.

²⁴² **A.M. No. 2011-05-SC**, September 6, 2011, RE: "Deceitful Conduct of Ignacio S. del Rosario, Cash Clerk III, Records and Miscellaneous Matter Section, Checks Disbursement Division, FMO-OCA" citing *Toledo v. Perez*, A.M. Nos. P-03-1677 and P-07-2317, July 15, 2009, 593 SCRA 5, 11, citing *Ito v. De Vera*,

²⁴³ **Carlisle Borough v. Adams**, Pa., 12 Cumb. 53 and Administrative Order No. 37 dated September 30, 1987.

²⁴⁴ **Cecilia Pagaduan v. Civil Service Commission**, G.R. No. 206379, November 19, 2014 citing *PAL v. NLRC*, G.R. No. 123294, October 20, 2010, 634 SCRA 18, 41-42; and *RE: Decision dated May 20, 2008 in G.R. No. 161455 under Rule 139-B of the Rules of Court v. Pactolin*, A.C. No. 7940, April 4, 2012, 670 SCRA 366, 371; and

²⁴⁵ **Maria Raquel R. Bajar v. Victoriano P. Baterisna**, A.M. No. P-06-2151, August 28, 2006 citing *Cervantes v. Cardeo*, supra; *Aquino v. Israel*, 426 SCRA 266, March 25, 2004; *Quiroz v. Orfila*, 272 SCRA 324, May 7, 1997.

²⁴⁶ **Evelina C. Banaag v. Olivia C. Espeleta**, A.M. No. P-11-3011 (Formerly OCA IPI No. 09-3143-P), December 16, 2011 citing Section 46(b)(5), Chapter 7, Subtitle A, Title I, Book V of the Administrative Code of 1987; and Section 1 of CSC Resolution No. 100912 dated May 17, 2010 (Revised Rules on the Administrative Offense of Disgraceful and Immoral Conduct).

186.8. *Dishonesty* – refers to the concealment or distortion of truth in a matter of fact relevant to one’s office or connected with the performance of his duty²⁴⁷. It also “refers to disposition to lie, cheat, deceive or defraud. It implies untrustworthiness, lack of integrity, lack of honesty, probity or integrity in principle on the part of the individual who failed to exercise fairness and straightforwardness in his or her dealings”.²⁴⁸

Dishonesty is defined as “intentionally making a false statement in any material fact, or practicing or attempting to practice any deception or fraud in securing his examination, registration, appointment or promotion.” Thus, dishonesty, like bad faith, is not simply bad judgment or negligence. Dishonesty is a question of intention. In ascertaining the intention of a person accused of dishonesty, consideration must be taken not only of the facts and circumstances which gave rise to the act committed by the respondent, but also of his state of mind at the time the offense was committed, the time he might have had at his disposal for the purpose of meditating on the consequences of his act, and the degree of reasoning he could have had at that moment.²⁴⁹

The Supreme Court also defined dishonesty as the (d)isposition to lie, cheat, deceive, or defraud; untrustworthiness; lack of integrity; lack of honesty, probity or integrity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray.²⁵⁰ Under CSC Resolution No. 06-0538²⁵¹ and as enunciated in ***Committee on Security and Safety v. Reynaldo V. Dianco, et al.***²⁵²:

186.8.1. *Serious Dishonesty* – the presence of any of the following attendant circumstances in the commission of the dishonest act constitutes the offense of serious dishonesty:

- a. The dishonest act caused serious damage and grave prejudice to the government;

²⁴⁷ ***Michaelina Ramos Balasbas v. Patricia B. Monayao***, G.R. No. 190524, February 17, 2014.

²⁴⁸ **A.M. No. 2011-05-SC**, September 6, 2011, RE: “Deceitful Conduct of Ignacio S. del Rosario, Cash Clerk III, Records and Miscellaneous Matter Section, Checks Disbursement Division, FMO-OCA” citing *Bulalat v. Adil*, A.M. No. SCC-05-10-P, October 19, 2007, 537 SCRA 44, 48.

²⁴⁹ ***Office of the Court Administrator v. Maria Celia A. Flores***, A.M. No. P-07-2366 (Formerly OCA-I.P.I. No. 07-2519-P), April 16, 2009 citing *Civil Service Commission v. Perocho, Jr.*, A.M. No. P-05-1985, 26 July 2007, 528 SCRA 171, 179 citing *Wooden v. Civil Service Commission*, G.R. No. 152884, 30 September 2005, 471 SCRA 512, 526.

²⁵⁰ ***Administrative Case for Dishonesty Against Elizabeth Ting, Court Secretary I, and Angelita C. Esmerio, Clerk III, Office of the Division Clerk of Court, Third Division***, A.M. No. 2001-7-SC & No. 2001-8-SC, July 22, 2005, citing *Office of the Court Administrator v. Ibay*, 393 SCRA 212 (2002).

²⁵¹ Rules on Administrative Offense of Dishonesty

²⁵² ***Committee on Security and Safety, Court Of Appeals, v. Reynaldo V. Dianco - Chief Security, Joven O. Sorianos - Security Guard 3, and Abelardo P. Catbagan - Security Guard 3***, A.M. No. CA-15-31-P (formerly OCA I.P.I. No. 13-218-CA-P), June 16, 2015.

- b. The respondent gravely abused his authority in order to commit the dishonest act;
- c. Where the respondent is an accountable officer, the dishonest act directly involves property; accountable forms or money for which he is directly accountable; and respondent shows intent to commit material gain, graft and corruption;
- d. The dishonest act exhibits moral depravity on the part of the respondent;
- e. The respondent employed fraud and/or falsification of official documents in the commission of the dishonest act related to his/her employment;
- f. The dishonest act was committed several times or in various occasions;
- g. The dishonest act involves a Civil Service examination irregularity or fake Civil Service eligibility such as, but not limited to, impersonation, cheating and use of crib sheets.
- h. Other analogous circumstances. (*Emphasis supplied*)

186.8.2. *Simple Dishonesty* – the presence of any of the following attendant circumstances in the commission of the dishonest act constitutes the offense of simple dishonesty:

- a. The dishonest act did not cause damage or prejudice to the government.
- b. The dishonest act had no direct relation to or does not involve the duties and responsibilities of the respondent.
- c. In falsification of any official document, where the information falsified is not related to his/her employment.
- d. That the dishonest act did not result in any gain or benefit to the offender.
- e. Other analogous circumstances.

186.9. *Falsification of Official Document* – is the violation of public faith and the destruction of truth therein solemnly proclaimed. It is contrary to justice, honesty and good morals and, therefore, involves moral turpitude²⁵³. Black defines a *public document* as a document of public

²⁵³ **Cecilia Pagaduan v. Civil Service Commission**, G.R. No. 206379, November 19, 2014 citing *RE: Decision*

interest issued or published by a political body or otherwise connected with public business. The term is also described as a document in the execution of which a person in authority or notary public takes part.²⁵⁴

The distinction made by the law between falsification by private persons, first, of public documents, and secondly of private documents, is clear; the first is committed by the mere performance of any of the acts of falsification enumerated in Art. 171; while the second is committed not only by the performance of any of the acts of falsification enumerated in Art. 171; but it must likewise be shown that such act of falsification was committed to the damage of a third party or with intent to cause such damage. The reason for the distinction is given in a decision of the Supreme Court of Spain dated December 23, 1885, cited by this Court in the case of *People vs. Pacana*, 47 Phil. 48; i.e., that in the falsification of public or official documents, whether by public officials or by private persons, it is unnecessary that there be present the idea of gain or the intent to injure a third person, for the reason that, in contradiction to private documents, the principal thing punished is the violation of the public faith and the destruction of the truth as therein solemnly proclaimed.²⁵⁵

186.10. *Grave Misconduct* – is a transgression of some established or definite rule of action, is a forbidden act, is a dereliction of duty, is willful in character, and implies wrongful intent and not mere error in judgment. More particularly, it is an unlawful behavior by the public officer x x x.²⁵⁶ It as an intentional wrongdoing or deliberate violation of a rule of law or standard of behavior, especially by a government official. As differentiated from simple misconduct, in grave misconduct the elements of corruption, clear intent to violate the law or flagrant disregard of established rule, must be manifest.²⁵⁷

Misconduct shall be considered grave only in cases where the elements of “corruption, willful intent to violate the law or to disregard established rules [are proven] by substantial evidence.” The misconduct must imply wrongful intention and not a mere error of judgment. Corruption as an element of grave misconduct consists in the act of an official or employee who unlawfully or wrongfully uses

dated May 20, 2008 in G.R. No. 161455 under Rule 139-B of the Rules of Court v. *Pactolin*, A.C. No. 7940, April 4, 2012, 670 SCRA 366, 371.

²⁵⁴ **Laurinio Goma and Natalio Umale v. Court of Appeals**, G.R. No. 168437, January 8, 2009 Citing Black’s Law Dictionary 520 (8th ed.); and *Bermejo v. Barrios*, Nos. L-23614-15, February 27, 1970, 31 SCRA 764; *Cacnio v. Baens*, 5 Phil. 742 (1906).

²⁵⁵ **People of the Philippines v. Po Giok To**, G.R. No. L-7236, April 30, 1955

²⁵⁶ **Michaelina Ramos Balasbas v. Patricia B. Monayao**, G.R. No. 190524, February 17, 2014 citing *Japson v. Civil Service Commission*, G.R. No. 189479, April 12, 2011, 648 SCRA 532, 543-544.

²⁵⁷ **Jowett K. Golangco v. Atty. Jone B. Fung**, G.R. No. 147640, and *Office of the Ombudsman v. Hon. Court of Appeals*, G.R. No. 147762, October 12, 2006 citing *Vertudes v. Buenaflor*, G.R. No. 153166, 16 December 2005, 478 SCRA 210, 233-234.

her station or character to procure some benefit for herself or for another, at the expense of the rights of others. Nonetheless, "a person charged with grave misconduct may be held liable for simple misconduct if the misconduct does not involve any of the additional elements to qualify the misconduct as grave. Grave misconduct necessarily includes the lesser offense of simple misconduct."²⁵⁸

186.11. *Gross Insubordination* – refers to willful disobedience of the employer's lawful orders envisage the concurrence of at least two requisites: (1) the employees assailed conduct must have been willful, that is, characterized by a wrongful and perverse attitude; and (2) the order violated must have been reasonable, lawful, made, known to the employee and must pertain to the duties which he had been engaged to discharge.²⁵⁹

186.12. *Gross Neglect of Duty* – refers to negligence characterized by the want of even slight care, acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to consequences, insofar as other persons may be affected. It is the omission of that care which even inattentive and thoughtless men never fail to give to their own property. In cases involving public officials, there is gross negligence when a breach of duty is flagrant and palpable.²⁶⁰ It is characterized by want of even the slightest care, or by conscious indifference to the consequences, or by flagrant and palpable breach of duty.²⁶¹ It denotes a flagrant and culpable refusal or unwillingness of a person to perform a duty.²⁶²

Gross neglect of duty or gross negligence refers to negligence characterized by the want of even slight care, acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to consequences insofar as other persons may be affected. It is the omission of that care which even inattentive and thoughtless persons never fail to take on their own property. In cases involving public officials, there is gross negligence when a breach of duty is flagrant and palpable.²⁶³

²⁵⁸ **Glenda Rodriguez-Angat V. Government Service Insurance System**, G.R. No. 204738, July 29, 2015 citing *Government Service Insurance System (GSIS) v. Mayordomo*, supra note 43, at 683.

²⁵⁹ **Juliet G. Apacible v. Multimed Industries Incorporated**, G.R. No. 178903, May 30, 2011 citing *Bascon v. Court of Appeals*, G.R. No. 144899, February 5, 2004, 422 SCRA 122.

²⁶⁰ **Civil Service Commission v. Jessie V. Rabang**, G.R. No. 167763, March 14, 2008 citing *Golangco v. Fung*, G.R. No. 147640, October 16, 2006, 504 SCRA 321, 331.

²⁶¹ **Teresita R. Marigomen v. Enrique E. Manabat, Jr.**, A.M. No. CA-11-24-P (formerly A.M. OCA I.P.I. No. 10-163-CA-P), November 16, 2011 citing *Brucal v. Hon. Desierto*, 501 Phil. 453, 465-466 (2005).

²⁶² **Philippine Retirement Authority v. Thelma Rupa**, G.R. No. 140519, August 21, 2001 citing *Black's Law Dictionary*, 4th edition, pp. 832 and 1184.

²⁶³ **Jowett K. Golangco v. Atty. Jone B. Fung**, G.R. No. 147640, and *Office of the Ombudsman v. Hon. Court of Appeals*, G.R. No. 147762, October 12, 2006 citing *Lim v. National Labor Relations Commission*, 328 Phil. 843, 858 (1996); and *Brucal v. Desierto*, G.R. No. 152188, 8 July 2005, 463 SCRA 151, 166.

186.13. *Habitual Absenteeism* – an officer or employee in the civil service shall be considered habitually absent if he incurs unauthorized absences exceeding the allowable 2.5 days monthly leave credits under the law for at least three (3) months in a semester or at least three (3) consecutive months during the year²⁶⁴.

186.14. *Habitual Drunkenness* – drinking during office hours may constitute misconduct and is prohibited under the Civil Service Rules. Drinking undermines efficiency and is counter-productive. It generates an unwholesome consequence on a public servant.²⁶⁵

186.15. *Inefficiency and Incompetence in the Performance of Official Duties* – Gross inefficiency is intimately akin to gross neglect as both involve specific acts of omission on the part of the employee resulting in damage to the employer or to the latter's business²⁶⁶.

Gross inefficiency is closely related to gross neglect, for both involve specific acts of omission resulting in damage to another.²⁶⁷

186.16. *Insubordination* – refers to a refusal to obey some order, which a superior officer is entitled to give and have obeyed. The term imports a willful or intentional disregard of the lawful and reasonable instructions of the employer.²⁶⁸

186.17. *Less Serious Dishonesty* – refers to the disposition to lie, cheat, deceive, or defraud; untrustworthiness, lack of integrity.²⁶⁹ Pursuant to Section 4 of CSC Resolution No. 06-0538, the presence of any the following attendant circumstances in the commission of the dishonest act constitutes less serious dishonesty:

186.17.1. The dishonest act caused damage and prejudice to the government which is not so serious as to qualify under the immediately preceding classification;

186.17.2. The respondent did not take advantage of his/her position in committing the dishonest act;

²⁶⁴ CSC Memorandum Circular No. 04, s. 1991 and A.M. No. 14-10-322-RTC, December 5, 2017, RE: "**Habitual Absenteeism of Rabindranath A. Tuzon, Officer-In-Charge (OIC)/Court of Legal Researcher II, Branch 91, Regional Trial Court, Baler, Aurora.**"

²⁶⁵ **Judge Pelagia Dalmacio-Joaquin v. Nicomedes C. Dela Cruz**, A.M. No. P-07-2321 (Formerly OCA I.P.I. No. 07-2492-P), April 24, 2009 citing Presidential Decree No. 807, Art. IX, Sec. 36(4).

²⁶⁶ **Ray Antonio C. Sasing v. Celestial Venus G. Gelbolingo**, A.M. No. P-12-3032 (Formerly A.M. OCA IPI No. 11-3652-P), February 20, 2013 citing *St. Luke's Medical Center, Incorporated v. Fadrigio*, G.R. No. 185933, November 25, 2009, 605 SCRA 728, 736.

²⁶⁷ **Jowett K. Golangco v. Atty. Jone B. Fung**, G.R. No. 147640 and *Ombudsman v. Court of Appeals*, G.R. No. 147762, October 12, 2006 citing *Lim v. National Labor Relations Commission*, 328 Phil. 843, 858 (1996).

²⁶⁸ **Civil Service Commission and Department of Science and Technology, Regional Office No. V v. Marilyn G. Arandia**, G.R. No. 199549, April 7, 2014 citing *Judge Dalmacio-Joaquin v. Dela Cruz*, A.M. No. P-07-2321, April 24, 2009.

²⁶⁹ **Light Rail Transit Authority v. Aurora A. Salvaña**, G.R. No. 192074, June 10, 2014 citing *Office of the Ombudsman v. Torres*, 567 Phil. 46, 57 (2008), citing *Black's Law Dictionary*, 6th Ed. (1990).

186.17.3. Other analogous circumstances.

186.18. *Nepotism* – refers as an appointment issued in favor of a relative within the third civil degree of consanguinity or affinity of any of the following: (1) appointing authority; (2) recommending authority; (3) chief of the bureau or office; and (4) person exercising immediate supervision over the appointee.²⁷⁰

186.19. *Oppression* – as an act of cruelty, severity, unlawful exaction, domination or excessive use of authority.²⁷¹ It is also known as grave abuse of authority, which is a misdemeanor committed by a public officer, who under color of his office, wrongfully inflict upon any person any bodily harm, imprisonment or other injury. It is an act of cruelty, severity, or excessive use of authority. To be held administratively liable for oppression or grave abuse of authority, there must be substantial evidence presented proving the complainant's allegations. Substantial evidence is that amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion.²⁷²

186.20. *Plagiarism* – a term not defined by statute, has a popular or common definition. To plagiarize, says Webster, is to steal and pass off as one's own the ideas or words of another. Stealing implies malicious taking. Black's Law Dictionary, the world's leading English law dictionary quoted by the Court in its decision, defines plagiarism as the deliberate and knowing presentation of another person's original ideas or creative expressions as one's own. The presentation of another person's ideas as one's own must be deliberate or premeditated taking with ill intent. There is no commonly-used dictionary in the world that embraces in the meaning of plagiarism errors in attribution by mere accident or in good faith. The objective act of falsely attributing to one's self what is not ones work, whether intentional or out of neglect, is sufficient to conclude that plagiarism has occurred. Students who plead ignorance or appeal to lack of malice are not excused.²⁷³

186.21. *Simple Misconduct* – refers to a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by the public officer. Misconduct in office is a misconduct such as affects his performance of his duties as an officer and not such

²⁷⁰ *Civil Service Commission v. Maricelle M. Cortes*, G.R. No. 200103, April 23, 2014

²⁷¹ *Jowett K. Golangco v. Atty. Jone B. Fung*, G.R. No. 147640, and *Office of the Ombudsman v. Hon. Court of Appeals*, G.R. No. 147762, October 12, 2006 citing *Salalima v. Guingona, Jr.*, 326 Phil. 847, 893 (1996).

²⁷² *Office of the Ombudsman v. Cynthia E. Caberoy*, G.R. No. 188066, October 22, 2014, citing *Romero v. Villarosa, Jr.*, A.M. No. P-11-2913, April 12, 2011, 648 SCRA 32, 41-42; *Spouses Stilgrove v. Sabas*, 538 Phil. 232, 244 (2006); and *Nedia v. Judge Laviña*, 508 Phil. 9, 19 (2005).

²⁷³ *In the Matter of the Charges of Plagiarism, etc., Against Associate Justice Mariano C. Del Castillo* (A.M. No. 10-7-17-SC, February 8, 2011) citing Blacks Law Dictionary (8th Edition, 2004), <http://www.admu.edu.ph/index.php?p=120&type=2&sec=25&aid=9149>, Websters Third New International Dictionary, p. 2374.

only as affects his character as a private individual. In such cases, it has been said at all times, it is necessary to separate the character of the man from the character of the officer. If any of the elements to qualify the misconduct as grave is not manifest and is not proven by substantial evidence, a person charged with grave misconduct may be held liable for simple misconduct²⁷⁴.

Misconduct, on the other hand, is a transgression of some established and definite rule of action, a forbidden act, a dereliction of duty, unlawful behavior, willful in character, improper or wrong behavior. It is any unlawful behavior by public officers in relation to the duties of their offices, willful in character. The term embraces acts which the office holder had no right to perform, acts performed improperly, and failure to act in the face of an affirmative duty to act.²⁷⁵

186.22. *Simple Neglect of Duty* – refers to the failure of an employee to give proper attention to a required task or to discharge a duty due to carelessness or indifference.²⁷⁶ It also refers to the failure of an employee to give one's attention to a task expected of him²⁷⁷. It signifies a disregard of a duty resulting from carelessness or indifference.²⁷⁸

Section 187. ***Application of CSC Resolution No. 1701077 Promulgated on July 3, 2017, Existing Laws and Jurisprudence and Subsequent Issuances Thereof.*** – The provisions of CSC Resolution No. 1701077 promulgated on July 3, 2017, Code of Conduct and Rules on Administrative and Disciplinary Cases of the Officials and Employees of the University approved by the EVSU Board of Regents, and such applicable laws and jurisprudence and subsequent issuances thereof shall be applied suppletorily and shall serve as the governing guidelines in the conduct of investigation or disciplinary proceedings against any faculty member/s or academic staff and academic non-teaching staff or employee of the University.

Chapter XI PERFORMANCE EVALUATION, RECOGNITION, AWARDS AND INCENTIVES

²⁷⁴ ***Committee on Security and Safety, Court of Appeals v. Reynaldo V. Dianco, et al***, A.M. No. CA-15-31-P (formerly OCA, L.P.I. No. 13-218-CA-P), June 16, 2015 citing A.M. No. RTJ-99-1441, 367 Phil. 162 (1999).

²⁷⁵ ***Judge Pelagia Dalmacio-Joaquin v. Nicomedes C. Dela Cruz***, A.M. No. P-07-2321 (Formerly OCA I.P.I. No. 07-2492-P), April 24, 2009 citing *Camus, Jr. v. Alegre*, A.M. No. P-06-2182, August 12, 2008, 561 SCRA 744, 754; citing *Rodriguez v. Eugenio*, A.M. No. RTJ-06-2216, April 20, 2007, 521 SCRA 489, 501, Callejo, Juanita T., CSC Resolution No. 99-0192, January 15, 1999.

²⁷⁶ ***Teresita R. Marigomen v. Enrique E. Manabat, Jr.***, A.M. No. CA-11-24-P (formerly A.M. OCA I.P.I. No. 10-163-CA-P), November 16, 2011 citing *Reyes v. Pablico*, A.M. No. P-06-2109, November 27, 2006, 508 SCRA 146, 156.

²⁷⁷ ***Ma. Rosario R. Escaño v. Adrian P. Manaois***, A.M. No. 16-02-01-CTA, November 15, 2016 citing *Marquez v. Pablico*, A.M. No. P-06-2201, June 30, 2008, 556 SCRA 531, 537.

²⁷⁸ ***Philippine Retirement Authority v. Thelma Rupa***, G.R. No. 140519, August 21, 2001 citing Merriam Webster's Dictionary of Law, 1996 edition, at p. 324.

Article 43

Performance Evaluation System of the University

Section 188. **General Provisions.** – The University shall establish performance evaluation system, which shall be administered in accordance with the rules, regulations and standards promulgated by the Commission for all officers and employees of the University. Such performance evaluation system shall be administered in such a manner as to continually foster the improvement of individual employee efficiency and organizational effectiveness²⁷⁹.

In addition, a performance-based incentive scheme which integrates personnel and organizational performance shall be established to reward exemplary civil servants and well performing institutions²⁸⁰. The University shall institute a Performance Evaluation System based on objectively measured output and performance of personnel and units, such as the Performance Management System-Office Performance Evaluation System developed by the CSC²⁸¹.

The performance evaluation system of the University shall be aligned with the unified and integrated Results-Based Performance Management System (RBPMS) across all departments and agencies within the Executive Branch of Government incorporating a common set performance scorecard, and creating an accurate, accessible, and up-to-date government-wide, sectoral and organizational performance information system²⁸².

Section 189. **Required Submission of Performance Evaluation Report.** – All academic and administrative officials and employees are mandated to submit a performance evaluation report periodically to the Human Resource Management Office subject to the requirements and qualifications prescribed under this Code and such existing rules and regulations.

Article 44

Strategic Performance Management System (SPMS) of the University

Section 190. **Strategic Performance Management System of the University.** – Pursuant to the provisions of CSC Circular No. 6, s. 2012²⁸³, the University shall establish and sustain a Strategic Performance Management System hereafter referred to as the EVSU-SPMS or University SPMS, *for brevity*.

²⁷⁹ Section 33, Chapter 5, Book V of Executive Order No. 292 or the "Administrative Code of the Philippines."

²⁸⁰ Item 1(d) of Joint Resolution No. 4 entitled, "Governing Principles of Modified Compensation and Position Classification System and Base Pay Schedule of the Government."

²⁸¹ Section 5 of Administrative Order No. 241 dated October 2, 2008 otherwise known as, "Mandating the Speedy Implementation of Republic Act No. 9485 otherwise known as the "Anti-Red Tape Act of 2007."

²⁸² Administrative Order No. 25 dated December 21, 2011 entitled, "Creating an Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems."

²⁸³ CSC MC No. 6, s. 2012 entitled, "Guidelines in the Establishment and Implementation of Agency Strategic Performance Management System (SPMS)."

Section 191. **General Objectives of the EVSU-SPMS**²⁸⁴. – The EVSU-SPMS is prepared and administered to:

- 191.1. Concretize the linkage of the organizational performance with the Philippine Development Plan, the University Strategic Plan, and the Organizational Performance Indicator Framework;
- 191.2. Ensure organizational effectiveness and improvement of individual administrative or non-teaching personnel or employees efficiency by cascading institutional accountabilities to the various levels of the University anchored on the establishment of rational and factual basis for performance targets and measures; and
- 191.3. Link performance management with other Human Resource (HR) systems and ensure adherence to the principle of performance-based tenure and incentive system.

Section 192. **Basic Elements of the EVSU-SPMS**. – The EVSU-SPMS shall have the following elements²⁸⁵:

- 192.1. *Goal Aligned to Agency Mandate and Organizational Priorities*. – Performance goals and measurement are aligned to the national development plans, University mandate/vision/mission and strategic priorities and/or organizational performance indicator framework. Standards are pre-determined to ensure efficient use and management of inputs and work processes. These standards are integrated into the success indicators as organizational objectives are cascaded down to operational level.
- 192.2. *Outputs/Outcomes-based*. – The system puts premium on major final outputs that contributes to the realization of organizational mandate, mission/vision, strategic priorities, outputs and outcomes.
- 192.3. *Team-approach to Performance Management*. – Accountabilities and individual roles in the achievement of organizational goals are clearly defined to give way to collective goal setting and performance rating. Individual's work plan or commitment and rating form is linked to the division/unit/office work plan or commitment and rating form to establish clear linkage between organizational performance and personnel performance.
- 192.4. *User-friendly*. The forms used for both the organizational and individual performance are similar and easy to accomplish. The organizational and individual major final outputs and success indicators are aligned to facilitate cascading of organizational goals to

²⁸⁴ Item III of CSC MC No. 6, s. 2012.

²⁸⁵ Item IV of CSC MC No. 6, s. 2012.

the individual staff members and the harmonization of organizational and individual performance ratings.

- 192.5. *Information System and Supports Monitoring and Evaluation.* Monitoring and Evaluation (M&E) mechanisms and Information System are vital component of the SPMS in order to facilitate linkage between organizational and employee performance. The M&E and Information System will ensure generation of timely, accurate, and reliable information for both performance monitoring/tracking, accomplishment reporting, program improvement and policy decision-making.
- 192.6. *Communication Plan.* A program to orient University officials and employees on the new and revised policies on SPMS shall be implemented. This is to promote awareness and interest on the system, generate employees' appreciation for the University SPSMS as a management tool for performance planning, control and improvement, and guarantee employees' internalization of their role as partners of management and co-employees in meeting organizational performance goals.

Section 193. **Key Players and Responsibilities.** – The following are the key SPMS players with the respective duties and responsibilities:

- 193.1. Acting as the SPMS Champion, the *University President* shall:
 - a. Primarily responsible and accountable for the establishment and implementation of the SPMS of the University.
 - b. Sets University's performance goals/objectives and performance measures.
 - c. Determines the University's target setting period.
 - d. Approves office performance commitment and rating; and
 - e. Assesses performance of Offices, Units and Sections of the University.
- 193.2. *Performance Management Team of the University (EVSU-PMT).* – The EVSU-PMT is hereby established with the following composition:

Chairperson: Executive Official designated by the University President, as Chairperson
Vice Chair: Any of the Vice Presidents
Members: Vice Presidents
Campus Directors
Director of Human Resource Management Office
Director of Planning and Development Office

Director of Financial Management Office
Director for Quality Assurance and Accreditation
President of the Federation of Faculty Associations
President of the Federation of Non-Teaching Personnel

The EVSU-PMT shall discharge the following duties and responsibilities:

1. Review of Faculty Member's Performance Targets;
2. Review of Performance;
3. Determination of Final Rating;
4. Monitoring and Evaluation of the EVSU-PMT;
5. Setting of Internal Rules and Procedures; and
6. Discharge such other duties as the University President may determine.

Section 194. **Performance Evaluation System and Rating.** – The performance evaluation system taking into consideration the workload distribution as provided under Section 46 hereof and Section 422 of the 2017 Revised University Code, and the performance indicators and weight distribution under Article 25 hereof shall use the following five (5) adjectival ratings and ranges with the description provided hereunder:

Ranges	Description
4.6-5.0	Outstanding
4.0-4.5	Very Satisfactory
3.0-3.9	Satisfactory
2.0-2.9	Unsatisfactory
1.0-1.9	Poor

Section 195. **Uses of Performance Ratings.** – The performance ratings by the Administrative or non-teaching personnel or employees of the University generated or obtained from the SPMS implementation shall be used on the following:

- 195.1. Security of tenure of those holding permanent appointments is not absolute but is based on performance.

Administrative or non-teaching personnel or employees who obtained Unsatisfactory rating for one rating period or exhibited poor performance shall be provided appropriate developmental intervention by the University President and/or their supervisors (Vice President, Campus Director, Dean, Director or Head), in coordination with the Human Resource Management Office of the University, to address competency-related performance gaps.

If after advise and provision of developmental intervention, the administrative or non-teaching personnel or employees still obtains Unsatisfactory ratings in the immediately succeeding rating period or

Poor rating for the immediately succeeding rating period, he/she may be dropped from the rolls. A written notice/advise from the University President at least three (3) months before the end of the rating period is required.

195.2. The EVSU-PMT shall validate the Outstanding performance ratings and may recommend concerned administrative or non-teaching personnel or employees for performance-based awards. Grant of performance-based incentives shall be based on the final ratings of the administrative or non-teaching personnel or employees by the University President.

195.3. Performance ratings shall be used as basis for promotion, training and scholarship grants and other personnel actions.

Administrative or non-teaching personnel or employees with Outstanding and Very Satisfactory performance ratings shall be considered for the above-mentioned personnel actions and other related matters.

195.4. Officials, administrative or non-teaching personnel or employees who shall be on official travel, approved leave of absence or training or scholarship programs and who have already met the required minimum rating period of ninety (90) days shall submit the performance commitment and rating report before they leave the office. For purposes of performance-based benefits, officials, administrative and non-teaching personnel or employees who are on official travel, scholarship or training within a rating period shall use their performance ratings obtained in the immediately preceding rating period.

195.5. Officials, administrative or non-teaching personnel or employees who are on detail or secondment to another office shall be rated in their present or actual office, copy the University. The ratings of those who were detailed or seconded to another office during the rating period shall be consolidated in the University, either the University (Plantilla) office or present office, where the official, administrative or non-teaching personnel or employees have spent majority of their time during the rating period.

Section 196. **Appeal Mechanism.** – University Officials, administrative or non-teaching personnel or employees may appeal before the Office of the University President the Performance Management Team (PMT) of the University on the results of the period performance obtained from the FPES instrument. The University President shall, upon the recommendation by the duly constitute PMT, exercise its authority to change the final rating subject to any of the following grounds:

- 196.1. Inadvertence or honest mistake in the evaluation and appreciation of relevant proofs or evidences corresponding to the performance indicators;
- 196.2. Length of service of the appellant;
- 196.3. Potential and special contributions of the appellant; and
- 196.4. Such grounds analogous to the foregoing.

Section 197. ***Suppletory Application of the Grievance Machinery Manual and Related CSC Circulars and Policies Approved by the EVSU-BOR.*** – The provisions of the Grievance Machinery Manual of the University²⁸⁶ and related CSC circulars and policies approved by the EVSU-BOR shall be applied suppletorily in this Article.

Article 45

Program on Awards and Incentives for Service Excellence (PRAISE)

Section 198. ***Program on Awards and Incentives for Service Excellence (PRAISE).*** – The University shall establish its own employee suggestions and incentive awards system²⁸⁷ to be known as the Program on Awards and Incentives for Service Excellence (PRAISE)²⁸⁸ System of the University or “University PRAISE System” or “EVSU-PRAISE System”, *for brevity*, which shall be under the direct supervision by the Office of the University President and/or his/her authorized representative²⁸⁹. Notwithstanding as may be specifically provided under the EVSU-PRAISE System Manual, the following general guidelines shall be strictly observed:

- 198.1. The EVSU-PRAISE System shall be designed to encourage creativity, innovativeness, efficiency, integrity and productivity in the public service by recognizing and rewarding officials and employees of the University, individually or in groups for their suggestions, inventions, superior accomplishments and other personal efforts which contribute to the efficiency, economy, or other improvement in University or government operations, or for other extraordinary acts or services in the public interest²⁹⁰.
- 198.2. The EVSU-PRAISE System shall adhere to the principles of providing incentives and awards based on performance, innovative ideas and exemplary behavior of the officials, faculty members and non-teaching personnel of the University²⁹¹.

²⁸⁶ Approved per Board Resolution No. _____, s. 2018 on January _____, 2018.

²⁸⁷ Item 1 of CSC MC No. 01, s. 2001 entitled, “Program on Awards and Incentives for Service (PRAISE).”

²⁸⁸ Item 2 of CSC MC No. 01, s. 2001.

²⁸⁹ Item 10 of CSC MC No. 01, s. 2001.

²⁹⁰ Item 3 of CSC MC No. 01, s. 2001.

²⁹¹ Item 4 of CSC MC No. 01, s. 2001.

- 198.3. The EVSU-PRAISE System shall give emphasis on the timeliness of giving award or recognition. Aside from conferment of awards during the traditional or planned awarding ceremonies, the spirit of on-the-spot grant of recognition shall be institutionalized in the University²⁹².
- 198.4. The EVSU-PRAISE System shall provide both monetary and non-monetary awards. Monetary awards shall be granted only when the suggestions, inventions, superior accomplishments and other personal efforts result in monetary savings which shall not exceed 20% of the savings generated²⁹³.
- 198.5. At least five percent (5%) of the Human Resource Development (HRD) Funds shall be allocated for the EVSU-PRAISE System incorporated in the University's annual work and financial plan and budget²⁹⁴.
- 198.6. The EVSU-PRAISE System is hereby institutionalized²⁹⁵ and PRAISE Committees²⁹⁶ shall be constituted in the University-wide and in the different Campuses and Colleges of the University. Notwithstanding as may be provided under existing laws, rules and regulations duly approved by the EVSU BOR, the EVSU-PRAISE Committees above shall have the following duties and functions:
 - 198.6.1. To ensure that productivity, innovative ideas, suggestions and exemplary behavior can be identified, considered, managed and implemented on a continuing basis to cover employees at all levels of the University Campuses²⁹⁷.
 - 198.6.2. To develop, administer, monitor and evaluate the awards and incentives system of the University²⁹⁸.
 - 198.6.3. To establish its own internal procedures and strategies. Membership in the Committee shall be considered part of the member's regular duties²⁹⁹.

Section 199. **Constitution and Composition of the PRAISE Committees.**

– In order to ensure efficiency, wide participation and transparency in all processes, the following PRAISE Committees are hereby constituted with the following composition:

- 199.1. *University-wide PRAISE Committee.* – The University-wide PRAISE Committee shall be composed as follows:

²⁹² Item 5 of CSC MC No. 01, s. 2001.

²⁹³ Item 6 of CSC MC No. 01, s. 2001.

²⁹⁴ Item 7 of CSC MC No. 01, s. 2001.

²⁹⁵ Item 8 of CSC MC No. 01, s. 2001.

²⁹⁶ Item 9 of CSC MC No. 01, s. 2001.

²⁹⁷ Item 11 of CSC MC No. 01, s. 2001.

²⁹⁸ Item 12 of CSC MC No. 01, s. 2001.

²⁹⁹ Item 13 of CSC MC No. 01, s. 2001.

Chairperson: University President

Co-Chair: Vice President for Administration and Finance (VPAF)

Vice-Chair: Director of PRAISE Center

Members: Director for Finance Services

Director for Administrative Services

Two (2) representatives from the rank-and-file employees who shall serve for a period of two (2) years and chosen through a general assembly or by the officers or board of the association's concerned or designated by the union in the absence of an accredited union (one from the first level and one from the second level).

- 199.2. *University Campus PRAISE Committee.* – Each Campus of the University such as, but not limited to, the Tacloban City (Main Campus), Burauen, Carigara, Ormoc and Tanauan, shall have a PRAISE Committee composed of the following:

Chairperson: Campus Head or Campus Director or his/her authorized representative who shall hold at least a Department Head position

Vice-Chair: Head of PRAISE of the Campus

Members: Administrative Officer or Head for Administrative Services
Accountant of the Campus

Two (2) representatives from the rank-and-file employees who shall serve for a period of two (2) years and chosen through a general assembly or by the officers or board of the association's concerned or designated by the union in the absence of an accredited union (one from the first level and one from the second level).

Provided, that the composition of the PRAISE Committee for any subsequent Campuses as may be created by an enabling law shall be similar as provided above.

Section 200. ***Duties and Functions of the EVSU-PRAISE Committees.*** – Notwithstanding as may be provided under existing laws, rules and regulations duly approved by the EVSU BOR and CSC, the EVSU-PRAISE Committees above shall have the following duties and functions:

- 200.1. *University-wide PRAISE Committee.* – The University-wide PRAISE Committee shall be responsible for the development, administration, monitoring and evaluation of the awards and incentives system of the University. As such, the Committee shall meet periodically to perform the following tasks:

200.1.1. Ensure that productivity, innovative ideas, suggestions and exemplary behavior can be identified, considered, managed

- and implemented on a continuing basis to cover employees at all levels of the University Campuses;
- 200.1.2. Establish a system of incentives and awards to recognize and motivate University officials or officers, faculty members, non-teaching personnel or employees for their performance and conduct;
 - 200.1.3. Formulate, adopt and amend internal rules, policies and procedures to govern the conduct of its activities which shall include the guidelines in evaluating the nominees and the mechanism for recognizing the awardees subject to the review and approval by the University-Wide PRAISE Committee;
 - 200.1.4. Determine the forms of awards and incentives to be granted taking into considerations the provisions of this Manual and consistent with DBM, CSC and COA rules and regulations;
 - 200.1.5. Monitor implementation of approved suggestions and ideas through feedback and reports;
 - 200.1.6. Prepare plans, identify resources and proposed budget for the system on an annual basis;
 - 200.1.7. Develop, produce, distribute a System policy manual and orient the officials or officers, faculty members, non-teaching personnel or employees on the same;
 - 200.1.8. Document best practices, innovative ideas and success stories which will serve as promotional materials to sustain interest and enthusiasm;
 - 200.1.9. Submit an annual report on the awards and incentives system to the CSC Regional Office No. VIII on or before the thirtieth day of January;
 - 200.1.10. Monitor and evaluate the System's implementation every year and make essential improvements to ensure its suitability to the University subject to the approval by the EVSU Board of Regents upon the recommendation by the University President;
 - 200.1.11. Address issues relative to awards and incentives within fifteen (15) days from the date of submission subject to the provisions of this Manual and of the EVSU-PRAISE System Manual;

- 200.1.12. Develop, administer, monitor and evaluate the awards and incentives system of the University;
 - 200.1.13. Review or validate the search or screening results generated from the different Campuses and Colleges of the University;
 - 200.1.14. Submit to the University President the results of the PRAISE selections of the different types of awards and incentives;
 - 200.1.15. Establish its own internal procedures and strategies;
 - 200.1.16. Recommend amendments to and/or revision of this Manual to the University President subject to the provisions of CSC rules and regulations;
 - 200.1.17. Recommend to the University President such measures deemed necessary to further improve the PRAISE System of the University; and
 - 200.1.18. Perform such other duties and functions as may be determined by the EVSU Board of Regents and/or University President in accordance with applicable CSC laws, rules and regulations.
- 200.2. *Campus or College PRAISE Committee.* – The Campus PRAISE Committees shall perform the following duties and functions:
- 200.2.1. To conduct the search or selection processes based on the criteria, standards and processes provided under the EVSU-PRAISE System Manual duly approved by the EVSU Board of Regents and/or as the University-wide PRAISE Committee may determine duly approved by the University President;
 - 200.2.2. Monitor implementation of approved suggestions and ideas through feedback and reports;
 - 200.2.3. Prepare plans, identify resources and proposed budget for the system on an annual basis;
 - 200.2.4. Develop, produce, distribute a System policy manual and orient the officials or officers, faculty members, non-teaching personnel or employees on the same;
 - 200.2.5. Document best practices, innovative ideas and success stories which will serve as promotional materials to sustain interest and enthusiasm;
 - 200.2.6. Submit and recommend the search or selection results generated from their respective Campuses and Colleges to

the University-wide PRAISE Committee for review and validation;

- 200.2.7. Establish its own internal procedures and strategies subject to the approval by the University-wide PRAISE Committee;
- 200.2.8. Recommend to the University-wide PRAISE Committee such measures deemed necessary to further improve the PRAISE System of the University; and
- 200.2.9. Perform such other duties and functions as may be determined by the University President and/or University-wide PRAISE Committee in accordance with applicable CSC laws, rules and regulations.

Section 201. **PRAISE Awards.** – The University shall develop and initiate the search for deserving employees who may be included in the screening candidates for awards to be given, such as, but not limited:

201.1. *University Level.* – The awards under the University Level shall be as follows:

201.1.1. Best Employees Award – granted to an individual or individuals who excelled among peers in various positions, academic ranks, professions, departments, units, colleges and campuses of the University. A cash award of not less than the amount provided under relevant existing laws shall be given to outstanding employees plus a certificate of recognition or other forms of incentives as the PRAISE Committee may determine subject to the approval by the Board, upon recommendation by the University President, such as, but not limited to:

1. Executive and Administration Category
 - a. University Leadership Award
 - b. Best University Regent Awards
 - c. Best Vice President Award
 - d. Best Dean Award
 - e. Best Campus Director Award
 - f. Best Director Award
 - g. Best Department Head Award
 - h. Best Coordinator Award
 - i. Best Chairperson Award
 - j. Best University Registrar I-IV Awards
 - k. Best Librarian I-IV Awards
 - l. Best Security Guard Award
 - m. Best Administrative Aide I-VI Awards
 - n. Best Administrative Officer I-V Awards

- o. Best Chief Administrative Officer 1-V Awards
- p. Best Accountant Award
- q. Best University Registrar Staff Awards
- r. Best Library Staff Awards
- s. Best Accounting Staff Award
- t. Best Freedom of Information Receiving Officer (FRO) and Client Satisfaction Awards
- u. Best Maintenance Worker Awards
- v. Best College, Unit, Section and Office Secretary Award
- w. Best Utility Worker Award
- x. Best Driver I-IV Awards
- y. Best Non-Teaching Personnel Scholarship Academic Performance Awards
- z. Best Master's Thesis, and Dissertation of Non-Teaching Personnel Awards in the different mandates³⁰⁰ and curricular offerings³⁰¹ of the University
- aa. Such awards related to the conceptualization, implementation, monitoring and evaluation of administrative services of the University.

2. Academic (Teaching) Category

- a. Best Instructor I-III Award
- b. Best Assistant Professor I-IV Awards
- c. Best Associate Professor I-V Awards
- d. Best Professor I-VI Awards
- e. Best College or University Professor Award
- f. Best Professional Awards in the different mandates and curricular offerings of the University
- g. Best Master's Thesis, and Dissertation of Faculty Awards in the different mandates and curricular offerings of the University
- h. Best Thesis and Dissertation Advising Awards in the different mandates and curricular offerings of the University
- i. Best AACUP Accreditor Awards for the different mandates and curricular offerings of the University
- j. Best Student Counseling Awards
- k. Best Student Consultation Awards
- l. Best Student Organization Adviser's Awards
- m. Such awards related to the conceptualization, implementation, monitoring and evaluation of

³⁰⁰ Section 3 of Republic Act No. 9311.

³⁰¹ Section 4 of Republic Act No. 9311.

instruction or academic programs, projects, and activities of the University.

3. Research Category

- a. Best Research Development Award
- b. Best Research Program, Project or Activity Awards
- c. Best Research Output Award
- d. Best Research Presentor Award
- e. Best Research Publication Award
- f. Best Commercialization Award
- g. Best Intellectual Property Award
- h. Best Research Team Leader, Member, or Assistant Awards
- i. Best Manufacturing Productivity Extension (MPEX) Assessor Awards
- j. Best Cleaner Production Technology (CPT) Assessor Awards
- k. Such awards related to the conceptualization, implementation, monitoring and evaluation of research and development programs, projects, and activities of the University.

4. Extension or Outreach Category

- a. Best Extension Development Award
- b. Best Community Organizing Award
- c. Best Extension Output Award
- d. Best Extension Presentor Award
- e. Best Extension Publication Award
- f. Best Community Relations Award
- g. Best Livelihood Program, Project, or Activity Awards
- h. Best Out-School-Youth Program, Project or Activity Awards
- i. Such awards related to the conceptualization, implementation, monitoring and evaluation of extension services or outreach programs, projects, and activities of the University.

5. Production and Resource Generation Category

- a. Best IGP Development Award
- b. Best IGP Outputs Awards
- c. Best Instructional Materials Awards
- d. Best IGP Sales Awards
- e. Best Resource Generation Awards (through donation, job placement of graduates, accommodation of OJT of students in various industries, etc.)

- f. Such awards related to the conceptualization, implementation, monitoring and evaluation of Income Generating Projects (IGP) programs, projects, and activities of the University.
- 201.1.2. Gantimpala Agad Award – given outright to faculty members and employees commended by clients for their courtesy, promptness, efficiency and dedication to duty.
- 201.1.3. Exemplary Behavior Award –based on the eight norms of conduct as provided under Republic Act No. 6713³⁰². The awardee will be automatically nominated by the University PRAISE Committee to the Dangal ng Bayan Award.
- 201.1.4. Best Organizational Unit Award – granted to the top organizational unit such as, Campuses, Colleges, academic and administrative sections, divisions or office on the basis of meeting the organization’s performance targets and other pre-determined criteria.
- 201.1.5. Cost Economy Measure Award – granted to individual or group/team whose contributions such as ideas, suggestions, inventions, discoveries or performance of functions result in savings in terms of manhours and cost or otherwise benefit the University and government as a whole. The monetary award shall not exceed 20% of the monetary savings generated from the contribution.
- 201.1.6. Service Award – conferred on retirees whether under optional or compulsory retirement schemes held during a fitting ceremony or before the date of their retirement.
- 201.1.7. Performance Incentive Award – shall be given to an employee who has obtained an Outstanding or Very Satisfactory rating based on University’s approved Performance Evaluation System for the last two successive evaluation periods. This award shall be in the form of step increments in accordance with the provisions of the Joint CSC-DBM Circular No. 1, s. 1990. *Provided*, that the total number of recipients of step increments based on merit in any one (1) calendar year shall not be more than ten percent (10%) of the total number personnel actually employed in University, *Provided, further*, that the total number of recipients of two step increments shall not exceed three percent (3%) thereof.

Sec. 5 of the Joint CSC-DBM Circular likewise provides

³⁰² “Code of Conduct and Ethical Standards for Government Officials and Employees.”

that those granted step increments may still qualify for other existing incentives and awards, provided they meet the criteria of said awards.

- 201.1.8. Productivity Incentive – shall be given to an employee or group of employees who has exceeded their targets or has incurred incremental improvement over existing targets, subject to the prevailing policy on the matter.
- 201.1.9. Most Courteous Employee Award – shall be given to an employee in accordance with the criteria and standards established under CSC MC No. 15, s. 1990 dated March 5, 1990³⁰³.
- 201.1.10. Year-End Benefits or Thirteenth Month Bonus Plus One Thousand Cash Gift – shall be granted to officials, faculty members, non-teaching personnel or employees in the University in recognition of their dedication to government service and in keeping with the spirit of Christmas. Said grant shall be governed by the DBM Compensation Circular in accordance with the provisions of Republic Act No. 6686.
- 201.1.11. Most Punctual Award and Perfect Attendance Award – shall be given to an official, faculty member, non-teaching personnel or employee in various University Campuses, offices or units in recognition of his/her punctuality and perfect physical attendance in office.
- 201.1.12. Best Intervening Performer Award – shall be given to a University official, faculty member, non-teaching personnel or employee for extraordinary and vital participation in contributing to the overall success of an intervening activity, special event, program or undertaking such as, but not limited to, periodic accreditation process or surveillance audits of various curricular offerings of the University, SUC Leveling³⁰⁴, IQUAME³⁰⁵, and academic, research, extension and production activities and services in the Freedom of Information implementation as may be recommended by the Vice Presidents concerned duly approved by the University President.

These awards shall consist of a mini plaque of recognition each signed by the University President and

³⁰³ Courtesy Campaign Program in the Civil Service otherwise known as the "Ang Magalang, Bow."

³⁰⁴ DBM-CHED Joint Circular No. 1, s. 2003 dated May 24, 2003, entitled, "SUC Leveling Instrument and Guidelines for Implementation Thereof," as amended.

³⁰⁵ CHED Memorandum Order (CMO) No. 15, s. 2005 entitled, "Institutional Monitoring and Evaluation for Quality Assurance of all Higher Education Institutions in the Philippines."

Chairperson of the PRAISE Committee concerned.

- 201.1.13. 7S” of Good House-Keeping Award – shall be given to employee or employees whose physical areas of responsibility are well maintained and follow good office-keeping practices as defined by the principles of “7S” of good house-keeping, such as, Sort, Systematize, Sweep, Sanitize, Sustain, Safety, Security which have been consistently observed within the screening period.
- 201.1.14. Hall of Fame Award – shall be given to individuals or groups who have won awards from the EVSU-PRAISE (regardless of category) at least three (3) times in the span of five (5) years. Conferment of this award shall be on the succeeding year after receiving the third award in any of the categories. However, Halls of Fame awardees may again be qualified to view for and receive any award from the EVSU-PRAISE three (3) years after begin conferred of said award.
- 201.1.15. CSC’s Honor Awards Program (HAP) Finalist Award – shall be given to any official or officer, faculty member or non-teaching personnel or employee who advanced or considered as finalist and has not been selected in any of the CSC’s Honor Awards Program (HAP). The award is in recognition of the dignity and honor that the finalist has afforded the University given the very competitive nature of the HAP screening and selection process.
- 201.1.16. Such other awards which the University may decide to give duly approved by the EVSU Board of Regents, upon the recommendation by the PRAISE Committee and the by the University President.
- 201.2. *National Awards.* – The University shall participate in the search for deserving officials or officers, non-teaching personnel or employees who may be included in the screening of candidates for awards given by other government agencies, private entities, NGOs and other award giving bodies such as the:
- 201.2.1. Presidential or Lingkod Bayan Award – conferred on an individual for consistent, dedicated performance exemplifying the best in any profession or occupation resulting in the successful implementation of an idea or performance, which is of significant effect to the public or principally affects national interest, security and patrimony.
- 201.2.2. Outstanding Public Official/Employee or Dangal ng Bayan Award – granted to any public official or employee in

government who has demonstrated exemplary service and conduct on the basis of his or her observance of one or more of the eight (8) norms of behavior described under Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Government Officials and Employees.

- 201.2.3. Civil Service Commission or the PAGASA Award – conferred on a group of individuals or team who has demonstrated outstanding teamwork and cooperation, which resulted in the successful achievement of its goal or has greatly improved public service delivery, economy in operation, improved working conditions or otherwise benefited the government in many other ways.
- 201.2.4. Other Awards – given by other government agencies, private institutions or NGOs to an individual or team for contributions of an idea or performance that directly benefited the government.

Section 202. **Types of Incentives.** – The University shall continuously search, screen and reward administrative or non-teaching personnel to motivate them to improve the quality of their performance and instill excellence in public service. As such, the following types of incentives shall be regularly awarded:

- 202.1. *Loyalty Incentive* – granted to an employee who has served continuously and satisfactorily in the different Campuses of the University for at least ten (10) years. The recipient shall be entitled to a cash award of not less than Php500.00 but not more than Php1,000.00 per year during the first ten (10) years. Succeeding awards shall be given every five years thereafter. Besides cash award, a lapel emblem/loyalty pin shall be given:

Number of Years of Services	Lapel Emblem or Loyalty Pin	Market Value of the Lapel Emblem or Loyalty Pin
10 and 15 years	Bronze	Php 10,000.00
20 and 25 years	Silver	Php 20,000.00
30, 35, & 40 years	Gold	Php 30,000.00

The University may also give other tokens such as wrist watch, ring, laptop with complete accessories, cellular phone, and others, subject to the proper determination by the PRAISE Committee duly approved by the University President. *Provided*, that the amount of these tokens shall not be more than the market value of the lapel emblem or loyalty pin provided above.

- 202.2. *Length of Service Incentive* – given to an employee who has rendered at least three (3) years of continuous satisfactory service in the same

position. The cash award shall be incorporated in the salary adjustments following the Joint CSC-DBM Circular No. 1, s. 1990.

- 202.3. *Productivity Incentive* – given to all administrative or non-teaching personnel who have a performance of at least satisfactorily for the year covered in accordance with the University’s CSC-approved Strategic Performance Management System (SPMS). This incentive shall follow relevant existing guidelines in so far as authorized by the EVSU Board of Regents upon the recommendation by the University President.
- 202.4. *Career and Self-Development Incentive* – granted in recognition of an administrative or non-teaching personnel who has satisfactorily completed a course or degree within or outside the country at one’s own expense. A plaque of recognition may be given to qualified individuals during the University’s anniversary celebration.
- 202.5. *Other Incentives* which the University’s PRAISE Committee may recommend on the basis of special achievements, innovative approaches to assignments, exemplary service to the public and recognition by an outside group of a particular achievement.

Section 203. **Forms of Awards and Incentives.** – The awards and incentives under the PRAISE System of the University shall be as follows:

- 203.1. *Compensatory Time-Off* – granted to a administrative or non-teaching personnel who has worked beyond his/her regular office hours on a project without overtime pay.
- 203.2. *Flexiplace* – work arrangement allowed for qualified employee/s who has demonstrated responsibility, initiative, and capacity to produce output/result and accomplishment outside of the workplace subject to the guidelines as the University President may determine upon consultation with the immediate supervisors concerned of the beneficiary.
- 203.3. *“Salu-salo” Together* – meal hosted by the Board or University President, Vice Presidents, Campus Directors, Deans, or Directors for administrative or non-teaching personnel who have made significant contributions.
- 203.4. *Personal Growth Opportunities* – incentives which may be in the form of attendance in conferences on official business, membership in professional organizations, books, journals, tapes, industry immersion, travel packages and other learning opportunities.
- 203.5. *Trophies, Plaques and Certificates* – personalized trophy or plaque or certificate based on the design the PRAISE Committee may determine duly approved by the University President.

- 203.6. *Monetary Award* – based on the rates provided under the 2017 Revised University Code, EVSU-PRAISE System Manual and/or in applicable CSC or DBM rules and regulations.
- 203.7. *Travel Packages* – comprised of a one-week travel abroad with free travelling expenses and allowances the total amount of which shall be more than the expected monetary award of the grantee as determined by the PRAISE Committee duly approved by the University President.
- 203.8. *Other Incentives* – incentives in kind which may be in the form of merchandise, computers, pagers, cellular phones, reserved parking space, recognition posted at the Wall of Fame, feature in University publication or PRAISE Publications or Newsletter, and others.

Section 204. **Schedule of Amounts of the PRAISE Monetary Incentives.**
– In addition to as may be expressly provided under this Manual, 2017 Revised University Code, EVSU-PRAISE System Manual and applicable laws, rules and regulations, and subject to the availability of funds, and usual accounting rules and regulations, the Schedule of the Monetary Incentives to be provided annually shall be as follows:

Type of Awards	Amount of Incentives (Php)	Remarks/Conditions
a. Best Employee		By administrative position, academic rank, profession, major functions (research, extension and production), etc. as provided under Section _____ of this Manual.
- First Place	25,000.00	
- Second Place	20,000.00	
- Third Place	18,000.00	
- Fourth Place	15,000.00	
- Fifth Place	12,000.00	
- Sixth-Tenth Places	5,000.00	
b. Best Organizational Unit Award		Campuses or Colleges, Administrative Departments or Units. (To be divided among the officials and personnel of the unit).
- First Place	100,000.00	
- Second Place	80,000.00	
- Third Place	70,000.00	
- Fourth Place	60,000.00	
- Fifth Place	50,000.00	
c. Gantimpala Agad Award	20,000.00	
d. Cost Economy Measure Award-Group Category (Php)		1. The exact amount shall not be more than 20% of the total savings. 2. The total amount award shall be divided among the officials and personnel of the unit based on participation.
If savings is more than 5M	1,000,000.00	
If savings is 4M-4.999M	999,800.00	
If savings is 3M-3.999M	799,800.00	
If savings is 2M-2.999M	599,800.00	
If savings is 1M-1.999M	399,800.00	
If savings is 999K and below	199,800.00	
e. Cost Economy Measure Award-Individual Category (Php)		

If savings is 800K-999K	199,800.00	The exact amount shall not be more than 20% of the total savings.
If savings is 600K-799K	159,800.00	
If savings is 500K-599K	119,800.00	
If savings is 400K-499K	99,800.00	
If savings is 300K-399K	79,800.00	
If savings is 200K-299K	59,800.00	
If savings is 199K and below	39,800.00	
f. Exemplary Behavior Award		
- First Place	25,000.00	Must comply the requirements provided under this Manual.
- Second Place	20,000.00	
- Third Place	18,000.00	
- Fourth Place	15,000.00	
- Fifth Place	12,000.00	
- Sixth-Tenth Places	5,000.00	
g. "7S" of Good Housekeeping Award		
- First Place	25,000.00	Must comply the requirements provided under this Manual.
- Second Place	20,000.00	
- Third Place	18,000.00	
- Fourth Place	15,000.00	
- Fifth Place	12,000.00	
- Sixth-Tenth Places	5,000.00	
h. "Salu-salo" Together		
	15,000.00	At least Php300.00 per person
i. CSC's Honor Awards Program (HAP) Finalist Award		
- National Level	25,000.00	Must submit the certified copy of duly accepted nomination and certificate of points earned during the selection process.
- Regional Level	20,000.00	
j. Career and Self-Development Award		
- Doctoral Degree	50,000.00	Must submit the following: 1. Duly approved and hard bound copy of the dissertation or thesis, as the case may. 2. Certificate of graduation or diploma, TOR or certification of completion, as the case may be.
- Masteral Degree	30,000.00	
- Baccalaureate Degree	20,000.00	
- Highly specialized training and short-term courses needed by the University	10,000.00	
k. Service Award		
		Please refer to Section 26.1 of this Manual
l. Professional Growth Opportunities		
- Attendance in Conferences		One each fully paid attendance in foreign and local conferences.
- Industry Immersion		At least one (1) month paid industry immersion or on-the-job-training or skills enhancement either in the Philippines or abroad.
- Books, journals & tapes		Whole year subscriptions with free delivery.

- Travel Packages	One week fully paid travel to any of the ASEAN countries.
- Membership in Professional Organizations	Both foreign and local with three (3) in a year paid attendance of related activities.
- Learning Opportunities	Fully paid attendance in short-term courses (not more than one month) for technical enhancement, managerial upgrading and supplementary intervention to further improve capability to serve better.
m. Other Awards	Monetary awards or benefits shall be determined by the University-wide PRAISE Committee duly approved by the EVSU Board of Regents upon the Recommendation by the University President.

Provided, that the PRAISE monetary incentives shall be released as provided below, except as may be expressly prescribed by relevant laws, rules and regulations, to wit:

- a. Fifty percent (50%)- Not later than fifteen (15) days after the completion of the search or screening process.
- b. Fifty percent (50%)- During the ceremonies organized for the purpose.

Provided, further, that the University President may adopt such schedules on the release of the PRAISE monetary incentives upon the recommendation by the PRAISE Committee duly approved by the Board Committee.

Section 205. ***Application of the EVSU-PRAISE System Manual Approved by the EVSU Board of Regents Approved per Resolution No. 116, s. 2017 and by the CSC-Regional Office No. VIII on October 9, 2017 and Its Subsequent Issuances.*** – The EVSU-PRAISE System Manual which shall contain, among others, the details of implementation of the EVSU-PRAISE System duly approved by the EVSU Board of Regents per Board Resolution No. 116, s. 2017 and by the CSC Regional Office No. VIII on October 9, 2017 shall be applied suppletorily and serve as the governing guidelines of this Article.

Article 46

**Incentives/Benefits under Other Existing Laws,
Rules and Regulations**

Section 206. ***Magna Carta for Teachers Benefits.*** – The entitlement by the administrative or non-teaching personnel or employees of the University of the Magna Carta for Teachers shall be subject to the qualifications, requirements and processes under Republic Act No. 4670³⁰⁶, and its (IRR).

Section 207. ***Magna Carta for Scientists, Engineers, Researchers and***

³⁰⁶ “The Magna Carta for Public School Teachers.”

Other S&T Personnel of the University. – The entitlement by the officials or officers, administrative or non-teaching personnel or employees of the University of the *Magna Carta* for Scientists, Engineers, Researchers and Other S&T Personnel in Government shall be subject to the qualifications, requirements and processes under Republic Act No. 8439³⁰⁷, and its IRR.

Section 208. **Anniversary Bonus.** – The grant of the anniversary bonus on the occasion of milestone years of the University will directly improve and enhance morale consistent with Section 36(2), Chapter 5, Subtitle A, Title I, Book V of Executive Order No. 292, the Administrative Code of 1987.³⁰⁸ The grant of the anniversary bonus in the University shall be subject to the following rules and regulations:

208.1. **Coverage and Exemption**³⁰⁹. – The coverage and exemption in the grant of the anniversary bonus shall be as follows:

- a. **Coverage.** All personnel of the University whether employed on a full-time or regular, part-time basis or under permanent, temporary or casual status, and contractual personnel whose employment is in the nature of a regular employee, who have been appointed as such in a specific government entity by virtue of a valid appointment and continue to be employed in the same government entity as of the occasion of its milestone anniversary, shall be entitled to the anniversary bonus.
- b. **Exemption.** University personnel who have been found guilty of any offense in connection with their work during the five-year interval between milestone years, as defined in Section 451.2 herein, shall not be entitled to the immediately succeeding anniversary bonus.
- c. **Expanded Exemption.** The exemption on the grant of anniversary Bonus as provided under Administrative Order No. 263 is hereby expanded to include University personnel under the following circumstances³¹⁰:
 1. Those who are no longer in the service in the University as of the date of the milestone year;
 2. Those who are on absence without leave (AWOL) as of the date of the milestone year for which the Anniversary Bonus is being paid; and

³⁰⁷ “Magna Carta for Scientists, Engineers, Researchers and Other S&T Personnel in the Government” which took effect on January 20, 1998.

³⁰⁸ 3rd Whereas clause of Administrative Order No. 263 dated March 28, 1996 otherwise known as “Authorizing the Grant of Anniversary Bonus to Officials and Employees of Government Entities.”

³⁰⁹ Item 2 of Administrative Order No. 263 dated March 28, 1996.

³¹⁰ Item 2 of DBM NBC No. 452 dated May 20, 1996 entitled, “Amplifying and Clarifying the Implementation of the Grant of Anniversary Bonus to Officials and employees of Government Entities.”

3. Those who are not hired as part of the organic manpower of the University but as consultants or experts for a limited period to perform specific activities or services with expected outputs' student laborers, apprentices, laborers of contracted projects, mail contractors, including those paid by piecework basis, and others similarly situated.

208.2. *Counting of Milestone Years.* – The counting of milestone years shall start from the year the University was created regardless of whether it was subsequently renamed/reorganized provide that its original primary functions have not substantially changed³¹¹. Otherwise, the counting shall start from the date the functions were substantially changed. The counting of the milestone years of the University shall start from the date of merging³¹² or integration of CHED Supervised Institutions (CSIs) on August 27, 2002 per Board Resolution No. 49, s. 2002 and CHED Memorandum Order No. 27, s. 2000³¹³.

208.3. *The Fifteenth Anniversary of the University.* – A milestone year refers to the 15th anniversary and every fifth year thereafter³¹⁴.

Hence, given that the counting of the milestone year provided in Section 451.2 of this Code, the 15th year of the University shall be on fiscal year 2017 and the release of the anniversary bonus shall be made every fifth year thereafter.

208.4. *Amount of the Anniversary Bonus.* – Payment of the Anniversary Bonus shall be in an amount not exceeding Three Thousand Pesos (Php3,000.00) each employee, *provided*, that the employee has rendered at least one (1) year service in the University as of the date of the milestone year³¹⁵.

In case of insufficiency of funds, the University may grant the benefit at a rate lower than that prescribed herein, provided that such rate shall be uniformly applied to all its officials and employee.

208.5. *Funding Source.* – The cost to implement the Anniversary Bonus shall be solely charged from savings from released allotment for Current Operating Expenses (COE) without the need for prior authority from the DBM, *provided*, that all authorized mandatory expenses shall have been paid first. Request for augmentation of such savings shall not be allowed.

³¹¹ Item 3.2 of NBC No. 452 dated May 20, 1996.

³¹² Item 3.3 of NBC No. 452 dated May 20, 1996.

³¹³ Board Resolution No. 49, s. 2002 and CHED Memorandum Order No. 27, s. 2000 dated August 22, 2000 entitled, "Issuance of the Implementing Guidelines on the Integration of CHED-Supervised Institutions (CSIs) to State Universities and Colleges (SUCs), Phase II."

³¹⁴ Item 2.4. of Administrative Order No. 263 dated March 28, 1996.

³¹⁵ Item 2.5 of Administrative Order No. 263 dated March 28, 1996.

- 208.6. *Suppletory application of the Collective Negotiation Agreement (CNA).*
– The CNA between the University and the exclusive negotiating agent duly registered and subsisting pursuant to applicable laws, rules and regulations shall be applied suppletorily and serve as governing guidelines in the grant of the Anniversary Bonus in so far as approved by the EVSU Board of Regents upon the recommendation of the University President.

Section 209. **Hazard Allowance.** – Medical personnel of the University may be granted hazard allowance pursuant to COA Decision No. 2016-102 dated June 14, 2016³¹⁶ subject to the qualifications, requirements and processes under Republic Act No. 7305³¹⁷ and its IRR.

Provided, that the medical and dental or health fees charged from students, being trust funds, shall not be used for payment of hazard allowance.

Section 210. **Birthday Gift.** – Subject to pertinent provisions of the duly approved Collective Negotiation Agreement (CNA) and PLSMC Resolutions and DBM Circulars, officials or officers, administrative or non-teaching personnel or employees of the University may be entitled to birthday gift subject to the usual accounting and auditing rules and regulations.

The Human Resource Management Officer of EVSU Campuses shall submit the list to the University President for approval.

Chapter XII **INSURANCE POLICY**

Article 47 **Insurance Coverage and Benefits**

Section 211. **Insurance Coverage.** – The Eastern Visayas State University, as required by law, rules and regulations, shall participate in the Government Service Insurance System (GSIS)³¹⁸, Home Development Mutual Fund (Pag-ibig)³¹⁹, Philippine Health Insurance Corporation (PhilHealth)³²⁰ and such other government and/or controlled corporations, for the insurance and retirement benefits of all its academic and administrative officials and employees.

Section 212. **Insurance Benefits.** – University officials or officers, administrative or non-teaching personnel or employees shall be entitled to insurance

³¹⁶ COA Decision No. 2016-102 dated June 14, 2016, among others, provides:

“It is clear x x x that petitioners are engaged in the delivery of health services in EVSU, an agency who legal mandate is not the delivery of health services. Thus, the petitioners are considered as public health workers falling under the category of No. 2 of Section III or IRR of RA No. 7305.”

³¹⁷ Magna Carta for of Public Health Workers which took effect on April 17, 1992.

³¹⁸ Republic Act No. 8291 otherwise known as “The Government Insurance System Act of 1997.”

³¹⁹ Republic Act No. 9679 otherwise known as the “Home Development and Mutual Fund Law of 2009.”

³²⁰ Republic Act No. 7879 otherwise known as the “National Health Insurance Act of 1995.”

benefits as provided in applicable laws, rules and regulations.

The University shall ensure timely remittance of insurance premiums to the appropriate agencies on the schedule and amount as prescribed by existing laws, rules and regulations.

Provided, that a member has paid at least three (3) monthly contributions during the six-month period prior to the month of availment for him/her be entitled to the insurance benefits.

Section 213. **Financial Assistance.** – When on rehabilitation leave and the University President authorizes the payment of medical attendance, necessary transportation, subsistence and hospital fees of the injured person.

Article 48 **Disability**

Section 214. **Permanent /Total Disability.** – A administrative or non-teaching personnel who becomes permanently and totally disabled when he is in the service and has paid at least 180 monthly contributions shall be paid the permanent total disability benefit in the form of a monthly income benefit for life equivalent to the basic monthly pension plus a cash payment equivalent to eighteen (18) times his basic monthly pension effective the date of disability.

A member who becomes permanently and totally disabled is eligible for permanent total disability benefits in the form of a monthly income benefit for life equivalent to the basic monthly pension when:

- 214.1. He is in the service at the time of disability; or
- 214.2. He is separated from the service and has paid 36 monthly contributions within the last five (5) years immediately preceding the disability or has paid a total of at least 180 monthly contributions.

Section 215. **Permanent /Partial Disability.** – A administrative or non-teaching personnel who becomes permanently and partially disabled is eligible for permanent partial disability benefits in the form of a cash payment when:

- 215.1. He is in the service at the time of disability; or
- 215.2. Is separated from the service and has paid 36 monthly contributions within the last five (5) years immediately preceding the disability or has paid at total of at least 180 monthly contributions.

Section 216. **Temporary/Total Disability.** – An administrative or non-teaching personnel who suffers temporary disability for reasons not due to grave misconduct, notorious negligence, habitual intoxication, or willful intention to kill himself or another, may be entitled to benefits if:

- 216.1. He is in the service at the time of his disability and has exhausted his sick leave credits.
- 216.2. If separated, he has rendered at least three (3) years of service and has paid at least six (6) monthly contributions in the twelve-month period immediately preceding his disability.

Chapter XIII

SEPARATION/TERMINATION AND RETIREMENT FROM SERVICE

Article 49

Separation or Termination from Service

Section 217. **General Rules.** – The following rules shall strictly be observed:

- 217.1. Appointment with tenure may be terminated only by resignation, retirement, death, or removal for cause in accordance with the requirements of due process of law.
- 217.2. Termination of administrative or non-teaching personnel or employees and such other employment related issues shall always be with the approval of the Board of Regents of the University based on Civil Service laws, rules and regulations, court decisions and other existing applicable laws.
- 217.3. Faculty members shall not be allowed to resign within the semester except in exceptional cases subject to availability of qualified faculty members who handle his/her subjects.

Article 50

Dropping from the Rolls³²¹

Section 218. **Procedures of Dropping from the Rolls.** – Officers and administrative or non-teaching personnel who are either habitually absent or have unsatisfactory or poor performance or have shown to be physically and mentally unfit to perform their duties may be dropped from the rolls within thirty (30) days from the time a ground therefor arises subject to the following procedures:

218.1. *Absence Without Approved Leave:*

- 218.1.1. An official or administrative or non-teaching personnel or employee who is continuously absent without approved leave (AWOL) for at least thirty (30) working days shall be dropped from the rolls without prior notice which shall take effect immediately.

³²¹ Rule 20 of CSC Resolution No. 1701077 promulgated on July 3, 2017.

He/she shall, however, be informed of his or her separation from the service not later than fifteen (15) days from receipt of the notice of separation which must be sent to his/her last known address;

- 218.1.2. If the number of unauthorized absences incurred is less than thirty (30) working days, a written Return-to-Work Order (ReWO) shall be served on the official or faculty member or academic staff or academic non-teaching staff or employee at his/her last known address on record. Failure on his/her part to work within the period stated in the order, which shall not be less than three (3) days, is a valid ground to drop him/her from the rolls.
- 218.1.3. If it is clear under the obtaining circumstances that the official or administrative or non-teaching personnel or employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than thirty (30) working days, three (3) times in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.

In the determination of whether the absences incurred are substantial, circumstances that would affect the delivery of service shall be taken into consideration.

218.2. *Unsatisfactory or Poor Performance:*

- 218.2.1. An administrative or non-teaching personnel or employee who obtained Unsatisfactory rating for one rating period or exhibited poor performance within the first three (3) months of the rating period shall be provided appropriate developmental intervention by the Executive Official and supervisor of the office, department, or unit, in coordination with the HRMD Office, to address competency related performance gaps.

If after advise and provision of developmental intervention, the employee still obtains Poor rating for the remaining months of the rating period or Unsatisfactory rating in the immediately succeeding rating period, he/she may be dropped from the rolls.

- 218.2.2. An officer administrative or non-teaching personnel or employee who is given two (2) consecutive Unsatisfactory ratings may be dropped from the rolls after due notice. Notice shall mean that the official or administrative or non-teaching personnel or employee concerned is informed in

writing of his/her unsatisfactory performance for a semester and is sufficiently warned that a succeeding unsatisfactory performance may warrant his/her dropping from the rolls. Such notice shall be given not later than thirty (30) days from the end of the semester and shall contain sufficient information which shall enable the officer or administrative or non-teaching personnel or employee to prepare an explanation within a reasonable period specific in the notice. This period shall not apply to probationary official or faculty member or academic staff or academic non-teaching staff or employee as defined under Section 4(v) of the 2017 RACCS and/or Section ___ hereof.

- 218.2.3. An officer or administrative or non-teaching personnel or employee, who for one evaluation period is rated Poor in performance, may be dropped from the roll provided he/she has been informed in writing of the status of his/her performance within fifteen (15) days after the end of the 3rd month with sufficient warning that failure to improve his/her performance within the remaining period of the semester shall warrant his/her dropping from the rolls. Such notice shall also contain sufficient information which shall enable the officer or administrative or non-teaching personnel or employee to prepare an explanation within a reasonable period specific in the notice.

218.3. *Physical Unfitness:*

- 218.3.1. An officer or administrative or non-teaching personnel or employee who is continuously absent for more than one (1) year by reason of illness may be declared physically unfit to perform his/her duties and may be consequently dropped from the rolls.
- 218.3.2. An officer or administrative or non-teaching personnel or employee who is intermittently absent by reason of illness for at least two hundred sixty (260) working days during a twenty-four (24)-month period may also be declared physically unfit by the University President.

For this purpose, notice shall be given the officer official or administrative or non-teaching personnel or employee concerned containing a brief statement of the nature of his/her incapacity to work.

218.4. *Mental Disorder:*

218.4.1. An officer or administrative or non-teaching personnel or employee who is behaving abnormally for an extended period, which may manifest continuing mental disorder shall be provided necessary human resource and psychological interventions. If after interventions, continued abnormal behavior/mental disorder is manifested, as reported by his or her co-worker or immediate supervisor and confirmed by a licensed psychiatrist, the officer or faculty member or academic staff or academic non-teaching staff or employee may be dropped from the rolls.

218.4.2. If the officer or administrative or non-teaching personnel or employee refuses to undergo the necessary human resource and/or psychological interventions, he or she may be dropped from the rolls based on the report of co-workers or immediate supervisor and after confirmation by a licensed psychiatrist.

Section 219. **Written Notice; Who Signs.** – The written notice mentioned in the preceding paragraphs shall be signed by the University President or the Vice President for Administration and Finance upon the recommendation of the person exercising immediate supervision over the officer or administrative or non-teaching personnel or employee. However, the notice of separation shall be signed by the University President upon the authority of the EVSU Board of Regents.

Section 220. **Order of Separation Through Dropping from the Rolls; Immediately Executory.** – The University shall not entertain motion for reconsideration from the order of separation through dropping from the rolls. The officer or administrative or non-teaching personnel or employee shall appeal directly to the CSC (Commission) Proper within fifteen (15) days from receipt of the order. Pending appeal, the order of separation is immediately executory.

Section 221. **Dropping From the Rolls; Non-disciplinary in Nature.** – This order of separation from the service for unauthorized absences or unsatisfactory or poor performance or physical or mental disorder is non-disciplinary in nature and shall not result in the forfeiture of any benefit on the part of the officer or administrative or non-teaching personnel or employee or in disqualification from reemployment in the government.

Article 51 **Retirement Requirements and Benefits**

Section 222. **Declaration of Policies** – The following rules shall strictly be observed:

222.1. *General Rules.* – The following rules shall strictly be observed:

- 222.1.1. Appointment with tenure may be terminated only by resignation, retirement, death, or removal for cause in accordance with the requirements of due process of law.
 - 222.1.2. Termination of administrative officials and employees and such other employment related issues shall always be with the approval of the Board of Regents of the University based on Civil Service laws, rules and regulations, court decisions and other existing applicable laws.
 - 222.1.3. Faculty members shall not be allowed to resign within the semester except in exceptional cases subject to availability of qualified faculty members who handle his/her subjects.
- 222.2. *Mandatory Retirement.* – Unless otherwise provided under existing laws, rules and regulations, the mandatory age retirement of officials or officers, faculty members and non-teaching personnel of the University shall be sixty five (65) years old. *Provided*, That the officials or officers, faculty members and non-teaching personnel of the University may availed of early retirement as provided under R.A. No. 6683³²² and its IRR.
- 222.3. *Retiring Employees with Pending Cases.* – In the case of retiring University officials or officers, faculty members, non-teaching personnel or employees with pending case and those retirement benefits are being lawfully withheld due to possible pecuniary liability, the University President shall ensure that the said case shall be terminated and/or resolved within a period of three (3) months from the date of the retirement of the concerned employee: *Provided*, that in case the University fails to terminate and/or resolved the case within the said period without any justifiable reason(s), the retirement benefits due to the employee shall be immediately released him/her without prejudice to the ultimate resolution of the case; except, when the delay is deliberately caused by the retiring employee³²³.

Section 223. ***Mode of Retirement; Benefits.*** – The following shall govern in retiring under R.A. No. 1616:

223.1. Under R.A. No. 1616³²⁴:

- 223.1.1. Requirements. – Official/Employee was employed prior to May 31, 1977 (regardless of age and employment status);

³²² "An Act Providing Benefits for Early Retirement and Voluntary Separation from the Government Service, as Well as Involuntary Separation of Civil Service Officers and Employees Pursuant to Various Executive Orders Authorizing Government Reorganization After the Ratification of the 1987 Constitution Appropriating Funds Therefore, and for Other Purposes."

³²³ Section 3 of Republic Act No. 10154.

³²⁴ "An Act Further Amending Section Twelve of Commonwealth Act Numbered One Hundred Eighty-Six, As Amended, By Prescribing Two Other Modes of Retirement And For Other Purposes."

1. He has rendered at least 20 years of service;
2. His/her last three years of service are continuous except in case of death and disability, abolition or phase out of position due to reorganization; and
3. His leaves of absence without pay during the last three years immediately preceding retirement do not exceed one (1) year.

223.1.2. Benefits. – Gratuity benefit equivalent to one month salary for each year of service for the first 20 years; one and one half months (1.5) salary for each year of service over 20 up to 30 years; and two (2) months for each year over 30 years, based on the highest salary rate received.

Refund of retiree’s personal contributions with interest and the corresponding government contributions without interest.

223.2. Under R.A. No. 660³²⁵:

223.2.1. Requirements:

1. He is a member of the GSIS Retirement Insurance fund and employed prior to May 31, 1977;
2. He has attained and/or completed the required age and length of service as indicated below:

Age:	52	53	54	55	56	57	58	59	60	61	62	63	64	65	or
Service:	35	34	33	32	31	30	28	26	24	22	20	18	16	15	over

3. His last three (3) years of service are continuous; and
4. His leaves of absence without pay during the last three (3) years immediately preceding retirement do not exceed one (1) year.

223.2.2. Benefits. - The retiree is entitled to annuity benefits which may be:

1. Automatic Annuity – Monthly pension is paid guaranteed for five years from the date of retirement. After the five-year period, payment of the monthly annuity continues if retiree is still living.
2. Initial Three-Year Lump Sum – This is available to those

³²⁵ “An Act to Amend Commonwealth Act Numbered One Hundred and Eighty-Six Entitled, “An Act To Create and Establish a Government Service Insurance System, to Provide for its Administration, and To Appropriate the Necessary Funds Therefor,” and to Provide Retirement Insurance and for other Purpose.”

who are at least 60 years of age on the date of retirement. The subsequent two-year lump sum is paid to the retiree on his 63rd birthday. After five years, if still living, the retiree is paid monthly annuity for life.

3. Five-Year Lump Sum – this is available only to those who are at least 63 years of age or over on the date of retirement. After five years, if still living, retiree is paid monthly annuity for life.

223.3. Under R.A. No. 8291³²⁶:

223.3.1. Requirements. – A member is eligible for retirement benefit when he has satisfied all the following conditions:

1. He/she has rendered at least 15 years of service;
2. He/she is at least 60 years of age at time of retirement;
3. He/she is not receiving a monthly pension benefit for permanent total disability; and
4. The last three years of service of the retiree need not be continuous.

223.3.2. Benefits. – The five-year lump sum (60 x basic monthly pension) plus the basic monthly pension for life starting at the end of 5-year guaranteed period; or

The cash payment (18 x basic monthly pension) Plus the basic monthly pension for life starting immediately upon retirement.

Section 224. ***Adoption of the Salamat-Paalam Program and Send-off Token to Retiring Officials, Administrative or Non-Teaching Personnel or Employees of the University.*** – The University shall strictly observe the conduct of "Salamat-Paalam" Program and the grant of award or token to be known as Send-off token to retiring officials, administrative or non-teaching personnel or employees of the University as authorized under CSC Resolution No. 980474 promulgated on March 5, 1998 and circularized through MC No. 7, s. 1998 dated March 13, 1998³²⁷, subject to the following mechanisms³²⁸:

224.1. *Adoption of the "SALAMAT-PAALAM" Program and Suppletory Application of CSC Resolution No. 980474 Promulgated on March 5,*

³²⁶ "An Act Amending Presidential Decree No. 1146, As Amended, Expanding and Increasing the Coverage and Benefits of the Government Service Insurance System, Instituting Reforms Therein And For Other Purposes."

³²⁷ Adoption of "SALAMAT-PAALAM" Program in Honor of Retiring Officials and Employees in the Civil Service."

³²⁸ Last paragraph of CSC MC No. 7, s. 1998 which states: "Each agency shall develop its own mechanics of the Program subject to existing rules and regulations."

1998 and Circularized Through MC No. 7, s. 1998 dated March 13, 1998 and Subsequent Issuances Thereof. – The “SALAMAT-PAALAM” Program is hereby adopted and be strictly observed in the University along with the Civil Service Commission’s thrust of humanizing the bureaucracy in recognition of the contributions of the retiring officials and employees of the University. Further, the pertinent provisions of CSC Resolution No. 980474 promulgated on March 5, 1998 and circularized through MC No. 7, s. 1998 dated March 13, 1998 and subsequent issuances thereof shall be applied suppletorily and serve as the governing guidelines in the implementation of the “SALAMAT-PAALAM” Program of the University.

- 224.2. *Mandatory Holding of a “SALAMAT-PAALAM” Program.* – “The “SALAMAT-PAALAM” Program is a simple but meaningful ceremony held in honor of retirees, whether under optional or compulsory retirement, not later than their scheduled date of retirement. During the ceremony, all retirements may be given a plaque of appreciation/recognition signed by the University President and Chairperson of the EVSU BOR, and the awards and/or tokens as may be deemed proper by the office concerned. The University shall, likewise ensure that the retirees are issued their retirement benefits under the “Maginhawang Pagreretiro Program” during the Ceremony or on the date of their retirement.
- 224.3. *Send-off Token.* – Each official, administrative or non-teaching personnel or employees of the University, whose application for retirement has been approved by the EVSU BOR, shall be entitled to Employee’s Send-off Token (EST) in the amount of not less than One Hundred Thousand Pesos (Php100,000.00) to be charged against the savings and/or income and/or appropriate funds of the University, subject to the availability of funds and usual accounting and auditing rules and regulations. The said Send-off Token shall be awarded during the “SALAMAT-PAALAM” or Send-off Ceremony organized for that purpose.
- 224.4. *Indexation to the Inflation of the Send-Off Token.* – The send-off token prescribed under sub-section 243.3 hereof shall be indexed to the inflation rate subject to the conditions and mechanisms as provided for under pertinent provisions of the 2017 Revised University Code and Board Resolution No. 150, s. 2017 adopted by the EVSU BOR on October 16, 2017³²⁹.
- 224.5. *Creation, Composition, Duties, Terms of Office, Hold Over and Meetings of the Committee on Salamat-Paalam Program and Send-off*

³²⁹ “Resolution Rationalizing and Indexing to Inflation Rates the Fees and Charges, Incentives and Assistance to the Employees and Students of the University Effective Fiscal Year 2017 and Thereafter, Subject to Existing Laws, Rules and Regulations, and For Other Purposes.”

Token (CSPPSTK) of the University. – There is hereby created a Committee on Salamat-Paalam Program and Send-off Token hereinafter referred to as CSPPSTK subject to the following rules:

1. *Composition.* – The Committee on Salamat-Paalam Program and Send-off Token (CSPPSTK) of the University shall be composed of the following:
 - a. Vice President for Administration and Finance, *Chairperson*;
 - b. Head of the University Events Management, *Vice Chairperson*;
 - c. Director of Cultural Affairs, *Member*;
 - d. Dean or Campus Director of the Retiree, *Member/s*;
 - e. Director for Finance Services, *Member*;
 - f. Director for Administrative Services, *Member*;
 - g. President of Faculty Association recognized by the EVSU BOR, *Member*;
 - h. President of Faculty Union/Association accredited by the CSC, *Member*; and
 - i. President of the Non-Teaching Personnel, *Member*;
 - j. President of the Alumni Association, *Member*; and
 - k. President of the Student Government/Council, *Member*.

The Human Resource Management and Development (HRMD) Officer shall serve as the Secretary of the CSPPSTK) of the University.

2. *Duties.* – The duly constituted Committee on Salamat-Paalam Program and Send-off Token (CSPPSTK) of the University shall perform the following duties, among others:
 - a. Evaluate the qualifications and recommend the grant of the Salamat-Paalam Program, Send-off Token, plaque and other awards to any Retiree/s of the University. Provided, that the same shall be approved by the EVSU BOR upon the recommendation by the University President;
 - b. Design the Salamat-Paalam Program and its activities including the plaques and awards, and implement the same after proper approval by the University President;
 - c. Closely coordinate with the duly constituted University Events Management Committee and CSC in the conduct and documentation of the Salamat-Paalam Program of the University; and
 - d. Discharge such other duties as the University President and/or EVSU BOR may direct from time to time.
3. *Terms of Office and Hold Over.* – The Chairperson, Vice Chairperson

and Members of the CSPPSTK of the University shall serve for a period of two (2) years and renewable at the discretion of the University President duly approved by the EVSU BOR. Provided, that they shall be allowed to hold over after the expiration of their term of office with all the rights and duties until their respective successors or replacement shall have been designated or selected and qualified to assume office.

4. *Meetings.* – The duly constituted CSPPSTK of the University shall meet at least once a month or as often as necessary as its Chairperson or at least three (3) Members may request to make sure that the Salamat-Paalam Programs are conducted as desirable, solemn and memorable possible.

Section 225. ***Early Release of the Retirement Pay, Pensions, Gratuities and Other Benefits of Retiring Officials or Officers, Administrative or Non-Teaching Personnel of the University.*** – The University shall conform to the declared State policy and the period of release under Republic Act No. 10154³³⁰ and its IRR³³¹, to wit:

- 225.1. *Declaration of Policy.* – It is hereby declared that it is the policy of the State to ensure the timely and expeditious release of the retirement pay, pensions, gratuities and other benefits of all retiring employees of the government. Public Officers and employees who have spent the best years of their lives serving the governing and the public should not be made to wait to receive benefits which are due to them under the law. Accordingly, it is hereby mandated that highest priority shall be given to the payment and/or settlement of the pensions, gratuities and/or other retirement benefits of retiring government employees.
- 225.2. *Period of Release of Retirement Benefits*³³². – Retirement benefits of retiring University officials or officers, administrative or non-teaching personnel or employees shall be released to them within a period of thirty (30) days from the actual retirement date of the concerned employee. The employer-University must, however, submit all requirements for purposes of retirement to the University at least ninety (90) days prior to the effectivity of the retiree’s retirement. To complete all said requirements in due time, the employee concerned shall file his/her expression of intent to retire at least one hundred twenty (120) days prior to his/her actual retirement age, as outline further under Section 10 of the IRR of Republic Act No. 10154 and its IRR.

³³⁰ “An Act Requiring All Concerned Government Agencies to Ensure the Early Release of the Retirement Pay, Pensions, Gratuities and Other Benefits of Retiring Government Employees.

³³¹ CSC Resolution No. 1300237 dated January 30, 2013 entitled, “Implementing Rules and Regulations of Republic Act No. 10154.”

³³² Section 5, Rule III of CSC Resolution No. 1300237 dated January 30, 2013.

The occurrence of force majeure or other insuperable causes shall toll the running of the prescribed period. Upon cessation of the occurrence of force majeure or other insuperable, the running of the prescribed period shall continue.

Chapter XIV **EXTENSION OF SERVICES**

Article 52 **Extension of Services of the University President**

Section 226. **Policies.** – Pursuant to Section 4(x) of R.A. No. 8292³³³ and Section 7(y) of R.A. No. 9311³³⁴, the services of the University President may be extended by the EVSU Board of Regents subject to the following policies:

- 226.1. He/she must be an incumbent to or holding of the position before reaching the retirement age of sixty five (65)³³⁵;
- 226.2. His/her performance must be unanimously rated as outstanding and recommended by the duly constituted Search Committee; and
- 226.3. His/her performance must be unanimously rated as outstanding and recommended by the duly constituted Search Committee.

Section 227. **Procedures and Requirements.** – The following guidelines shall strictly be observed:

- 227.1. *Submission of Letter of Intent and Complete Requirements.* – Six (6) months before the University President reaches the retirement age, he/she shall submit a letter of intent to the CHED Chairperson or CHED Commissioner designated as Chairperson of the EVSU Board of

³³³ SEC. 4. *Powers and duties of Governing Boards.* – The governing board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under Section 36 of Batas Pambansa Blg. 68 otherwise known as the Corporation Code of the Philippines:

xxxxxxxxxx

(x) to extend the term of the president of the college or university beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous recommendation by the search committee for the president of the institution concerned.

³³⁴ SEC. 7. *Powers and Duties of the Board of Regents.* – The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws:

“xxxxxxxxxx

(y) To extend the term of the president of the University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated by the Governing Board as outstanding, after unanimous recommendation by the search committee.”

³³⁵ CSC Resolution No. 990764 dated April 07, 1999, the CSC resolved:

“xxxxxxxxxx What it exempts, albeit impliedly, is the extension of the term of the SUC President who has reached the retirement age. This contemplates a situation, taking into account the word “extend”, where the SUC President is already holding said position before reaching the retirement age. Consequently, if the Governing Board does not seem fit to extend the term of office of the SUC President who reached the retirement age, the latter must yield to the operation of the retirement laws.”

Regents specifically indicating his/her desire for extension of services with complete documents based on the criteria and requirements provided hereunder and/or as the EVSU Board of Regents.

227.2. *Search Committee for Extension of President's Services (SCEPC).* – Within Thirty (30) days upon receipt of the letter of intent, the Board shall hold an Special Board meeting and must constitute a SCEPC, subject to the following conditions:

227.2.1. *Composition of the SCEPC.* – The SCEPC must have the following composition, to wit:

1. The CHED Chairman or his/her duly designated representative, as Chairperson;
2. A representative of the Philippine Association of State Universities and Colleges (PASUC), who must be a President of a chartered SUC, as chosen by the Board after consultation with the PASUC leadership, as Member;
3. The Federation President/Federation Chair/Federation Head of the duly recognized Faculty Association of the University or his/her representative as duly designated by him/her in writing, as Member;
4. The Federation President/Federation Chair/Federation Head of SSC/SSG of the University or his/her representative designated by him/her in writing, as Member;
5. The Representative from the Private Sector; and
6. The Federation President/Federation Chair/Federation Head of Alumni Association of the University or his/her representative designated by him/her in writing, as Member.

227.2.2. *Powers of the SCEPC.* – The SCEPC so constituted shall recruit and screen the applicants for President and may devise its own procedures for the search, subject to the approval of the Board of Regents.

227.2.3. *Publication or Posting.* – The Board Secretary shall publish or post the letter of intent and the names of the duly constituted SCEPC in the University's website, Freedom of Information and Transparency Bulletin Boards and such conspicuous places to ensure awareness of the stakeholders.

Provided, that publication shall not be resorted when the incumbent University President has submitted a letter of intent specifically indicating that he/she is seeking for re-appointment or extension of services and submitting him/herself for performance evaluation.

227.2.4. *Criteria.* – The University President shall be evaluated according to the following:

Indicators and Brief Description	Weight Allocation
<p>a. Resource Generation. Resource generation refers to programs or activities of the University during the incumbency of the University President that resulted to the acquisition of resources in the form of fees, charges and assessments, revenues, donations, contributions, grants, bequests, endowments, gifts, in cash and in kind, from various sources, domestic or foreign, for purposes relevant to University’s functions. This also includes income generating projects and other economic ventures of the University undertaken or completed during his/her incumbency.</p>	10%
<p>b. Research and Publications, etc.. This refers to the evidence of influence of the University President, as a research manager, to the research direction and performance of the University. The University President must also show evidence of personal excellence in scholarly research through published research outputs, books, monograms, discoveries inventions and other significant original research contributions.</p>	35%
<p>c. Professional Achievement and Development. This refers to the involvement of the University President in his/her capacity as consultant in terms of policy formulation and/or resource persons in terms of policy formulation and development as well as resource person in seminars, forums, conferences</p>	20%

<p>and other professional undertakings in relation to his/her profession. This also takes into account the involvement of the University President in activities, projects, linkages and partnerships forged that are beneficial or relevant to his or professional endeavors. This also includes membership in professional organizations that has an international, national or regional operation; distinction and commendation received from academic and other professional organizations and associations in recognition of his/her field of expertise.</p>	
<p>d. Extension and Relationship with the Community. This refers to the acceptance and reputation of the University President in the academic community, local government units and other stakeholders of the University. The University President must be able to show how the University, through his/her leadership, has collaborated or engaged with different agencies and organizations for empowerment of the community through its different services and activities.</p> <p>The University President must also be able to show evidence of excellence and commitment as extension manager through various research-based and community-based extension programs or projects of the University that has provided significant impact to the residents of the community and different stakeholders of the University. This also includes the financial investment of the University for the conduct of extension projects.</p>	20%
<p>e. Interview/Public Forum.</p>	15%
<p>Total</p>	100%

227.2.5. *Performance Evaluation and Rating.* – The performance of the University President shall be evaluated following one hundred percent (100%) adjectival ratings and ranges with the description provided hereunder:

Ranges	Description
90-100%	Outstanding
80-89%	Very Satisfactory
70-79%	Satisfactory
60-69%	Unsatisfactory
50-69%	Poor

- 227.2.6. *Evaluation Period.* – The duly constituted SCEPC shall complete its evaluation and other related activities within sixty (60) days from its formal constitution.
- 227.2.7. *Internal Rules of Procedure.* – The SCEPC so constituted may devise its own procedures for the search subject to the approval by the EVSU Board of Regents upon the recommendation by the University President.
- 227.2.7. *Results of the Search.* – The SCP shall submit the names of at least three (3) nominees to the EVSU Board of Regents not earlier than thirty (30) days from the inception of the search in accordance with the procedures laid down by the SCEPC itself duly approved by the EVSU Board of Regents upon the recommendation by the University President.
- 227.2.8. *Action by the EVSU Board of Regents.* – The EVSU Board of Regents shall convene within fifteen (15) days after receipt of the search results submitted by the SCEPC through its Chair. *Provided,* that the EVSU Board of Regents shall not be precluded to conduct further interview with University President.
- 227.2.9. *Disposition of Appeal.* – Appeal of any aggrieved party/ies may be filed to the EVSU Board of Regents within seven (7) days from the assumption to office of the University President. *Provided,* that the appeal shall not preclude the continuing discharge of the duties and entitlements of the Appellee/s. *Provided, further,* that the appeal shall be disposed of by the Board within fifteen (15) days from receipt of the Committee it created for the purpose. The said Committee shall study and submit its recommendation to the Board within fifteen (15) days from its constitution and receipt of the appeal. *Provided, furthermore,* that the decision on the appeal by the EVSU Board of Regents shall be final and executory.
- 227.2.10. *Budgetary requirements.* – The duly constituted SCEPC shall submit the budgetary requirements to the EVSU Board of Regents for approval upon the recommendation by the University President.

Provided, that the all expenses necessary in the conduct of the search shall be charged from the income and/or appropriate funds of the University subject to the availability of funds and usual auditing and accounting rules and regulations.

227.3. *Effect on the Final Action by the EVSU Board of Regents.* – Should the EVSU Board of Regents fails to act on the search results, the term of office of the incumbent University President is deemed ended, *provided*, That he/she may be appointed as Office-in-Charge (OIC) by a majority vote of the EVSU Board of Regents, there being a quorum, subject to CSC laws, rules and regulations.

Article 53

Extension of Services of Administrative or Non-Teaching Personnel After Mandatory Retirement Age

Section 228. **General Policy.** – Extension of service of administrative or non-teaching personnel or employees may be requested by the EVSU Board of Regents upon the recommendation by the University President to complete the fifteen-year service requirement. A faculty member may be allowed to continue in the service in accordance with Civil Service Rules and Regulations.

Section 229. **Procedures and Requirements.** – As provided for under P.D. No. 1146³³⁶ and CSC Resolution No. 90-454 dated May 21, 1990 circularized through MC No. 27, Series of 1990³³⁷, the policies and guidelines in the extension of services of compulsory retirees to complete the fifteen years service requirement for retirement purposes:

229.1. *Presidential Decree (P.D.) No. 1146 specifically Section 11* thereof provides:

Sec. 11. *Conditions for Old-Age Pension.* – (a) Old-Age Pension shall be paid to a member who:

- (1) has at least fifteen (15) years of service;
- (2) is at least sixty (60) years of age; and
- (3) is separated from the service.

(b) unless the service is extended by appropriate authorities, retirement shall be compulsory for an employee at sixty-five-(65) years of age with at least fifteen (15) years of

³³⁶ "Amending, Expanding, Increasing and Integrating The Social Security and Insurance Benefits of Government Employees and Facilitating the Payment Thereof under Commonwealth Act No. 186, As Amended, And For Other Purposes."

³³⁷ "Extension of Service of Compulsory Retiree to Complete the Fifteen Years Service Requirement for Retirement Purposes."

service; *Provided*, that if he has less than fifteen (15) years of service, he shall be allowed to continue in the service to completed the fifteen (15) years.

229.2. *CSC Resolution No. 90-454 dated May 21, 1990 circularized through MC No. 27, Series of 1990:*

229.2.1. Any request for the extension of service of compulsory retirees to complete the fifteen (15) years service requirement for retirement shall be allowed only to permanent appointees in the career service who are regular members of the Government Service Insurance System (GSIS), and shall be granted for a period not exceeding one (1) year.

229.2.2. Any request for the extension of service of compulsory retiree to complete the fifteen (15) years service requirement for retirement who entered the government service at 57 years of age or over upon prior grant of authority to appoint him or her, shall no longer be granted.

229.2.3. Any request for the extension of service to complete the fifteen (15) years service requirement of retirement shall be filled not later than three (3) years prior to the date of compulsory retirement.

229.2.4. Any request for the extension of service of a compulsory retiree who meets the minimum number of years of service for retirement purposes may be granted for six (6) months only with no further extension.

229.3. In ***Rabor v. CSC***³³⁸, the Supreme Court ruled:

“Our conclusion is that the doctrine of *Cena* should be and is hereby modified to this extent: that Civil Service Memorandum Circular No. 27, Series of 1990, more specifically paragraph (1) thereof, is hereby declared valid and effective. Section 11 (b) of P.D. No. 1146 must, accordingly, be read together with Memorandum Circular No. 27. We reiterate, however, the holding in *Cena* that the head of the government agency concerned is vested with discretionary authority to allow or disallow extension of the service of an official or employee who has reached sixty-five (65) years of age without completing fifteen (15) years of government service; this discretion is, nevertheless, to be exercised conformably with the provisions of Civil Service Memorandum Circular No. 27, Series of 1990.”

³³⁸ ***Dionisio M. Rabor v. Civil Service Commission***, G.R. No. 111812, May 31, 1995,

Section 230. **Special Contract of Services of Faculty Members.** – The University may engage the services of a faculty member whose retired prior to the completion or attainment of the assigned specific job which unique and peculiar in nature in accordance with the doctrine laid down in **UP v. Auditor General**³³⁹ in which the Supreme Court ruled:

“At the time Prof. Jamias reached 65 years, he was assigned a specific job, namely, to write the history of the University of the Philippines. Retirement age caught him half through with this undertaking. There is the desirability of having Prof. Jamias complete this assignment which he started. Besides, Prof. Jamias was then the head of the University Publications. Retirement would create a vacuum. U.P. had yet to find a qualified fill up. Then, also, Dr. Dionisia Rola, who was to relieve Prof. Jamias of his teaching courses, was still assigned to Baguio. The discipline of English had yet to adjust itself to the teaching of the courses he handled. Again, Prof. Jamias had to stay. The interests of the students so demanded.

It is in this factual configuration that the university authorities took it upon themselves to engage the services of Prof. Jamias until the termination of the school year, which was April 15, 1962. The unique and peculiar circumstances under which Prof. Jamias' services were sought, engaged and harnessed anew, sufficiently justified a special contract of services up to April 15, 1962. This the Board of Regents had authority to do, even as it had no power to extend his original term. The questioned resolution must be viewed in this sense. He is thus entitled to payment of his salary up to the last named date.”

Chapter XV **FINAL CLAUSES**

Article 54

Adoption and Retroactive Application of Pertinent Provisions of Existing Laws, Rules and Regulations

Section 231. **Adoption and Application of Pertinent Provisions of Existing Laws, Rules and Regulations.** – Notwithstanding as expressly provided herein, the pertinent provisions of the existing laws, rules and regulations and subsequent issuances thereof are hereby adopted and be applied accordingly as the governing guidelines to this Manual, among others:

- 231.1. CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized through MC No. 24, s. 2017 dated August 24, 2017;
- 231.2. CSC Resolution No. 1701077 promulgated on July 3, 2017;

³³⁹ **University of the Philippines Board of Regents and Cristino Jamias v. Auditor General and the Government Service Insurance System**, G.R. No. L-19617, October 31, 1969.

- 231.3. CSC Resolution No. 1700653 promulgated on March 15, 2017 circularized through MC No. 13, s. 2017 dated April 19, 2017;
- 231.4. CSC Resolution No. 1601231 promulgated on November 2, 2016 circularized through MC No. 06, s. 2017 dated March 3, 2017;
- 231.5. CSC Resolution No. 051404 promulgated on October 4, 2005 and circularized pursuant to MC 19, s. 2005 dated November 3, 2005;
- 231.6. DBM-CHED Joint Circular No. 2, s. 2003 dated July 28, 2003, DBM Circular No. 546 dated January 17, 2013³⁴⁰;
- 231.7. CHED Commission *En Banc* Resolution No. 347-2009 promulgated on September 9, 2009 circularized pursuant to CHED Memorandum Order No. 30, s. 2009;
- 231.8. CHED Commission *En Banc* Resolution No. 347-2009 promulgated on September 9, 2009 circularized pursuant to CHED Memorandum Order No. 40, s. 2008³⁴¹;
- 231.9. DBM-CHED Joint Circular No. 2, s. 2003 dated July 28, 2003;
- 231.10. DBM-NBC No. 461 dated June 1, 1998; and
- 231.11. Such Related Laws and CSC, CHED, DBM Laws, Rules and Regulations, and Jurisprudence, and Applicable Services' Manuals and Policies duly approved by the EVSU Board of Regents.

Section 232. **Retroactive³⁴² Application of Existing Laws, Rules and Regulations.** – The following guidelines shall strictly be implemented:

- 232.1. *Retroactive Application of Relevant Laws, Rules and Regulations.* – The application of existing laws, rules and regulations as cited in the pertinent provisions hereof shall be applied retroactively on the date

³⁴⁰ "Rules and Regulations on the Grant of Representation and Transportation Allowances."

³⁴¹ "Applicability of the Manual of the Manual of Regulations for Private Higher Education (MORPHE) of 2008 to Statement Universities and Colleges (SUCs and Local Universities and Colleges (LUCs)."

³⁴² Retroactive application of laws, rules and jurisprudence is authorized, among others:

- a. Article 4, Chapter I of Republic Act No. 386 otherwise known as the "Civil Code of the Philippines provides as follows:

"Article 4. Laws shall have no retroactive effect, unless the contrary is provided."

- b. In **Severo Aguillon v. The Director of Lands**, G.R. No. L-5448, December 16, 1910, the Supreme Court ruled:

"And moreover the law only related to the procedure — to the character of the evidence which the petitioner must present in support of his claim. It is a doctrine well established that the procedure of the court may be changed at any time and become effective at once, so long as it does not affect or change vested rights."

- c. In **Monica Bona v. Hospicio Briones, et al.**, G.R. No. L-10806, July 6, 1918, the Supreme Court held:

"It is well-known that the principle that a new law shall not have retroactive effect only governs the rights arising from acts done under the rule of the former law; but if the right be declared for the first time by a subsequent law it shall take effect from that time even though it has arisen from acts subject to the former laws, provided that it does not prejudice another acquired right of the same origin."

of effectivity thereof and shall not be affected with the actual effectivity of this Manual as provided in Section 244 hereof.

- 232.2. *Retroactive Application of the University "SALAMAT-PAALAM" Programs.* – Considering that the "SALAMAT-PAALAM" Program has been authorized by the CSC effective March 13, 1998 per CSC Resolution No. 980474 promulgated on March 5, 1998 and circularized through MC No. 7, s. 1998³⁴³, the conduct of the Salamat-Paalam Program, grant of the Send-off Token and conferment of awards shall be applied retroactively two (2) years upon the effectivity of Republic Act No. 9311 which signed into law on June 6, 1997 and thereafter. *Provided*, that the retiree-grantee shall still be alive and compliant to the requirements as provided hereof.

Therefore, within sixty days upon the approval of this Manual, the Committee on Salamat-Paalam Program and Send-off Token (CSPPSTK) recommend to the EVSU BOR, upon the recommendation of the University President, the conduct of the Salamat-Paalam Program *en masse* to all retirees from Fiscal Year 1999 to 2017. *Provided*, that the grant of Send-off Token shall be determined by the Committee on Salamat-Paalam Program and Send-off Token (CSPPSTK) subject to the approval by the EVSU BOR upon recommendation by the University President and compliant to the provisions of Section 244, Article 51 hereof.

Thereafter, "SALAMAT-PAALAM" Programs may be conducted quarterly or as often as may be deemed necessary as the Committee on Salamat-Paalam Program and Send-off Token (CSPPSTK) may determine subject to the approval by the EVSU BOR upon recommendation by the University President.

Article 55

Parity Clause and Prohibition Against Diminution and Elimination

Section 233. ***Parity Clause.*** – All other powers, functions and privileges, responsibilities and limitations to state universities and/or their officials under existing laws shall be deemed granted to or imposed upon the University and/or its officials, faculty members and academic officers or staff whenever appropriate.

Section 234. ***Prohibition Against Diminution and/or Elimination.*** – Nothing in this Manual shall be construed to eliminate or in any way diminish rights, benefits, privileges, powers, duties and functions, as the case may be, being enjoyed by the officials or officers, administrative or non-teaching personnel or employees and students of the University at the time of the effectivity of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching

³⁴³ Adoption of "SALAMAT-PAALAM" Program in Honor of Retiring Officials and Employees in the Civil Service."

Personnel of the University Manual.

Article 56
Transitory Provisions and Implementing Guidelines

Section 235. **Transitory Provisions.** – The following provisions shall strictly be observed and carried out, within such period as provided or as the University President may determine, upon approval of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual:

- 235.1. The revised forms prescribed herein shall be used in submitting appointments starting January 2, 2018³⁴⁴.
- 235.2. Appointments issued using the old forms starting January 2, 2018 shall be returned for resubmission in the new prescribed form within fifteen (15) days from receipt thereof; otherwise, said appointment/s shall be disapproved/invalidated³⁴⁵.
- 235.3. The scholarship contracts or agreements of faculty members who are granted scholarship shall be revisited and amended where such amendment would be beneficial to the recipients and mutually agreed by the parties.
- 235.4. Within thirty (30) days upon approval of this EVSU-2017 Human Resource Merit Promotion and Selection for Faculty and Academic Non-Teaching Staff Manual, the Faculty Training and Scholarship Development Committee shall be reorganized and shall take strategies or mechanisms and submit its recommendation to the University President deemed necessary to resolve issues relevant to refund and return to work of scholars/grantees in accordance with the provisions of this Manual.
- 235.5. The reliability test, pilot test or dry run of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) instruments shall be done for the performance of faculty members during first semester of Fiscal Year 2017. Improvements to the instruments may be undertaken based on the inputs and comments from the faculty members and/or stakeholders.
- 235.6. The Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) instruments and its equivalent shall be used effective second semester of Fiscal Year 2018 and thereafter subject to the provisions of this 2017 Revised Human Resource Merit

³⁴⁴ Section 141, Rule XIV of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

³⁴⁵ Section 142, Rule XIV of CSC Resolution No. 1701009 promulgated on June 16, 2017 and circularized pursuant to MC No. 24, s. 2017 dated August 24, 2017.

Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual.

- 235.7. The University President shall issue, within fifteen (15) days upon approval of this Manual, or from time to time, an appropriate Special Order to operationalize the responsibilities of the Human Resource Management Development (HRMD) Officer of the University, based on the actual category or classification of the University determined by the CSC, taking into consideration the responsibilities of the HRMD Officer provided under Annex D made as integral part hereof.
- 235.8. Within fifteen (15) days upon approval of this Manual, the Committee on Salamat-Paalam Program and Send-off Token (CSPPSTK) of the University shall be constituted by the University President and immediately conduct its organizational meeting and promulgate such measures and plans to implement the provisions Section 224, Article 51 and sub-Section 232.2, Article 54 hereof.

Furthermore, the duly constituted CSPPSTK of the University shall secure appropriate opinion and support from the CSC, DBM and COA on the grant of Send-off Token to retirees as provided under sub-Section 232.2, Article 96 hereof and endorse the same to the EVSU BOR for review and approval upon the recommendation of the University President.

Section 236. **Rule-Making Authority.** – The University President shall, upon recommendation by the proper Administrative Council or committee duly constituted for the purpose, and stakeholders of the University, formulate such implementing guidelines deemed necessary and incidental to ensure proper, effective and efficient implementation or execution of the provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual. *Provided*, that the failure of the University President and/or EVSU Board of Regents to promulgate the guidelines shall not prevent or delay the effectivity and implementation of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual in accordance with effectivity date provided under Section 244 hereof.

Section 237. **Review and Ratification of Implementing Guidelines.** – The implementing guidelines of any and/or all of the provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall be submitted to the Board for review and ratification.

Article 57

Penal, Amendment and Revision

Section 238. **Penal Provisions.** – Violation/s of any of the provisions of this

2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall be dealt with and proper penalties be imposed accordingly as provided under existing laws, rules and regulations, and jurisprudence.

Section 239. **Amendment.** – Any provision/s or part/s of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual may be amended by the EVSU Board of Regents upon the recommendation of the University President and the appropriate Board Committee. *Provided*, that the Councils and stakeholders of the University concerned are properly consulted.

Section 240. **Revision.** – This 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual may be revised by the EVSU Board of Regents upon the recommendation of the University President and the appropriate Board Committee. *Provided*, that the Councils and stakeholders of the University concerned are properly consulted.

Section 241. **Updating and Review of the 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual.** – It shall be the responsibility of the University President with the assistance of the University/Board Secretary to ensure periodic updating of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual taking into account the subsequent policies approved by the EVSU Board of Regents and such rules and regulations promulgated by competent authorities in so far as expressly adopted or authorized by the Board. *Provided*, that any and/or all provisions of this EVSU-2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel Manual shall be reviewed by the EVSU Board of Regents every three (3) years after its approval based on the rules it may promulgate.

Article 58

Repealing, Separability and Effectivity

Section 242. **Repealing, Supplementary, Clarificatory and Modification Clause.** – Pertinent provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall supplement to, clarify or amend or modify pertinent provisions of the 2017 Revised University Code approved per Board Resolution No. 115, s. 2017 and previous issuances, as the case may be. In case of conflict, the pertinent provisions of this EVSU-2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall prevail over the pertinent provisions of previous policies or issuances as enunciated under **Mecano v. COA**³⁴⁶.

³⁴⁶ **Antonio A. Mecano v. Commission on Audit**, G.R. No. G.R. No. 103982 December 11, 1992 citing *Posadas vs. National City Bank*, 296 U.S. 497, 80 L. Ed. 351 (1935); *Maceda vs. Macaraig*, 197 SCRA 771 (1991); and *Villegas vs. Subido*, 41 SCRA 190 (1971) , the Supreme Court clearly rules:

“Repeal by implication proceeds on the premise that where a statute of later date clearly reveals

Further, the University's Merit Promotion System Manual, Human Resource and Training Development Manual, and all Board Resolutions, manuals, orders, issuances, rules and regulations and policies of the University, or parts thereof, inconsistent with the provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual are hereby amended or repealed accordingly.

Section 243. **Separability Clause.** – The provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual are hereby declared separable. In the event that any provision hereof is rendered unconstitutional, those that are not affected shall remain valid and effective.

Section 244. **Effectivity.** – This 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University Manual shall take effect immediately upon approval by the Board of Regents of the Eastern Visayas State University.

Provided, that the retroactive effectivity of Section 232 shall be as specifically stated therein subject to applicable laws, rules, regulations and jurisprudence.

Adopted/Approved this 21st day of March 2018 pursuant to Board Resolution No. 27, s. 2018 approved during the 74th Regular Board Meeting (First Quarter, CY 2018) held at the at the Commission on Higher Education, Conference Room, 4th Floor, Higher Education Development Center Building, C.P. Garcia Ave., UP Campus, Diliman, Quezon City.

APPROVED:

J. PROSPERO E. DE VERA III, D.P.A.
Commissioner
Commission on Higher Education
Chairperson, EVSU Board of Regents

DOMINADOR O. AGUIRRE, JR., D.M.
University President III
Vice Chair, EVSU Board of Regents

an intention on the part of the legislature to abrogate a prior act on the subject, that intention must be given effect. Hence, before there can be a repeal, there must be a clear showing on the part of the lawmaker that the intent in enacting the new law was to abrogate the old one. The intention to repeal must be clear and manifest; otherwise, at least, as a general rule, the later act is to be construed as a continuation of, and not a substitute for, the first act and will continue so far as the two acts are the same from the time of the first enactment.

There are two categories of repeal by implication. The first is where provisions in the two acts on the same subject matter are in an irreconcilable conflict, the later act to the extent of the conflict constitutes an implied repeal of the earlier one. The second is if the later act covers the whole subject of the earlier one and is clearly intended as a substitute, it will operate to repeal the earlier law.

Implied repeal by irreconcilable inconsistency takes place when the two statutes cover the same subject matter; they are so clearly inconsistent and incompatible with each other that they cannot be reconciled or harmonized; and both cannot be given effect, that is, that one law cannot be enforced without nullifying the other.

FRANCIS JOSEPH G. ESCUDERO

Chair, Committee on Education
Senate of the Philippines

Member

Represented by:

ANN K. HOFER

Chair, Committee on Higher & Tech. Education
House of Representatives

Member

Represented by:

FRANCES ANN BASILIO PETILLA

FLORENCIO "BEM" GABRIEL NOEL

EDGARDO M. ESPERANCILLA, CESO II

Regional Director, DOST-Region VIII

Member

BONIFACIO G. UY, CESO IV

Regional Director, NEDA-Region VIII

Member

ROGELIO D. BASAS

President, Federation of EVSU Faculty
Association, Inc.

Member

MICHAEL L. MUZONES

President, Federation of Student
Governments of EVSU

Member

RAUL S. SOLIVA

President, Federation of Alumni
Associations of EVSU, Inc.

Member

PACIENTE A. CORDERO, JR., D.Sc.

Private Sector Representative

Member

DANIEL A. ARIASO SR., CESO II

Private Sector Representative

Member

I hereby certify to the correctness of the foregoing Resolution No. 27, s. 2018 as duly adopted by unanimous/affirmative vote by the EVSU Board of Regents during the 74th Regular Board Meeting (First Quarter, CY 2018) held on March 21, 2018, as indicated above.

Certified Correct:

ANALYN C. ESPAÑO, M.A.
Associate Professor III
Board/University Secretary

COMMITMENT

I hereby commit to implement and abide by the provisions of this 2017 Revised Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the Eastern Visayas State University Manual approved per Board Resolution No. 27, s. 2018 and its subsequent issuances thereof.

DOMINADOR O. AGUIRRE, JR., DM
University President III

(Date)

Annex B

HUMAN RESOURCE SCHOLARSHIP CONTRACT



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

SCHOLARSHIP CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT executed and entered into this _____, at the City of Tacloban, Province of Leyte, Philippines, by and between:

_____, of legal age, single/married, Filipino citizen, employee of the Eastern Visayas State University (EVSU) with residence and postal address _____, hereinafter referred to as the **GRANTEE**;

and –

EASTERN VISAYAS STATE UNIVERSITY, a state university duly organized and under existing laws of the Republic of the Philippines, located at Quarry District, Tacloban City, represented by its *University President III* _____, herein referred to as the **GRANTOR**.

WITNESSETH:

That the GRANTOR provides scholarship grants to its qualified employees pursuant to its 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University (EVSU-HRMPS-ANTP) duly approved by the EVSU Board Regents per Board Resolution No. 27, s. 2018 and by virtue of the authority by the EVSU Board of Regents pursuant to Board Resolution No. _____, s. 2017

That the GRANTEE wishes to avail _____ of the said scholarship grant to which the GRANTOR hereby permits subject to the following conditions:

Section 1. That the GRANTEE shall enroll a

_____ for the duration of a total period not exceeding _____ years except for causes beyond his control, effective from the start of the _____.

Section 2. That the GRANTOR shall provide the GRANTEE the following:

- 2.1. Payment of basic salary and other lawful benefits pursuant to existing government accounting and auditing rules and regulations;
- 2.2. A monthly Stipend _____ PESOS (P_____.00);
- 2.3. Allowance for reading materials needed equivalent to the book allowance of _____ Pesos) to be given proportionately every semester;
- 2.4. Dissertation assistance of _____ Pesos upon submission of documents showing that he/she passed the comprehensive examination and with approved title; and
- 2.5. Such benefits or entitlements as provided under the 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University (EVSU-HRMPS-ANTP), PRAISE System Manual of the University approved per Board Resolution No. 118, s. 2017 and such applicable laws, rules and regulations.

Section 3. That the GRANTEE hereby agrees to abide with the following terms and conditions:

- 3.1. To adhere with the rules and policies of the Staff Development Program of the University whose primary objectives is the improvement of the basic functions of the University, otherwise, sanctions will be imposed in accordance with the Staff Development Guidelines;
- 3.2. To specialize in _____ program;
- 3.3. To furnish the GRANTOR the following credentials:
 - 3.3.1. Every semester;
 - 3.3.2. Enrollment form;
 - 3.3.3. Semester progress reports, indicating grades / report of ratings in subjects taken as well as other accomplishments and problems met;
 - 3.3.4. Progress Report on dissertation writing, whenever applicable.
- 3.4. To strive for academic scholastic excellence which shall be made as the basis for performance evaluation for the duration of the study leave;
- 3.5. Or set by the program set by the school where they enrolled is enrolled, otherwise she has to be recalled by the University pursuant to Sections _____ of the 2017 Human Resource Scholarship Program of the University labeled as Annex A of the HRMPS-ANTP of the University

Manual;

- 3.6. To dedicate and devote her time to her studies and not accept part-time jobs in any agencies/institutions, otherwise, she shall be subjected to the provisions specified under Sections _____ of the 2017 Human Resource Scholarship Program of the University labeled as Annex A of the HRMPS-ANTP of the University Manual;
- 3.7. To submit within sixty (60) days upon finishing her study a written report to the Head of the University and to her immediate supervisor describing a plan to apply relevant aspects of the course/program on her job;
- 3.8. To submit within sixty (60) days upon return to duty/program/schedule of the GRANTEE to deliver a lecture or discuss within the college where she is assigned the highlights and/or vital information relative to the course/program attended;
- 3.9. Not to accept other forms of scholarship during the grant that requires obligation in conflict with the interest to refund the same;
- 3.10. To reimburse the government through the GRANTOR the amount equal to the total scholarship value in case the GRANTEE fails to finish her degree under the scholarship grant except those case covered under Section 12 of the Staff Development Program Guidelines;
- 3.11. Reimbursement to the government through the GRANTOR shall be based on Sections _____ of the 2017 Human Resource Scholarship Program of the University labeled as Annex A of the HRMPS-FANTS of the University Manual;
- 3.12. To render return service to EVSU equivalent to _____ of service for every year of scholarship or a fractions thereof upon termination of the contract due to completion or failure to complete the course.

Section 4. The pertinent provisions of the 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University (EVSU-HRMPS-ANTP) and such applicable laws, rules and regulations shall be applied suppletorily and serve as the governing guidelines of this Contract.

IN WITNESS WHEREOF, the parties have hereunto affixed their signature on the date and place first above written.

GRANTEE

By:

EASTERN VISAYAS STATE UNIVERSITY

By:

Grantee

University President III/Grantor

Government Issued ID:
No.: _____
Issued On: _____
Expiry Date: _____
Issued At: _____

Government Issued ID:
No.: _____
Issued On: _____
Expiry Date: _____
Issued At: _____

SIGNED IN THE PRESENCE OF:

WITNESS

WITNESS

ACKNOWLEDGMENT

Republic of the Philippines)
City of Tacloban) S.S.

Before me, a Notary Public, in Tacloban City, this ____ day of _____, 20____, personally appeared _____with Community Tax Certificate No. _____ issued at _____ on _____ known to me and to me known to be the same person who have executed the foregoing instruments and they acknowledge to me that the same is their free act and voluntary deed.

This instrument refers to a scholarship contract consisting of ____ pages including this page where the acknowledgment is written and has been signed on the left margin by the parties and their witnesses.

WITNESS MY HAND AND SEAL, on the date and place first above written.

Notary Public

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

Annex C

RULES GOVERNING THE ADMINISTRATIVE OR NON-TEACHING PERSONNEL PERFORMANCE EVALUATION

Rule 1. **Prescribed Design and Application of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-FES) Instrument.** – The design of the Administrative or Non-Teaching Personnel Performance Evaluation System (ANTP-PES) Instrument shall be those provided under Annex B-1, Annex B-2, and Annex B-3 hereof.

The foregoing instruments shall apply to all administrative or non-teaching personnel or employees regardless of the employment status.

Rule 2. **Performance Portfolio Folder.** – Each administrative or non-teaching personnel or employee of the University shall be provided with a long folder where they shall place their respective FPES instruments together with the attachments or requirements thereof.

The documents in the Performance Portfolio Folder shall be properly arranged and labeled and the confidentiality thereof shall be respected and strictly observed by all concerned.

The said Portfolio Folder shall be submitted to the HRDMD Office after the evaluation process and shall be accessible to the administrative or non-teaching personnel or employee concerned and the HRMD Officer/Head and such officials concerned of the University.

Rule 3. **Administration of the Instrument.** – The ANTP-PES instrument shall be administered by the Human Resource Management and Development (HRMD) Office in close coordination with the Academic Department Head and College Dean concerned. The period of the evaluation shall be within one (1) week prior to the end of fiscal year.

Extension in the conduct of the administration of the instrument may be resorted subject to the approval by the Vice President for Administration and Finance upon the recommendation by the Director for Administrative Services and consultation with the Department Director/Head concerned. *Provided*, that the University, *motu proprio*, and/or upon the recommendation by the Vice President for Academic Affairs may extend the period of the administration of the instrument.

Provided, that the HRMD Office may request the assistance of the Research Services Office, Student Affairs and Services Office (SASO), and/or officers of recognized Campus Student Council or Government, Federation of Student Council/Governments and recognized and registered students organizations of the

University.

Rule 4. **Sample Size of the Raters.** – The sample size of the raters shall be as follows:

Population	Raters and Minimum Sample Size	
	Immediate Supervisors	Students/Clients
1	100%	100%
2-5	50%	80%
5-10	N/A	75%
11-20	N/A	50%
21-30	N/A	40%
31-40	N/A	30%
41-50	N/A	20%
51-60	N/A	15%
61 and above	N/A	10%

In case of the students-raters, the sample size shall be computed per class or subject taught by the Ratee.

Rule 5. **Procedures.** – The following procedures shall be followed:

5.1. **Notice.** – The Human Resource Management Development (HRMD) Officer shall notify the Directors for Administrative Services, and Finance Services on the schedule of the administration on the evaluation of faculty performance without necessarily specifying the exact time.

Pre-arranged schedule shall not be allowed. The HRMD Office Representative shall exercise flexibility on the sequence of administrative or non-teaching personnel or employees.

5.2. **Dissemination of the Notice.** – The Director for Administrative Services shall disseminate the said notice to all Department Heads/Section Chiefs concerned and the latter shall inform their respective administrative or non-teaching personnel or employees.

5.3. **Mandatory Attendance.** – All Department Heads/Chiefs, administrative or non-teaching personnel or employees shall be present during the period of administration of instrument. *Provided*, that the absence of the administrative or non-teaching personnel or employees concerned shall not preclude the conduct of the evaluation.

5.4. **Evaluation by the Raters.** – The following shall strictly be enforced:

5.4.1. As soon as the HRMD Office representative arrives in their respective offices/units, they shall immediately excuse themselves until the evaluation is completed.

- 5.4.2. The HRMD Office representative requests the Department/Unit Heads/Chiefs the target clients of each administrative or non-teaching personnel or employee indicated in their respective ICPR as basis in the computation of the sample size.
- 5.4.3. The raters shall be randomly selected from among the clients present equivalent to the computed sample size. *Provided*, that equal distribution or representation by gender of the student-raters.
- 5.4.4. The selected raters shall be requested to report to the designated room immediately where they shall accomplish the instruments.
- 5.4.5. After the raters accomplished the instrument, the HRMD Office representative shall place the instruments in an envelope and seal the same in front of the raters. The HRMD Office representative and at least two (2) raters shall affix their respective signatures across the packing tape to ensure authenticity and sanctity of the instruments.
- 5.4.6. As much as practicable, the Rater/Validator shall assess or evaluate the proofs or documents in the presence of the Ratee. The Rater/Validator shall indicate the appropriate point based on his/her best appreciation and recognition of the proofs or requirements of the performance indicator.
- 5.4.7. The sealed envelope shall be delivered directly to the HRMD Office for proper safekeeping and tabulation and computations which shall be completed within forty eight (48) hours from receipt thereof.
- 5.4.8. The tabulation and computation results shall be forwarded to the Department Head/Chief and the latter shall call the administrative or non-teaching personnel or employee concerned for consultation. The consultation shall focus on the results, e.g. performance indicators that might warrant for the human resource interventions.
- 5.4.9. If the administrative or non-teaching personnel or employee accepts the evaluation results, the Department Head/Chief shall indicate the ratings obtained in the Summary rating sheet and affix his/her signature in the space provided for validation.
- 5.4.10. If the administrative or non-teaching personnel or employee contests or appeals the evaluation result, the processing for indicator under contest shall be deferred within three (3) working days within which the Department Head/Chief shall resolve such appeal.

The Department Head/Chief shall require the presence of the HRMD Office representative should potential error on the tabulation or computation of result is the issue of the appeal. Corrections to the results may be made upon consent of the administrative or non-teaching personnel or employee concerned and validation by the HRMD Office representative duly attested to by the Department Head/Chief concerned.

Rule 6. **Credit Recognition, Conversion and Interpretation of Earned Points.** – The following shall strictly be observed:

6.1. **Overall Rating.** – The overall rating shall be computed and interpreted using the following:

Total Average	Total Points	Description	Implications
4.0-5.0	90-100%	Outstanding	Qualified to avail of lawful benefits.
3.1-3.9	80-89%	Very Satisfactory	Qualified to avail of lawful benefits.
2.4-3.0	70-79%	Satisfactory	Qualified to avail of lawful benefits/for HRD Interventions after two (2) rating periods.
1.7-2.3	60-69%	Unsatisfactory	For HRD Interventions or dropping from the roll.
1.0-1.6	50-69%	Poor	For HRD Interventions or dropping from the roll.

6.2. **For Supervisors, Peer and Clients Rating** (using 5 Likert's Scale-5 is the highest and 1 is the lowest shall be converted as follows):

Total Average Obtained	Percentage Equivalent	Description
4.0-5.0	90-100%	Outstanding
3.1-3.9	80-89%	Very Satisfactory
2.4-3.0	70-79%	Satisfactory
1.7-2.3	60-69%	Unsatisfactory
1.0-1.6	50-69%	Poor

6.3. **Rater's- Rating Weight Distribution:**

Rater	Weight Allocations
Immediate Supervisor/s	30%
Peer	30%
Clients	30%
Intervening Factors	10%

Total	100%
--------------	-------------

Rule 7. **Rounding Off.** – The results shall be rounded off to the last two (2) decimal points for every performance indicator. *Provided*, that no rounding-off shall be made to the over-all rating.

Section 8. **Credit Recognition and Off-setting.** – The points obtained in research and extension may be credited to offset the rating obtained in instruction, production and other performance indicators.

Provided, that the points credit shall not constitute more than thirty (30) percent of the maximum percentage weight allocations.

Section 9. **Rectification or Corrections of the Performance Evaluation Results.** – Rectifications or corrections on the performance evaluation results shall be prohibited, except for meritorious cases such as, but not limited to:

- 9.1. Potential honest mistake or error on the tabulation and computation of rating;
- 9.2. Inadvertence of appreciation of proofs or requirements; or
- 9.3. Such circumstances analogous to the foregoing.

Provided, that the Ratee shall express his/her consent thereof duly validated by the Rater/Evaluator or Validator and attested to the Director or next higher official concerned of the performance indicator subject to rectification or corrections.

Rule 10. **Mandatory Consultation and Discussion of the Overall Results.** – The Department Head/Chief concerned shall conduct a consultation or discussion with the administrative or non-teaching personnel or employee before affixing his/her signature as the Rater in the Summary Rating sheet.

Except for the raters of instruction, the Department Head/Chief shall require the presence of any Rater/Validator/Evaluator of the performance indicators where the administrative or non-teaching personnel or employee obtained satisfactory or poor rating.

Rule 11. **Proceedings of the Mandatory Consultation/Discussion of the Performance Evaluation Results.** – The Department Head/Chief shall prepare the proceedings and appropriate report of the mandatory consultation/discussion of Performance Evaluation Results and the same shall be submitted to the Director concerned for further action subject to the provisions of the 2017 Human Resource Merit Promotion and Selection for Administrative or Non-Teaching Personnel of the University (EVSU-HRMPS-ANTP) approved by the EVSU Board of Regents.

Section 12. **Other Uses of the Evaluation Results.** – The evaluation results may be used by administrative or non-teaching personnel or employee for human

resource action, PRAISE entitlement application, issuance of the Certificate of Performance Rating for whatever purposes, and such uses as may be requested by the faculty member or academic staff concerned.

Section 13. **Penal Clause.** – violation/s of any of the Rules herein shall constitute an administrative disciplinary action which shall be disposed in accordance with 2017 RACCS, 2017-EVSU COCRADOE and this Manual.

EVSU-ANTPFES Form-1
Approved per EVSU-BOR Reso.
No. 27, s. 2018
Adopted: March 21, 2018

Annex C-1



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
_____ Campus

Administrative or Non-Teaching Personnel (ANTP) Performance Evaluation System

SUMMARY OF RATINGS

Name of the Administrative or Non-Teaching Personnel: _____
Position/Rank: _____ Department: _____
Designation/Committee Membership: _____
Rating Period: _____ Date Accomplished: _____

RATERS	Maximum Percentage Weight Allocations	Points Earned	Computed Point Equivalent	Evaluated or Validated by:
Immediate Supervisor/s	30.0%			
Peer	30.0%			
Clients	30.0%			
Intervening Assignment	10.0%			
Total	100%			
Adjectival Description (to be indicated by the Immediate Supervisor)				

Adjectival Description and Implications of the Total Points:

Total Points	Description	Implications
90-100%	Outstanding	Qualified to avail of lawful benefits.
80-89%	Very Satisfactory	Qualified to avail of lawful benefits.
70-79%	Satisfactory	Qualified to avail of lawful benefits/for HRD Interventions after two (2) rating periods.
60-69%	Unsatisfactory	For HRD Interventions or dropping from the roll.
50-69%	Poor	For HRD Interventions or dropping from the roll.

I hereby certify that I have reviewed and conformed/accepted the foregoing results; and that a consultation by my immediate supervisor was made relative thereof:

I hereby certify that I have reviewed and consulted the Ratee on _____ relative to the foregoing results:

Ratee

Immediate Supervisor

Recommending Approval:

APPROVED:

Director/Head

Campus Director

University President III

PERC ACTION: _____

Annex C-4 INTERVENING ASSIGNMENTS INSTRUMENT



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
 _____ Campus

Administrative or Non-Teaching Personnel Performance Evaluation System (PFES for Administrative or Non-Teaching Personnel)

Performance Indicator: INTERVENING ASSIGNMENTS

Rate: _____ Rating Period: _____
 Academic Position/Rank: _____ Department: _____

Indicators	Maximum Points	Proofs/ Requirements	Earned Points
1. INVOLVEMENT IN INSTITUTIONAL LEVEL COMMITTEES/BOARDS (HRMPS-FANTS, NBC 461 Committees, Student Disciplinary Tribunal, EVSU-SPMS, EVSU-Grievance Machinery Committee, Search Committee for Presidency and Private Sector Representatives, CODI, URSAC, UESAC, CSW Committee, Graduation or Commencement Exercises, Foundation and University Days, etc.)	5		
a. Chairperson	5	✓ Copy of the Special Order. ✓ Accomplishment Report validated by the Committee Chair and Secretary. ✓ Pictorials	
b. Vice Chairperson	4		
c. Member	3		
d. Secretary	2		
e. Technical/Secretariat Staff	1		
2. INVOLVEMENT IN INSTITUTIONAL OR PROGRAM ASSESSMENT, ACCREDITATION, QUALITY ASSURANCE, BUDGET PREPARATION AND SUBMISSION	5		
a. Chairperson	5	✓ Copy of the Special Order. ✓ Accomplishment	
b. Vice Chairperson	4		
d. Member	3		

d. Secretary	2	Report validated by the Committee Chair and Secretary. ✓ Pictorials	
e. Technical/Secretariat Staff	1		
3. INVOLVEMENT IN CULTURAL AND SPORTS PROGRAMS, ACTIVITIES OR COMPETITION	5		
a. Manager	5	✓ Copy of the Special Order. ✓ Accomplishment Report. ✓ Pictorials	
b. Assistant Manager	4		
c. Coach	3		
d. Assistant Coach	2		
e. Technical/Secretariat Staff	1		
4. SPECIAL ASSIGNMENTS AS MAY BE DETERMINED BY THE UNIVERSITY PRESIDENT	7.5		
a. Chairperson	5	✓ Copy of the Special Order. ✓ Accomplishment Report validated by the Committee Chair and Secretary. ✓ Pictorials	
b. Vice Chairperson	4		
f. Member	3		
d. Secretary	2		
e. Technical/Secretariat Staff	1		
Total Points			
Adjectival Description			

Evaluated by:

Reviewed/Validated by:

Head/Chief, Department/Section/Unit

Director of Department/Division

(date)

(date)

Conforme/Accepted:

Signature over printed name by the Ratee

(date)

APPROVED:

Vice President for Administration and Finance

(date)

Annex D
**RESPONSIBILITIES OF THE HUMAN RESOURCE
MANAGEMENT DEVELOPMENT (HRMD)
OFFICER OF THE UNIVERSITY**

*(pursuant to Section 139, Rule XIII of CSC Resolution No. 1701009
promulgated on June 16, 2017 and circularized pursuant to
MC No. 24, s. 2017 dated August 24, 2017)*

Regulated Agencies	Accredited/Deregulated Agencies
a. Submit to the CSC field Office within the first quarter of the year the University's updated Personal Services Itemization/Plantilla of Personnel.	4.1.1.1.1. Submit to the CSC field Office within the first quarter of the year the University's updated Personal Services Itemization/Plantilla of Personnel.
b. Review thoroughly and check the veracity, authenticity and completeness and supporting papers ³⁴⁷ in connection with all cases of appointments before submitting the same to the Commission.	4.1.1.1.2. Review thoroughly and check the veracity, authenticity and completeness and supporting papers in connection with all cases of appointments before submitting the same to the Commission.
c. Sign the following certifications at the back of the appointment: <ul style="list-style-type: none"> i. Certification as to completeness and authenticity of requirements; and ii. Certification that the vacant position to be filled has been published, posted and submitted to the Commission for publication in the CSC Bulletin of Vacant Positions in accordance with RA No. 7041, and deliberation was done by the HRMPSB ten (10) days after publication. 	4.1.1.1.3. Sign the following certifications at the back of the appointment: <ul style="list-style-type: none"> i. Certification as to completeness and authenticity of requirements; and <p>4.1.2. Certification that the vacant position to be filled has been published, posted and submitted to the Commission for publication in the CSC Bulletin of Vacant Positions in accordance with RA No. 7041, and deliberation was done by the HRMPSB ten (10) days after publication.</p>
d. Ensure that the Chairperson of the	d. Ensure that the Chairperson of the

³⁴⁷ Common requirements, additional requirements for specific cases and documents to be retained in the University as enumerated in Sections 4, 5, and 6 of Rule II of the CSC MC No. 24, s. 2017 dated August 24, 2017 and Sections _____, _____, and _____, Article ____ hereof.

<p>HRMPSB has signed the certification at the back of the appointment, whenever applicable.</p> <p>The Human Resource Management Development Officer or the duly authorized employee directly responsible for recruitment, selection and placement shall be a regular member of the HRMPSB.</p>	<p>HRMPSB has signed the certification at the back of the appointment, whenever applicable.</p> <p>The Human Resource Management Development Officer or the duly authorized employee directly responsible for recruitment, selection and placement shall be a regular member of the HRMPSB.</p>
<p>e. Ensure that the Personal Data Sheet (CS Form No. 212, Revised 2017) of the appointee is updated and accomplished properly and completely.</p>	<p>e. Ensure that the Personal Data Sheet (CS Form No. 212, Revised 2017) of the appointee is updated and accomplished properly and completely. To monitor any change in the employee's profile, the PDS shall be updated on an annual basis.</p>
<p>f. Request authentication from the CSC or authorized agencies of the original copy of certificate of eligibility/licenses of selected candidate/s prior to issuance of original appointment, transfer, reappointment renewal or reemployment unless previous authentication has been issued for the same eligibility/license.</p>	<p>f. Request authentication from the CSC or authorized agencies of the original copy of certificate of eligibility/licenses of selected candidate/s prior to issuance of original appointment, transfer, reappointment renewal or reemployment unless previous authentication has been issued for the same eligibility/license.</p>
<p>g. Furnish appointee with a photocopy of the appointment (appointee's copy) for submission to the Commission, ensuring that the appointee signs on the acknowledgment portion of the appointment.</p>	<p>g. Furnish appointee with a photocopy of the appointment (appointee's copy) for submission to the Commission, ensuring that the appointee signs on the acknowledgment portion of the appointment</p>
<p>h. Submit appointments (CSC, University, and appointee's copy) with supporting documents in the prescribed Appointment Transmittal and Action Form (CS Form No. 1, Revised 2017) indicating the names of the appointees, their position, status and nature of appointment and the corresponding date of issuance within thirty (30) calendar days from issuance thereof.</p>	<p>h. Submit RAI (CS Form No. 2, Revised 2017), original copy of appointments (CSC copy) with supporting documents on or before the 30th day of the succeeding month.</p>
<p>i. Transmit to the appointee the</p>	<p>i. Transmit to the appointee a copy of</p>

<p>original copy of his/her appointment acted upon by the Commission.</p>	<p>the RAI indicating the action of the CSC Field Office on the appointment.</p> <p>Record the action of the CSC Field Office at the Natation portion of the University and Appointee’s copy of appointment.</p>
<p>j. Submit to the Commission, through the CSC Filed Office within the prescribed period, the required reports (electronic and hard copy) such as DIBAR (CS Form No. 8, Revised 2017), summary list of employees’ performance rating, and such other reports as may be required by the Commission.</p>	<p>j. Submit to the Commission, through the CSC Filed Office within the prescribed period, the required reports (electronic and hard copy) such as DIBAR (CS Form No. 8, Revised 2017), summary list of employees’ performance rating, and such other reports as may be required by the Commission.</p>
<p>k. Post in three (3) conspicuous places in the University a notice announcing the appointment of an employee a day after the issuance of appointment for at least fifteen (15) calendar days.</p>	<p>k. Post in three (3) conspicuous places in the University a notice announcing the appointment of an employee a day after the issuance of appointment for at least fifteen (15) calendar days.</p>
<p>l. Ensure the oath taking and conduct of orientation program to new employees and continuous human resource interventions for existing employees.</p>	<p>l. Ensure the oath taking and conduct of orientation program to new employees and continuous human resource interventions for existing employees.</p>
<p>m. Submit to the CS Field Office a copy of the Oath of Office (CS Form No. 32, Revised 2017) within thirty (30) days form the date of assumption of the appointee.</p>	<p>m. Submit to the CS Field Office a copy of the Oath of Office (CS Form No. 32, Revised 2017) within thirty (30) days form the date of assumption of the appointee.</p>
<p>n. Submit to the CSC Field Office a copy of the Certification of assumption to Duty (CS Form No. 4, Series of 2017) within thirty (30) days from the date of assumption of the appointee.</p>	<p>n. Submit to the CSC Field Office a copy of the Certification of assumption to Duty (CS Form No. 4, Series of 2017) within thirty (30) days from the date of assumption of the appointee.</p>
<p>o. Ensure the conduct of orientation and workshop of the HRMPSB members including alternate representatives on the University selection/promotion process and CSC policies on appointments.</p>	<p>o. Ensure the conduct of orientation and workshop of the HRMPSB members including alternate representatives on the University selection/promotion process and CSC policies on appointments.</p>
<p>p. Ensure the orientation of officials and employees on the recruitment,</p>	<p>p. Ensure the orientation of officials and employees on the recruitment,</p>

selection and placement process.	selection and placement process.
q. Ensure the establishment and maintenance of the University Human Resource Management Database which will be the basis of all the reports to be submitted by the University to the Commission.	q. Ensure the establishment and maintenance of the University Human Resource Management Database which will be the basis of all the reports to be submitted by the University to the Commission.
r. Ensure the establishment and maintenance and disposal of University's employees 201/120 files pursuant to the guidelines of CSC MC No. 8, s. 2007 and CSC MC No. 1, s. 2011.	r. Ensure the establishment and maintenance and disposal of University's employees 201/120 files pursuant to the guidelines of CSC MC No. 8, s. 2007 and CSC MC No. 1, s. 2011.
s. Perform all other functions as may be provided by law.	s. Perform all other functions as may be provided by law.

The University President shall issue, from time to time, an appropriate Special Order to operationalize the responsibilities of the Human Resource Management Development (HRMD) Officer of the University based on the actual category or classification of the University determined by the CSC.

Annex A 2017 HUMAN RESOURCE SCHOLARSHIP PROGRAM



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

2017 Human Resource Scholarship Program of the University

CATEGORY PLAN	CRITERIA	ENTITLEMENTS	DURATION OF SCHOLARSHIP		SERVICE OBLIGATION OF THE GRANTEE AND THE RESPONSIBILITIES
			For MA/MS or its Equivalent	Ph.D. or its Equivalent	
<p>PLAN A Full Scholarship</p>	<p>1. Applicant under the Staff Development Program must meet all the qualifications in item 3.0 of these guidelines and ranked within the allowable numbers/fellows the University can afford to send during a year or ter.</p> <p>2. Must seek enrollment in preferred Institutions.</p> <p>Note: Every college is allotted two (2) slots in</p>	<p>1. Basic salary and other lawful benefits.</p> <p>2. A monthly stipend of Six Thousand Pesos (Php6,000.00) pesos (initial release every semester is upon submission of approved enrollment form).</p> <p>3. Book allowance of Five Thousand Pesos (Php5,000.00) per year to be given proportionately every semester.</p> <p>4. Matriculations and other school fees (including examination fees).</p> <p>5. Dissertation/Thesis Assistance: 5.1. Dissertation Assistance:</p>	3 Calendars Years	4 Calendars Years	<p>1. Two (2) years of return service to the institute for every year of scholarship or a fraction there of not less than two (2) months of study grant.</p> <p>2. Enrolls in the field of study approved by taking a maximum load as full time student.</p> <p>3. Furnishes the Institute with credentials such as grades/ report of ratings every end of</p>

	<p>case there are excess of 2 slots funded by other agencies, they may be granted subject to the resource capability of the <u>University</u>.</p>	<table border="1" data-bbox="892 155 1440 269"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php100,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 60,000.00</td> </tr> </tbody> </table> <p>5.2. Thesis Assistance:</p> <table border="1" data-bbox="892 354 1440 467"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php 60,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 40,000.00</td> </tr> </tbody> </table> <p><i>Provided, that he/she passed comprehensive examination and have approved title.</i></p> <p>For Non-Thesis Program, Plan B Fifteen Thousand Pesos (Php5,000.00) upon passing the comprehensive examination.</p> <p>6. Transportation expenses upon enrollment at the start of grant and upon return at the end of the grant.</p> <p>Any of the entitlements under Plan A 1 to 6 above not answered by the sponsoring agency. In the event that the monthly stipend granted by the funding agency will be less than Six Thousand Pesos (Php6,000.00), the EVSU shall provide for the deficit in monthly stipend. In case of foreign grants, other benefits may be granted based on existing related laws (E.O.248)</p>	Type	Amount	Experimental	Php100,000.00	Non-Experimental	Php 60,000.00	Type	Amount	Experimental	Php 60,000.00	Non-Experimental	Php 40,000.00			<p>semester and copy of finished thesis or dissertation at the end of the study grant.</p> <p>4. Strives for academic scholastic excellence which is made the basis for performance evaluation for the duration of the leave.</p> <p>5. Liquidates amount given for book allowance at the end of every semester.</p> <p>Same as Plan A 1-5 or as provided for under the contract between the grantee and the Sponsoring Agency.</p>
Type	Amount																
Experimental	Php100,000.00																
Non-Experimental	Php 60,000.00																
Type	Amount																
Experimental	Php 60,000.00																
Non-Experimental	Php 40,000.00																
<p>PLAN B Study Leave with pay for Thesis/ Dissertation</p>	<p>1. Applicant studies at his own expenses in</p>		<p>1 semester</p>	<p>1 year</p>	<p>Service proportionate to the duration of</p>												

<p>Writing and the conduct of Project Study/Field Work</p>	<p>preferred institutions on the field within the priority needs/thrusts of the University.</p> <p>2. Applicant must be certified that he/she passed the Comprehensive Examination and he/she is on Thesis/Dissertation Writing stage</p> <p>3. Applicant must submit approved research/project proposal</p>	<p>1. Monthly basic salary and other monetary remunerations for the duration grant.</p> <p>2. Allowance for reading materials needed equivalent to the Book allowance.</p> <p>3. Dissertation/Thesis Assistance:</p> <p>3.1. Dissertation Assistance:</p> <table border="1" data-bbox="892 553 1447 667"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php100,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 60,000.00</td> </tr> </tbody> </table> <p>3.2. Thesis Assistance:</p> <table border="1" data-bbox="892 751 1447 865"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php 60,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 40,000.00</td> </tr> </tbody> </table> <p><i>Provided, that he/she passed comprehensive examination and have approved title.</i></p> <p>For Non-Thesis Program, Plan B Fifteen Thousand Pesos (Php5,000.00) upon passing the comprehensive examination.</p> <p>Note: It should be noted that scholarship within 50km radius may not be given stipend.</p>	Type	Amount	Experimental	Php100,000.00	Non-Experimental	Php 60,000.00	Type	Amount	Experimental	Php 60,000.00	Non-Experimental	Php 40,000.00			<p>scholarship computed at <u>1:2</u> year ratio.</p>
Type	Amount																
Experimental	Php100,000.00																
Non-Experimental	Php 60,000.00																
Type	Amount																
Experimental	Php 60,000.00																
Non-Experimental	Php 40,000.00																
<p>PLAN C After Office Hours Scholarship</p>	<p>Applicant is a permanent employee of</p>	<p>1. Free school fees.</p>	<p>Maximum of 4 years</p>	<p>Maximum of <u>6 years</u></p>	<p>One year for every year of scholarship</p>												

	<p>the University pursuing advanced studies or finishing his/ her Bachelor's Degree. In the case of non-teaching personnel outside office hours on the field within the priority needs of the University.</p> <p>He must carry a minimum of <u>6 units</u>.</p>	<p>2. Book allowance of Five Thousand Pesos (P5,000.00) every semester.</p> <p>3. Dissertation/Thesis Assistance:</p> <p>3.1. Dissertation Assistance:</p> <table border="1" data-bbox="892 418 1447 532"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php100,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 60,000.00</td> </tr> </tbody> </table> <p>3.2. Thesis Assistance:</p> <table border="1" data-bbox="892 618 1447 732"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php 60,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 40,000.00</td> </tr> </tbody> </table> <p><i>Provided, that he/she passed comprehensive examination and have approved title.</i></p> <p>For Non-Thesis Program, Plan B Fifteen Thousand Pesos (Php5,000.00) upon passing the comprehensive examination.</p>	Type	Amount	Experimental	Php100,000.00	Non-Experimental	Php 60,000.00	Type	Amount	Experimental	Php 60,000.00	Non-Experimental	Php 40,000.00	<p>Note: For BS degree, maximum of 5 years</p>		
Type	Amount																
Experimental	Php100,000.00																
Non-Experimental	Php 60,000.00																
Type	Amount																
Experimental	Php 60,000.00																
Non-Experimental	Php 40,000.00																
<p>PLAN D Partial Scholarship</p>	<p>A faculty member with a permanent status of appointment may be given a scholarship in any preferred Graduate School with a 50% teaching load (based on a 21-24 unit teaching load)</p>	<p>1. Free School fees.</p> <p>2. Book allowance of Five Thousand Pesos (Php5,000.00) every semester.</p> <p>3. Dissertation/Thesis Assistance:</p> <p>3.1. Dissertation Assistance:</p>	<p>3 years</p>	<p>5 years</p>	<p>One year for every year of scholarship</p>												

		<table border="1"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php100,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 60,000.00</td> </tr> </tbody> </table> <p>3.2. Thesis Assistance:</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Experimental</td> <td>Php 60,000.00</td> </tr> <tr> <td>Non-Experimental</td> <td>Php 40,000.00</td> </tr> </tbody> </table> <p><i>Provided, that he/she passed comprehensive examination and have approved title.</i></p> <p>For Non-Thesis Program, Plan B Fifteen Thousand Pesos (Php5,000.00) upon passing the comprehensive examination.</p>	Type	Amount	Experimental	Php100,000.00	Non-Experimental	Php 60,000.00	Type	Amount	Experimental	Php 60,000.00	Non-Experimental	Php 40,000.00			
Type	Amount																
Experimental	Php100,000.00																
Non-Experimental	Php 60,000.00																
Type	Amount																
Experimental	Php 60,000.00																
Non-Experimental	Php 40,000.00																
<p>Plan E Bar/ Board Assistance</p>	<p>Applicant is a regular employee/ Faculty of the University taking Bar/ Board exam relevant to his field of specialization and present assignment.</p>	<ol style="list-style-type: none"> Basic salary and other lawful benefits. Allowance for review materials Three Thousand Pesos (Php3,000.00 for the whole duration). Transportations expenses at the start and end of the grant. Review and exam fee. Monthly stipend of Four Thousand Pesos (Php4,000.00) for the whole duration of the review. 	<p>Subject to the specified schedule of the review and exam.</p> <p>One time privilege only for a particular exam.</p>	<p>Maximum of one and one half year service obligation.</p>													
<p>Plan F Special Foreign Grants</p>	<p>Fellowship Grants, Travel, Scholarship,</p>	<ol style="list-style-type: none"> Salary. 	<p>Subject to the specified duration of grant.</p>	<p>Depending upon the duration of the grant</p>													

	Consultancies abroad and other similar scholarly pursuits.	2. Other assistance subject to availability of funds.		computed per Sec. 68, Rule XVI of the Omnibus Rules on Leaves.
Plan G	Permanent Faculty/Employees who study on their own and who seek Thesis/Dissertation Assistance.	Thesis Assistance of Php Forty Thousand Pesos (Php40,000.00) or Dissertation Assistance of Sixty Thousand Pesos (Php60,000.00) when he/she passed comprehensive examination and have approved title. For Non-Thesis Program, Plan B Fifteen Thousand Pesos (Php5,000.00) upon passing the comprehensive examination.	One time Assistance	
Plan H Special Support for Temporary Teachers	Faculty members who are on temporary status of appointment and who have rendered at least one year of service pursuing advanced studies in their field of specialization and in line with the need of the University.	Official Time on particular day where he/she needs to enroll in a course scheduled within his official time or immediately after office hours where official travel time would be needed.	During the semester/ term where the need arises.	Certification of an enrollment from the school where he/she is enrolled / no. of years service as required by sponsoring agency, if applicable.
Plan I Scholarship Granted by other Agencies	Based on the need of the sponsoring agency relevant to his/her present assignment and/or field of specialization	<ol style="list-style-type: none"> 1. Basic salary and other lawful benefits. 2. Augmented monthly stipend given by sponsoring agency, to equal level granted to EVSU full scholars. 3. Transportation expenses at the start and end of the scholarship. 	Depending on the number of years set by the sponsoring agency and the school where they are enrolled.	Based on the sponsoring agency
Plan J Local Training	Faculty members or non-teaching personnel	1. Basic salary and other lawful benefits.	Subject to the specified duration of grant	Depending upon the duration of the grant

	on a permanent status of appointment, to attend training for a month or more in his/her field of specialization and in line with the need of the University.	<ol style="list-style-type: none"> 2. Training fee. 3. In case training fee does not include board and lodging, a stipend of Four Thousand Pesos (Php4,000.00) per month should be granted. 		computed per Sec. 68, Rule XVI of the Omnibus Rules on Leaves.				
Plan K Certification Examination Assistance conducted by accredited agencies	Faculty members or non-teaching personnel on a permanent status of appointment, to attend training for a month or more in his/her field of specialization and in line with the need of the University.	Official Business but not to exceed five (5) days.	One time privilege only for a particular examination	One year for every year of grant				
Plan L <ul style="list-style-type: none"> ✓ Open University ✓ Distance Education Program ✓ ETEEAP 	That adopted to enroll in an Open University/ Distance Education Program	<ol style="list-style-type: none"> 1. Basic salary & other lawful benefits. 2. Reimbursable Book allowance of not more than P1,500 per semester 3. Thesis Assistance of Php Forty Thousand Pesos (Php40,000.00) or Dissertation Assistance of Sixty Thousand Pesos (Php60,000.00) when he/she passed comprehensive examination and have approved title. For Non-Thesis Program, Plan B Fifteen Thousand Pesos (Php5,000.00) 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Three years</td> <td style="width: 50%; text-align: center;">Five Years</td> </tr> <tr> <td colspan="2" style="text-align: center;">or set by the program set by the school where they enrolled</td> </tr> </table>	Three years	Five Years	or set by the program set by the school where they enrolled		One year for every year of grant.
Three years	Five Years							
or set by the program set by the school where they enrolled								

		<p>upon passing the comprehensive examination.</p> <ol style="list-style-type: none">4. Reduce teaching load 50% of the regular teaching load.5. Travel expenses tutorial will be called.6. Stipend during summer when required to stay in manila and one round trip ticket with taxi fare for tutorial purposes during the semester may be used for the summer full time attendance.7. Will be required to register his attendance in the logbook during his schedule classes only.		
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INSTRUCTIONS

1. This form is used for evaluating the performance of your supervisor in this rating period. Please use pen or ballpen when accomplishing this form.
2. Please observe fairness and objectivity when rating your supervisor.
3. In rating your supervisor, check the box that most objectively represents his/her level of performances guided by the definitions of rating under each factor. Please use the rating scale below:

<i>High</i>	10	<i>Outstanding</i>
	8	<i>Very Satisfactory</i>
	6	<i>Satisfactory</i>
	4	<i>Unsatisfactory</i>
<i>Low</i>	2	<i>Poor</i>
4. After accomplishing this form, please affix your signature and submit this to your next higher supervisor.

FACTORS

Part I. Performance

Accomplishment of Work

- How would you assess the overall work accomplishment of your supervisor in relation to his/her performance targets?
- 10 Attains exceptional level of achievement, accomplishments exceeding the targets by 30%
 - 8 Attains level of achievement more than adequate but falls short of being exceptional; accomplishments exceed the targets by 15-29%

- 6 Attains adequate level of achievement, meets targets as planned and exceeds it up to 14%
- 4 Attains level of achievement less than adequate level but can be improved; meets only 51%-99% of the targets
- 2 Poor, accomplishment is below 50% of the target

Part II. Critical Factors

1. Management of Work

Please rate your supervisor's demonstrated ability to plan and prioritize activities, assign work properly, set appropriate work standards, establish monitoring systems, streamline office operations and make prompt and sound decisions.

- 10 Exceptional
- 8 More than adequate but falls short of being exceptional
- 6 Adequate
- 4 Less than adequate but can be improved
- 2 Poor

2. Management of People

Please rate your supervisor in his/her ability to promote employee development, observe fairness and impartiality, maintain discipline, motivate staff and give effective feedback on performance.

- 10 Exceptional
- 8 More than adequate but falls short of being exceptional
- 6 Adequate
- 4 Less than adequate but can be improved
- 2 Poor

3. Courtesy and Public Relations

In your observations. How would you rate your supervisor's behavior, manner of speech and actuations in dealing with the public/clientele?

- 10 Always go all the way to make people comfortable and satisfied even under pressure and occupied with work
- 8 Frequently goes out of the way even when occupied with work in giving assistance to the public
- 6 Normally or usually goes out of the way to assist the public
- 4 Occasionally assist the public at

- 2 Most of the time discourteous; often times complained about due to inconsiderate attitude

4. Punctuality and Attendance

Please rate the observed behavior of your peer in reporting for or being present at work to complete assigned responsibilities.

- 10 Not more than 3 times tardy/undertime and 4 days absent, stays in office even after office hours to complete assigned responsibilities at hand when needed all the time
- 8 4-6 times tardy/undertime and 5-8 days absent, generally present when needed
- 6 7-10 times tardy/undertime and 9-12 days absent, normally present when needed

3. Punctuality and Attendance

Please rate the observed behavior of your peer in coming to office on time or be present at work to complete assigned responsibilities

10 Not more than 3 times tardy/undertime and 4 days absent; stays in office even after office hours to complete assigned responsibilities; at hand when needed all the time

8 4-6 times tardy/under time and 5-8 days absent; generally present when needed

6 7-10 times tardy/under time and 9-12 days absent, normally present when needed

4 11-15 times tardy/under time and 13-16 times absent; at times missing without informing staff about his/her whereabouts; leaving the workplace without notice and attending to unofficial matters most of the time

2 More than 15 times tardy and more than 16 days absent; leaving the workplace without notice and attending to unofficial matters most of the time.

COMMENTS and RECOMMENDATIONS

_____?

Position

Office/Division

Date

EASTERN VISAYAS STATE UNIVERSITY
ADMINISTRATIVE OR NON-TEACHING PERSONNEL
PERFORMANCE
EVALUATION SYSTEM
(ANTP-PES)

PEER RATER FORM
(PRF)

RATING PERIOD

NAME OF PEER TO BE RATED

POSITION

OFFICE

EVSU-ANTPFES Form-1
Approved per EVSU-BOR
Reso. No. 21, s. 2018
Adopted: March 21, 2018

PLEASE READ THE INSTRUCTION
CAREFULLY BEFORE ACCOMPLISHING
THIS FORM

1. This form is used for evaluating the performance of your peer in this rating period. Please use pen or ballpen when accomplishing this form.
2. Please observe fairness and objectivity when rating your peer.
3. In rating your peer, check the box that most objectively represents his/her level of performances guided by the definitions of rating under each factor. Please use the rating scale below:

<i>High</i>	10	<i>Outstanding</i>
	8	<i>Very Satisfactory</i>
	6	<i>Satisfactory</i>
	4	<i>Unsatisfactory</i>
<i>Low</i>	2	<i>Poor</i>

4. After accomplishing this form, please affix your signature and submit this to your peer-ratee .

FACTORS

Part I. Performance

Accomplishment of Work

How would you assess the overall performance of your peer in achieving his/her targets?

- 10 Attains exceptional level of achievement, accomplishments exceed the targets by 30%
- 8 Attains level of achievement more than adequate but falls short of being exceptional; accomplishments exceed the targets by 15-29%
- 6 Attains adequate level of achievement, meets targets as planned and exceeds it up to 14%
- 4 Attains level of achievement less than adequate level but can be improved; only 51%-99% of the targets accomplished
- 2 Poor, accomplishment is below 50% of the target

Part II. Critical Factors

1. Peer Relations

Please rate your peers in the manner by which he/she relates to you and co-employees.

- 10 Gets along easily, demonstrates concern for peers, initiates team effort , work and harmonies and working relationship
- 8 Generally friendly and helpful cooperates well with peers
- 6 Normally cooperative and helpful in carrying out task at times needs some support and advice from supervisor and peer groups

- 4 Oftentimes, works at his own, Seldom regards peer concerns
- 2 Has difficulty in dealing with peers, draws negative impression, uncooperative, not a team player

2. Courtesy and Public Relations

In your observations. How would you rate your peers behavior, manner of speech and actuations in dealing with the public/clientele?

- 10 Always goes all the way to make people comfortable and satisfied even under pressure and occupied with work
- 8 Usually goes out of the way even when occupied with work in giving assistance to the public
- 6 Normally goes out of the way to assist the public
- 4 Occasionally assists the public, at times, discourteous, shows lack of patience in dealing with the public
- 2 Most of the time discourteous; often times complained about due to inconsiderate attitude

COMMENTS and RECOMMENDATIONS

INSTRUCTIONS

- This form is used for evaluating the performance of the employee whom you are transacting business with. Your feedback on his/her service delivery will help us objectively evaluate the overall performance of the employee and eventually improve our service delivery system.
- Please be fair and objective when rating your employee.
- In rating the employee, please check the box that most objectively represents his/her level of performance using the rating scale below

<i>High</i>	10	<i>Outstanding</i>
	8	<i>Very Satisfactory</i>
	6	<i>Satisfactory</i>
	4	<i>Unsatisfactory</i>
<i>Low</i>	2	<i>Poor</i>
- After accomplishing this form, please affix your signature and return this to the public assistance counter/officer of the day/supervisor of the employee whom you are transacting business with

FACTORS

Part I. Performance

Accomplishment of Work

Is he/she knowledgeable in his/her assigned task not giving you a runaround on your transaction, facilitative, systematic, assuring and decisive?

Low					High
2	4	6	8	10	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Part II. Critical Factors

1. Courtesy

Is he/she polite, cordial and attentive? Does he/she smile, greet clients, make them comfortable and at ease?

Low					High
2	4	6	8	10	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

2. Readiness for Service

Is he/she always at his station, punctual, not engaging in unofficial matters like chatting, eating, telephoning, etc., while the client is waiting or watching?

Low					High
2	4	6	8	10	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3. Cleanliness and Orderliness of Work Area

Is his/her work area cleared of unsightly items, clean, organized or orderly?

Low					High
2	4	6	8	10	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

4. Grooming and Appearance

Does/he/she present a neat and presentable appearance, wears proper uniform/attire and ID?

Low					High
2	4	6	8	10	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	