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OFFICE ORDER NO. 2011-04

To : **ALL OFFICIALS AND EMPLOYEES**
DOTC-Central Office, CAR and Caraga Regional Offices,
Project Management Offices and Project Implementation
Units
This Department

Subject : **GUIDELINES AND PROCEDURES ON PERSONNEL
MOVEMENT INCLUDING SEPARATION FROM THE
SERVICE**

Date : 20 January 2011

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PERSONNEL DIVISION
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For clarification and guidance on the responsibilities of all officials and employees of this Department regarding personnel movement pursuant to CSC rules and regulations, the following policies and procedures shall be strictly implemented:

1. **Reassignment** (movement of an employee across the organizational structure within the same department of agency, which does not involve a reduction in rank, status or salary)
 - 1.1 Any office availing the services of an employee through reassignment shall file a **written request** addressed to the Secretary through channels, accompanied by a duly accomplished **Conformity Slip** signed by the employee being reassigned, the head of the releasing office, and the head of the receiving office. The written request shall contain the reason/s for the reassignment of a particular employee, the functions to be performed, the effective date of reassignment, and the duration thereof.
 - 1.2 The request and the Conformity Slip shall be forwarded to the **Director for Administrative Service** who, in turn, shall release the same to the **Personnel Division** for evaluation of the documents and subsequent preparation and endorsement of a **Special Order (SO)** for the approval/signature of the Secretary.
 - 1.3 Upon approval of the SO, the **Records Section** of the General Services Division shall immediately disseminate the same to the concerned employee/supervisor, copy furnished the Personnel Division for inclusion in the concerned employee's 201 File,

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1.4 The **supervisor in the receiving agency** shall officially inform the Personnel Division as to the date the concerned employee reported for work for record and attendance monitoring purposes. 2

2. **Detail** (temporary movement of an employee from one department or agency to another which does not involve a reduction in rank, status or salary)

2.1 **General Guidelines**

- a. The detail shall be allowed only for a maximum period of one (1) year. Details beyond 1 year may be allowed provided it is with the consent of the detailed employee. The extension or renewal of the period of the detail shall be within the authority of the mother agency.
- b. If the employee believes that there is no justification for the detail, he/she may appeal his/her case to the proper CSC Regional Office. Pending appeal, the detail shall be executory unless otherwise ordered by said regional office. Decision of said regional office may be further appealed to the Commission en banc.
- c. During the period of the detail, the mother agency relinquishes administrative supervision over the detailed employee to the receiving agency. Administrative supervision refers to the authority to direct the performance of duties; restrain the commission of acts; and review, approve, reverse or modify acts or decisions of the detailed employee. In this regard, the receiving agency has the responsibility to monitor the punctuality and attendance of the employee, approved requests for leave, evaluate his/her performance, grant authority to travel and exercise other acts necessary to effectively supervise the employee.
- d. Prior to the effectivity of the detail, the mother agency shall furnish a certification of the available sick and vacation leave credits of the detailed employee to the receiving agency. In the event the receiving agency approves requests for leave by the detailed employee, a copy of the same shall be subscribed to the mother agency.
- e. With respect to personnel actions (promotion, transfer, renewal, change of status, demotion, upgrading/reclassification of positions, etc.), which require the issuance of an appointment, and other personnel movements (reassignment, detail, secondment, job rotation and designation) which do not require the issuance of an appointment, including salary adjustment, step increment and monetization of leave credits concerning the detailed employee, the same shall still be under the jurisdiction of the mother agency notwithstanding that the employee is detailed in another agency.

- f. The authority to discipline the detailed employee is still vested in the appointing authority of the mother agency where he/she belongs. The authority to discipline includes the determination of the existence of a prima facie case against him/her, 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. 3
- g. With respect to the administrative case arising from acts done by the employee in the receiving agency, said agency shall have the right to initiate or file the complaint against the detailed employee subject to the provisions of CSC Resolution 99-1936 dated 31 August 1999 (Uniform Rules on Administrative Cases in the Civil Service).

2.2 Procedures

a. Detail to DOTC-Central Office from Other Agencies

1. *When request is made by the DOTC-CO:*

- a. The concerned DOTC-CO unit shall send a written request to the head of the agency for the detail of an employee containing pertinent information for such detail including, among others, the name and position of the employee being requested, the reason/s for the detail, the functions to be performed by the employee, the effectivity of the detail, and the duration thereof.
- b. Depending on the reasons and internal procedures of the **releasing agency**, the latter shall indicate in writing its assent/concurrence or denial of the request. In the case of assent/concurrence, the releasing agency shall attach to its letter a **Special Order** detailing the employee to the DOTC-CO, and a **certification** of the employee's available leave credits.
- c. Upon receipt of the documents, the **Personnel Division** shall likewise facilitate the issuance of a Special Order to the concerned employee, copy furnished the releasing agency, confirming the detail.
- d. The **supervisor of the receiving office and the detailed employee** shall report to the Personnel Division the date the latter reported for work so that the said Division could officially inform the releasing agency, for record purposes.
- e. The **Personnel Division** shall orient the concerned employee of the applicable personnel policies and submit copies of duly

signed monthly DTRs, approved leave applications, and performance evaluation reports (every end of semester) to the releasing office/agency. 4

2. When request is made by the employee concerned either of this Department or of other agencies

- a. The **concerned employee** shall observe the internal policies and procedures of his office/agency in requesting for his detail to the DOTC-Central Office. Request for detail by the concerned employee, however, shall in no way be made whimsically but due to exigency and interest of the service.
- b. The **head of the releasing office/agency** shall officially endorse the detail of its employee to the DOTC-Central Office through the Director for Administrative Service, accompanied by a duly signed Special Order and a Certificate of Leave Balance.
- c. Upon evaluation of the documents submitted, the **Personnel Division** shall facilitate the issuance of a Special Order to the concerned employee, copy furnished the releasing agency, confirming the detail.
- d. The **supervisor of the receiving office and the detailed employee** shall report to the Personnel Division the date the latter reported for work so that the said Division could officially inform the releasing agency, for record purposes.
- e. The **Personnel Division** shall orient the concerned employee of the applicable personnel policies and submit copies of duly signed monthly DTRs, approved leave applications, and performance evaluation reports (every end of semester) to the releasing office/agency.

3. **Secondment** (movement of an employee from one department or agency to another which is temporary in nature and which may or may not require the issuance of an appointment which may either involve increase in compensation and benefits. Acceptance thereof is voluntary on the part of the employee)

3.1 General Guidelines

- a. Secondment shall be limited to employees occupying management, professional, technical or scientific positions.

- b. A **Memorandum of Agreement (MOA)** or contract for secondment shall be made **between the releasing agency and the receiving agency**, and concurred in by the employee concerned. 5
- c. In case of secondment to a foreign or international organization/body recognized by the Philippine government, a **Certificate of Recognition** obtained from the Department of Foreign Affairs shall be appended to the MOA.
- d. Acceptance of scholarship by the seconded employee shall terminate the secondment.
- e. The seconded employee shall not be eligible for promotion during the period of his/her secondment.
- f. Payment of the salaries of a seconded employee shall be borne by the receiving agency. In case of a higher compensation covered by a duly issued appointment within the Philippine government, the same may be used for computing the seconded employee's retirement benefits, but not for the computation of leave credits earned in the releasing agency.
- g. Parties to the secondment contract shall agree on who should bear the burden of paying the retirement premium corresponding to the government share in the Government Service Insurance System (GSIS). In the absence of a contract stipulation, the mandatory contributions shall be deemed to be the responsibility of the receiving agency.
- h. The time spent on secondment shall not affect the continuity of the employment of the seconded employee with the releasing agency. He/she shall be on leave without pay in his/her parent agency for the duration of the secondment, and during such period, he/she may earn leave credits which are commutable immediately thereafter and payable by the receiving agency.
- i. However, if the releasing agency will designate or appoint an employee to the position temporarily vacated by the seconded employee, the same shall be on a substitute or contractual status co-existent with the duration of the secondment only.

3.2 Procedures

- a. The **head of the needing/receiving agency** shall request in writing the releasing agency for the secondment of an employee stating therein the need for the services, the purpose of secondment, the

functions to be performed by the seconded employee, and other information for the secondment.

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- b. The **needing/receiving agency** shall attach a MOA or contract of secondment for the review and/or concurrence of the parent/releasing agency containing the following:
- Purpose of the secondment
 - Terms of secondment
 - Continuity of employment
 - Benefits/Salaries
 - Keeping in touch
 - Appraisal arrangement
 - Termination of the secondment
 - Renewal of the secondment agreement
- c. For secondment to a foreign agency, the **head of the said agency** shall attach a Certificate of Recognition from the Department of Foreign Affairs and other pertinent supporting documents and diplomatic papers, such as appointment to a Foreign Service Officer rank.
- d. The **head of the parent/releasing agency** shall review the request, the MOA and the supporting documents and, if amenable to the provisions stipulated therein, shall sign the said MOA or contract; otherwise, he/she shall inform in writing the needing/receiving agency of his/her denial of the request for secondment.
- e. Upon signing of the MOA, the **head of the parent/releasing agency** shall issue an SO to the seconded employee containing conditions and/or information on the secondment.
- f. The **head of the parent/releasing agency** shall then submit a copy of the MOA or contract of secondment to the Civil Service Commission within thirty (30) days of the signing thereof for recording.
- g. The **seconded employee** shall, from time to time, officially inform the parent/releasing agency of his/her status and whereabouts for the duration of the secondment, for monitoring purposes.
- h. Upon termination of the secondment, the **needing/receiving agency** shall commute the leave credits of the seconded employee and pay the corresponding monetary value of the same.

- i. Meanwhile, the **concerned employee** shall officially inform the parent/releasing agency of his/her return to office to resume his/her duties and functions. 7
- j. The **parent/releasing agency** shall then resume the processing of his/her employment records including, among others, his/her salary increase, step increments, and leave credits.
4. **Transfer** (the definition of transfer in this Order includes the movement of an employee from one position to another which is of equivalent rank, level or salary [lateral], or with promotion or demotion [vertical]. Transfer presupposes one that has no break in the service and involves the issuance of an appointment. Transfer in this context is from one department or agency to another)

4.1 Transfer from DOTC-CO to Other Agencies

- a. Any employee transferring to another agency should submit a letter-request addressed to the Secretary, this Department, together with the duly accomplished Office Clearance, at least one (1) month before the intended transfer. The request should be forwarded to the Office of the Director for Administrative Service, which shall route the same to the Personnel Division for evaluation, processing, and preparation of the authority to transfer.
- b. The Personnel Division shall immediately furnish the Treasury Division, this Department, a copy of the letter-request for purposes of cancelling the employee's name from the payroll.
- c. Upon issuance by the Secretary of the authority to transfer, the Records Section of the General Services Division shall disseminate the same to all offices concerned, including the Personnel Division and the receiving agency.
- d. The receiving agency shall officially inform the Personnel Division of this Department on the actual date the concerned employee reported for work for updating and closure of records.
- e. Only upon submission by the concerned employee of his/her duly approved Office Clearance shall the Personnel Division release the Service Record and the Certification of Leave Balance.

4.2 Transfer from Other Agencies to DOTC-CO

- a. When under the lateral mode, any government employee who desires to transfer to this Department shall, upon coordination with concerned

offices of this Department including the Office of the Director for ~~Administrative Service~~ Administrative Service and the Personnel Division, shall submit an 8 application letter to the Secretary of this Department, through the Office of the Director for Administrative Service stating his/her intention to transfer. The letter shall be accompanied by the employee's credentials and all relevant/supporting documents, including certificate of no pending case and other necessary clearances/certifications.

- b. The Office of the Director for Administrative Service shall forward the documents to the Personnel Division for the latter to evaluate based on the qualification standards of the position and other evaluation procedures.
- c. If the employee-applicant's credentials are found to be non-conforming to the standards and evaluation procedures, the Personnel Division shall prepare a letter of denial to be signed by the Secretary, through channels.
- d. Otherwise, the processing of the appointment shall undergo the usual procedures and shall pass through the DOTC-CO Personnel Selection Board. The signing thereof shall be based on the existing delegation of authority/delineation of functions.
- e. Upon approval/signing of the appointment, the Personnel Division shall disseminate the document to the employee-applicant, the releasing agency, and all concerned offices of this Department for record purposes.
- f. The Personnel Division shall then notify in writing the releasing agency of the date the employee reported for work in this Department, and shall request the releasing agency for the transfer of the employee's documents, such as the 201 file and leave folder. It shall also request the releasing agency for the issuance of clearances and certifications including, among others, the last salary received by the employee. These documents are bases for the processing of the payment of first salary of the transferred employee.
- g. In case of transfer by promotion, the employee-applicant shall officially inform this Department of his intention and willingness to undergo the selection procedures, submitting hereto his/her credentials and other supporting documents for evaluation and deliberation by the DOTC-CO Personnel Selection Board.
- h. If the employee-applicant passes all the requisite selection criteria, the Personnel Selection Board shall recommend for his/her appointment.

The Personnel Division shall process his/her papers through the usual appointment procedures.

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- i. Signing of appointment and dissemination thereof shall also be done through the usual process.
- j. Transfer by demotion may no longer need thorough evaluation, but shall need the written intention by the employee-applicant which shall pass through the DOTC-CO Personnel Selection Board for recommendation for appointment. Processing, signing, and dissemination thereof shall be made through the usual procedures.

5. Resignation/Optional Retirement

5.1 Any employee who intends to separate from the government service, either through resignation or optional retirement, shall submit a written notice addressed to the Secretary, this Department, through the Office of the Director for Administrative Service, at least one (1) month before the effectivity of the resignation/optional retirement. The duly accomplished Office Clearance should be attached to the notice.

5.2 The Office of the Director for Administrative Service shall route the document to the Personnel Division which, in turn, furnish the Treasury Division a copy of the said notice.

5.3 The Personnel Division shall also prepare a letter of acceptance and requirements for the employee to comply with in order to facilitate the payment for his/her terminal leave benefits.

This Order shall take effect immediately.

All orders that are inconsistent herewith are hereby repealed, revoked, or superseded accordingly.

For strict compliance.


JOSE P. DE JESUS

Secretary



DOTC-OSEC OUTGOING

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