



Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY

JUL 31 2019

DEPARTMENT ORDER

No. 2019- 0278

SUBJECT: Revised Implementing Guidelines of the Merit Selection Plan (MSP) in the Department of Health (DOH), its Offices and Attached Agencies

I. BACKGROUND

Section 32, Chapter 5, Book V of Executive Order (EO) No. 292 (The Revised Administrative Code of 1987) directs agency heads to establish their respective merit promotion plans to be administered in accordance with Civil Service Law, rules, regulations, and standards.

On July 3, 2018, the Civil Service Commission (CSC) promulgated Resolution No. 1800692 introducing amendments to certain provisions of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions to ensure that the policies on these matters are consistent with other administrative issuances and pertinent laws.

As a result of this development, there is a need to revise the existing DOH Merit Promotion Plan (MPP) which was approved by the CSC– National Capital Region (CSC-NCR) on May 12, 2017 to conform with the new policies issued by the CSC. It shall henceforth be known as the DOH Merit Selection Plan (DOH MSP).

Once approved by the CSC, the revised DOH MSP becomes a valid contract between the Department and the CSC. Non- compliance with any of the provisions of the Plan shall be a ground for disapproval/invalidation of the appointment, and for the filing of appropriate administrative charge against the official or employee who caused the violation.

II. OBJECTIVES

The performance of the Department, like any other organization, is gauged by the kind of service it delivers, which in turn depends largely on the people who make up the organization. Its success is the end-result of the quality of its employees. The more capable, efficient, knowledgeable and responsible the employees are, the higher and greater is the office productivity, which will ultimately redound to the mutual benefit of the employees and the organization. This is conditioned on the establishment and implementation of a highly effective recruitment, selection, placement, and promotion process as embodied in the Revised DOH MSP.

A handwritten signature in black ink, appearing to be "R. Duterte", is written in the bottom right corner of the page.

The Plan aims to strictly enforce the observance in the organization of the following:

1. Merit, fitness and equality in the selection of employees for appointment to all levels of positions in the Department.
2. Non-discrimination in the recruitment, selection, placement, and promotion of employees on account of political or religious affiliations, sex, sexual orientation and gender identity, civil status, age, disability, or ethnicity.
3. Equal opportunity for career advancement in the Department.

III. SCOPE

This Order shall apply to officials and employees in the first and second level positions including executive/managerial in the second level, in the Department which shall include its offices, namely: Central Office, Regional Offices/Centers for Health Development, Bureau of Quarantine, Food and Drug Administration, DOH Hospitals/Sanitaria, and Treatment and Rehabilitation Centers.

Except for the Central Office, all other offices named above are not precluded from establishing their own MSP, subject to prior submission to and approval of the Department Secretary and the CSC.

Attached agencies may adopt the policies and guidelines set in this Order or create their own Plan. It is understood that in the latter case, the same must be aligned to and in furtherance of the strategic goals and priorities of the Department to ensure that a working coherent partnership between them is maintained at all times.

IV. DEFINITION OF TERMS

1. **Attached Agencies** – refer to offices that have lateral relationship with a particular Department for purposes of policy and program coordination. The authority of the Department concerned is to oversee the operation of these agencies to ensure that they are managed effectively, efficiently and economically but without interfering with day-to-day operations. For purposes of clarity, the attached agencies of the Department are the following: 1) National Nutrition Council, 2) Philippine Health Insurance Corporation, and 3) Philippine Institute for Traditional and Alternative Health Care.
2. **Career Service** – refers to positions in the civil service characterized by 1) entrance based on merit and fitness to be determined, as far as practicable, by competitive examinations or based on highly technical qualifications; 2) opportunity for advancement to higher career positions; and 3) security of tenure.
3. **Department** – refers to DOH and its offices.



Handwritten signature and initials in the bottom right corner of the page.

4. **Deep Selection** – refers to the process of selecting for appointment a candidate who is not next-in-rank but possesses superior qualifications and competence.
5. **Discrimination** – a situation where a qualified applicant is not included in the selection line-up by the Human Resource Merit Promotion and Selection Board (HRMPSB) on account of political or religious affiliations, sex, sexual orientation and gender identity, civil status, age, disability, or ethnicity.
6. **Downgrading** – refers to a form of reclassification involving a downward change in salary grade allocation with or without change in position title.
7. **Employment status** – refers to the category/classification of employment which is determined by the appointment issued and can be any of the following: permanent, temporary, substitute, co-terminous either with the appointing authority/officer or with the head of the organizational unit where assigned or with the life span of the agency, primarily confidential in nature, fixed term, contractual, casual, transfer, reemployment and reappointment.
8. **Executive/managerial in the second level positions** – involve professional, technical and scientific positions, the functions of which are managerial in character, exercising management over people, resource, and/or policy, and exercising functions such as planning, organizing, directing, coordinating, controlling and overseeing the activities of an organization, a unit thereof or of a group, requiring some degree of professional, technical or scientific knowledge and experience, application of managerial skills required to carry out basic duties and responsibilities involving leadership, functional guidance and control. These positions require intensive and thorough knowledge of a specialized field.
9. **First level positions** – include clerical, trades and crafts and custodial service positions which involve non-professional or sub-professional work in a non-supervisory or supervisory capacity requiring less than four (4) years of collegiate studies.
10. **Hard to fill vacancies** – refer to vacancies where there is difficulty in recruitment owing, among others, to dearth category of the position, and unique or highly specialized nature of the position.
11. **Head of Agency** - refers to the Secretary of Health
12. **Head of Office** - refers to the Undersecretary, Assistant Secretary, Director IV and III, Medical Center Chief II and I, Chief of Hospital III, II, and I, Chief of Sanitarium II and I, and other officers of equivalent rank who manages health facilities in the Department, its offices and attached agencies.
13. **Human Resource Action** – refers to any action denoting the movement or progress of officials and employees in the civil service which shall include appointment, promotion, transfer, reappointment, reinstatement, reemployment, reclassification, detail, designation, reassignment, secondment, demotion, and separation from the service.

[Handwritten signature]
3

14. **Original appointment** – refers to the initial entry in the career or non-career service.
15. **Non-career service** – refers to positions expressly declared by law to be in the non-career service, or those whose entrance in the service is characterized by: 1) entrance on bases other than those of the usual tests of merit and fitness utilized for the career service; and, 2) tenure which is limited to a period specified by law, or which is coterminous with that of the appointing authority or subject to his pleasure.

It includes elective officials and their personal or confidential staff, secretaries and other officials of Cabinet rank who hold their positions at the pleasure of the President and their personal or confidential staff, Chairpersons and members of commissions and boards with fixed term of office and their personal or confidential staff, contractual, emergency and casual employees.

16. **Policy determining positions** – refers to positions where the occupant is vested with the power to formulate policies for the government, or any of its agencies or instrumentalities. The holders of these positions, together with those whose functions are normally considered as managerial or highly/primarily confidential in nature, fall under the category of high-level employees.
17. **Qualified next-in-rank** – refers to an official or employee appointed on a permanent status to a position next-in-rank to the vacancy as reflected in the System of Ranking Positions (SRP) approved by the head of agency and who meets the requirements for appointment to the next higher position.
18. **Qualification standards** – refers to the minimum requirements for a class of position expressed in terms of education, training and experience, civil service eligibility, physical fitness, and other qualifications required for successful performance.
19. **Second level positions** – include professional, technical, and scientific positions which involve professional, technical or scientific work in a non-supervisory or supervisory capacity requiring at least four (4) years of college work up to Division Chief level.
20. **Selection** – refers to the systematic method of determining the merit and fitness of a person on the basis of qualifications and ability to perform the duties and responsibilities of the position.
21. **System of Ranking Positions (SRP)** – refers to the hierarchical arrangement of positions from highest to lowest which shall be used as guide in determining which position is next-in-rank, taking into consideration the following: a) organizational structure, b) salary grade allocation, c) classification and functional relationship of positions, and, d) geographical location.

Handwritten signature and initials
4

V. POLICIES

A. 1987 Philippine Constitution

1. Article II (on State Policies)

1.1 The State shall guarantee equal access to opportunities for public service (*Section 26*).

2. Article IX-B (on the Civil Service Commission)

2.1 The civil service embraces all branches, subdivisions, instrumentalities, and agencies of the Government, including government-owned or controlled corporations with original charters. (*Sec. 2 [1]*).

2.2 Appointments in the civil service shall be made only according to merit and fitness to be determined, as far as practicable, and, except to positions which are policy-determining, primarily confidential, or highly technical, by competitive examination. (*Sec. 2 [2]*).

2.3 The Civil Service Commission, as the central personnel agency of the Government, shall establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service.

It shall strengthen the merit and rewards system, integrate all human resources development programs for all levels and ranks, and institutionalize a management climate conducive to public accountability. (*Sec. 3*).

2.4 No officer or employee of the civil service shall be removed or suspended except for cause provided by law (*Sec. 2[3]*).

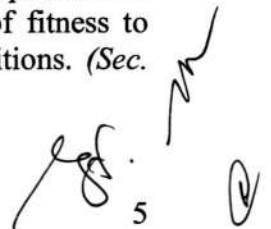
2.5 Temporary employees of the Government shall be given such protection as may be provided by law. (*Sec. 2[6]*).

B. Book V of Executive Order No. 292 (The Revised Administrative Code of 1987 on the Civil Service Commission)

1. The State shall insure and promote the Constitutional mandate that appointments in the Civil Service shall be made only according to merit and fitness (*Sec. 1, Chapter 1*).

2. Opportunity for government employment shall be open to all qualified citizens and positive efforts shall be exerted to attract the best qualified to enter the service. Employees shall be selected on the basis of fitness to perform the duties and assume the responsibilities of the positions. (*Sec. 21[1], Chapter 5*).

ef. 5



3. The MSP shall include provisions for a definite screening process, which may include tests of fitness, in accordance with standards and guidelines set by the Commission. Promotion Boards may be organized subject to criteria drawn by the Commission. (*Section 32, Chapter 5*).

C. Other Laws and CSC Issuances

1. It shall be the policy of the Government to promote efficiency in the allocation of personnel in the civil service, as well as transparency and equal opportunities in the recruitment and hiring of new personnel. (*Section 1 of Republic Act No. 7041 [Publication Law]*)
2. Selection of employees for appointment in the government service shall be open to all qualified men and women according to the principle of merit and fitness.

There shall be equal employment opportunity for men and women at all levels of positions in the agency, provided they meet the minimum requirements of the position to be filled.

There shall be no discrimination in the selection of employees on account of gender, civil status, disability, religion, ethnicity, or political affiliation. (*Items 1 and 2 of CSC MC No. 3, s. 2001*).

VI. GUIDING PRINCIPLES

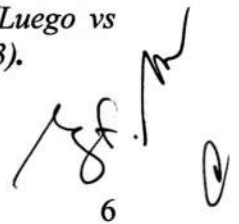
A. On Appointments

1. Essentially discretionary power

- 1.1 Appointment is an essentially discretionary power and must be performed by the officer in which it is vested according to his best lights, the only condition being that the appointee should possess the qualifications required by law (*Luego vs CSC 143 SCRA 327; CSC vs De la Cruz, G.R 158737, August 31, 2004 citing Salles vs Francisco, 206 SCRA 621*).

If he does, then the appointment cannot be faulted on the ground that there are others better qualified and should be preferred. This is a political question involving questions of wisdom which only the appointing authority can decide (*Office of the Ombudsman vs CSC, GR No. 159940, February 16, 2005 citing Lopez vs CSC 194 SCRA 269 (1991); PCSO vs CSC, GR SP No. 98800, August 12, 2008*).

Indeed, this is a prerogative of the appointing authority which he alone can decide, absent any grave abuse in the exercise thereof. (*Luego vs CSC, supra, Apurillo vs CSC, GR No. 105112, October 13, 1993*).



Handwritten signature and initials in the bottom right corner of the page.

1.2 While the appointing authority has the discretion to choose whom to appoint, the choice is subject to the caveat that the appointee possesses the required qualifications. (*Abella vs CSC, GR No. 152574, November 17, 2004; Caringal vs PCSO, GR No. 161942, October 13, 2005*).

1.3 Employees holding positions next-in-rank to the vacated position do not enjoy any vested right thereto for purpose of promotion (*Umoso vs. CSC, 234 SCRA 617*). The concept of "next-in-rank" does not impose any mandatory or peremptory requirements that the person next-in-rank must be appointed to the vacancy (*Panis vs CSC, 229 SCRA 589; Abila vs. CSC, 198 SCRA 102*).

2. Requirement of Vacancy

2.1 There can be no appointment to a non-vacant position. The incumbent must first be legally removed, or his appointment validly terminated before another one can be appointed to succeed her (*Aquino vs CSC, G.R. No. 92403, April 22, 1992*).

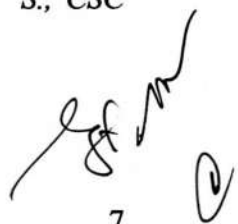
3. Disqualifications for Appointment

3.1 An appointment shall not be issued to a person who has been dismissed for cause as enumerated in Section 50 (A), Rule 10 of the 2017 Rules on Administrative Cases in the Civil Service (RACCS) or has been found guilty of a crime where perpetual/temporary disqualification from appointment is attached as accessory penalty, unless an executive clemency has been granted; or in case an appointment has been issued, the same shall be disapproved/invalidated by the CSC.

4. Prohibition Against Nepotism

4.1 In the national government, there is nepotism if an appointment is issued in favor of a relative within the third civil degree of consanguinity or affinity of the appointing authority, recommending authority, chief of the bureau or office, or the person exercising immediate supervision over him (*Section 59 [1], Book V of EO 292*).

4.2 The rule of nepotism presupposes that the identified/enumerated relative of the appointee is appointed ahead than the appointee. The Commission noted that appointee was appointed in July 1, 2010 ahead of the mother (the person exercising immediate supervision over her) who was appointed only on December 1, 2010. Her appointment therefore does not violate the rule on nepotism. (*BERSALES, Beta Bianca S., CSC Decision No. 120137 dated February 27, 2012*).



Handwritten signature and initials in the bottom right corner of the page.

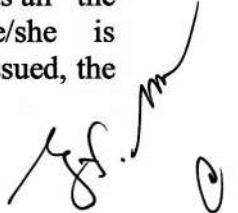
- 4.3 The proscription against nepotism covers not only original appointment but also subsequent personnel actions of an employee such as promotion, transfer, reemployment and the like (*CSC Resolution No. 090953 dated February 7, 2009, Nonato, Alejandro Jr.*). It applies to all modes of appointment, irrespective of civil status: that is, permanent, temporary, casual or emergency, or on contractual basis (*CSC Resolution No. 93150 dated April 22, 1993, Mate, Uldarico*).
- 4.4 Exempted from the rule of nepotism are persons employed in confidential capacity, teachers, physicians and members of the Armed Forces of the Philippines (*Section 59 [2], Book V of EO 292*).
- 4.5 The prohibition on nepotism applies without regard to the actual merits of the proposed appointee and to the good intentions of the appointing or recommending authority and the prohibition against nepotism on appointments, whether original or promotional, is not intended by the legislative authority to penalize faithful service (*Debulgado vs. CSC, 237 SCRA 184*).
- 4.6 The prohibitive mantle on nepotism includes designation because what cannot be done directly cannot be done indirectly (*Laurel vs. CSC 203 SCRA, 208-209; Debulgado vs. CSC, supra*).

5. Void Appointments

- 5.1 Where there is fraud in the issuance of an appointment, the same is to be considered null and void, thus, revocation of such appointment is valid. However, the appointing authority cannot *motu proprio* (at its own initiative) recall, revoke or withdraw an appointment already accepted by the appointee. Civil service rules require the appointing authority to make the necessary request with the CSC for the revocation of an appointment due to fraud. It is only the CSC who can recall or revoke an appointment already accepted by the appointee (*TUBALLAS, Conchita, et al., CSC Decision No. 130508 dated May 17, 2013 citing Section 10, Rule XIII of the Revised Omnibus Rules on Appointments and Other Personnel Actions*).
- 5.2 Appointments issued in violation of the rule of nepotism are void from the beginning and must therefore be revoked (*CSC Resolution No.090953, supra*). A void appointment cannot give rise to security of tenure on the part of the holder of the appointment.

6. Issuance of Permanent Appointment; When Mandatory

- 6.1 A permanent appointment shall be issued to a person who meets all the qualification requirements of the position to which he/she is being appointed. In case a temporary appointment is issued, the same shall be disapproved/invalidated.



7. Issuance of Temporary Appointments; When Authorized

7.1 The issuance of temporary appointments are authorized for the following Doctors in Level 3 Teaching and Training Hospitals:

- a) Medical Officer (MO) III who are undergoing the Residency Training Program (RTP).
- b) Resident/s or trainees in their last year of their RTP may be appointed as MO IV if available and meritorious.
- c) Doctors who completed their RTP and are eligible to take the Specialty board exam, in preparation for taking and passing the specialty exam, may be appointed as MO IV or MO III in the absence of MO IV position. The appointment is renewable every year for a maximum period of three (3) years.

In exceptional cases, extension beyond the maximum period may be allowed with justification subject to confirmation by the CSC.

- d) Doctors undergoing Fellowship Training Program may be appointed as MO IV or MO III in the absence of MO IV position.
- e) Doctors who completed their RTP and are already Diplomate/Fellow and have been appointed as MO IV prior to this issuance due to the absence of available Medical Specialist (MS) position. Appointment is renewable every year for a maximum of three (3) years or until an MS position has been made available. In exceptional cases, extension beyond maximum period may be allowed with justification subject to confirmation by the CSC.

8. Effect of Pending Administrative Case on Promotion

8.1. A pending administrative case is not a disqualification for promotion.

9. Three (3) Salary Grade Limitation on Promotion

9.1 No employee maybe promoted to a position which is more than three (3) salary grades higher than his/her present position.

9.2 Appointments issued in violation of this policy shall be disapproved/invalidated, except when the promotional appointment falls within the purview of the following exceptions:

- a) The position occupied by the employee is next in-rank to the vacant position as identified in the agency Merit Selection Plan and System of Ranking Positions.

- b) The vacant position is a lone or entrance position as indicated in the agency staffing pattern.
- c) The vacant position is hard to fill, such as Accountant, Medical Officer/Specialist, Attorney or Information Technology Officer/Computer Programmer positions.
- d) The vacant position is unique or highly specialized such as actuarial/Airways Communicator positions.
- e) The candidates passed through a deep selection process, taking into account the candidates' superior qualifications with respect to: educational achievements, highly specialized trainings, relevant work experience, and consistent high performance rating/ranking.
- f) Other meritorious cases, such as:
 - i. When the appointee is the lone applicant who meets all the requirements of the position and passed through the deep selection process.
 - ii. When the next-in-rank position as identified in the DOH SRP is vacant.
 - iii. When the next-in-rank employee/s is/are not qualified.
 - iv. When the qualified next-in-rank employees did not apply.
 - v. When the qualified next-in-rank employees waived in writing their right over the vacant position.

9.3 The limitation applies only to promotions within the agency and not to the following human resource actions which involve the issuance of an appointment:

- a) Transfer incidental to promotion provided that the appointee was subjected to deep selection
- b) Reappointment involving promotion from non-career to career provided that the appointee was subjected to deep selection
- c) Reappointment from career to non-career position
- d) Reemployment

9.4 In the selection process, the head of office is enjoined to strictly observe the 3-salary grade limitation rules to avoid disapproval or invalidation of promotional appointments.

9.5 To facilitate review and evaluation of appointments, the SRP shall be submitted by the agency to the CSC Regional/Field Office concerned.

9.6 The SRP shall be used as one of the bases for determining agency compliance with the 3-salary grade limitation on promotion.

Handwritten initials 'JG' and a checkmark symbol.

9.7 Employees who have been found guilty and meted the corresponding penalties imposed have the following limitations/disqualifications on promotion.

- a) Demotion: disqualification from promotion for one (1) year
- b) Suspension: disqualification for promotion corresponding to the period of suspension
- c) Fine: disqualification for promotion for the same period the respondent is fined
- d) The penalty of reprimand shall not carry any accessory penalty
- e) Warning or admonition is not considered a penalty

9.8 Except as otherwise provided by law, promotion within six (6) months prior to compulsory retirement shall not be allowed.

9.9 Except in meritorious cases as may be authorized by the CSC, agencies shall not fill up vacancies resulting from promotion until the promotional appointments have been approved/validated by the CSC.

10. Performance Rating Required

10.1 For appointment by promotion or transfer, the performance rating of the appointee in the last rating period prior to the date of assessment or screening should be at least Very Satisfactory.

10.2 Those who are on scholarship or training grant or on official leave of absence/maternity leave are eligible for promotion provided that the performance rating in the last rating period prior to this grant or leave of absence should at least be Very Satisfactory.

10.3 If promoted, the effectivity date of appointment shall be on the assumption to duty or upon return from official leave of absence/maternity leave, scholarship, or training grant.

10.4 The performance rating of at least Very Satisfactory (VS) in the last rating period shall not be required for promotion from the first to second level entry positions.

10.5 The performance rating prior to the reclassification of the position shall be considered as performance rating in the reclassified position for purposes of promotion.

B. On Protest

1. In protest cases, the only issue to be resolved is whether or not the protestee meets the qualification requirements of the position to which he was appointed (*CSC vs Saturnino dela Cruz, G.R. No. 158737, August 31, 2004*).
2. Only a qualified next-in-rank official or employee may file a protest against an appointment made in favor of another who does not possess the minimum

qualification requirements of the positions to which he/she has been appointed.

3. The protest/appeal shall be filed initially with the agency head, then to the CSRO, and then to the Civil Service Commission Proper.
4. The protest shall be filed within fifteen (15) days from the announcement and/or posting of the protested appointment.
5. All appointments or promotions shall be announced and/or posted in bulletin boards or at conspicuous places in the Department within thirty (30) days from the issuance of the appointment as provided in this MSP.
6. A protest shall not render the appointment ineffective or bar the approval thereof by the CSC Field/Regional Office or the Commission, as the case may be, but the approval shall be subject to the final outcome of the protest.
7. A protest may be withdrawn at anytime as a matter of right. The withdrawal of the protest shall terminate the protest case.
8. A protest shall be dismissed on the following grounds:
 - 8.1 The protestant is not a qualified next-in-rank
 - 8.2 The protest is not directed against a particular protested but to "anyone who appointed to the position" or directed to two or more appointees
 - 8.3 The protest is not in accordance with the prescribed form
 - 8.4 No appointment has been issued
 - 8.5 The protest is filed beyond the 15-day reglementary period
 - 8.6 Non-payment of the filing fee
 - 8.7 Non-submission of the certificate of non-forum shopping
9. Where the protest is finally decided against the protestee, the approval of his/her appointment shall be recalled and the appointment shall be considered disapproved/invalidated. The protestee shall be reverted to his/her former position, if applicable.

C. On Recall of Approval/Validation of Appointment

1. Laws and jurisprudence dictate that the power to recall the approval/validation of an appointment is lodged only in the CSC as part of its power stated under Section 14, Book V of EO 292 (*ALEJANDRINO, Lalaine A., CSC Resolution No. 130509 dated May 17, 2013*).
2. It is the CSC which is authorized to recall an appointment initially approved/validated when such appointment and approval/validation are proven to be in disregard of applicable provisions of Civil Service Law and regulations (*Obiasca vs Basallote, G.R. No. 176707, February 17, 2010 citing de Rama vs Court of Appeals G.R. No. 131136, February 28, 2001*).

3. The CSC or any of its Regional/Field Office may *motu proprio* or upon petition by any person may initiate the recall of the approval/validation of an appointment of an official or employee who does not meet the required qualifications of the position or on the ground that the appointment was issued in violation of existing civil service law, rules and regulations.
4. While the petition for the recall of the approval/validation of an appointment is pending, the appointee shall continue performing the functions of the position.
5. When the CSC decides against the appointee, the approval/validation of his/her appointment shall be revoked and the appointment shall be considered disapproved/ invalidated. In case of promotion within the same agency, the appointee shall be reverted to his/her position, if applicable.

VII. IMPLEMENTING GUIDELINES

A. Mandatory requirements prior to issuance of appointments

1. Qualification Standards

- 1.1 The establishment, administration and maintenance of qualification standards is the primary responsibility of the department or agency, with the assistance and approval of the CSC.
- 1.2 Agency heads may propose and submit to the CSC specific or higher qualification standards (QS) for their positions, including the required competencies (knowledge, skills and attitude). Pending submission to and approval by the CSC of the agency QS, the qualification requirements provided under the CSC QS Manual shall be used as bases in the attestation of the non-career appointments. Once approved by the CSC, these standards shall be uniformly and consistently adopted by the agency in the selection and appointment of its employees.
- 1.3 Where a special law provides for the qualification standards for certain positions, the same shall prevail.
- 1.4 Appointees to career service positions must meet the education, training, experience, eligibility and competency requirements of the positions prescribed in the CSC QS Manual or the CSC-approved agency QS.
- 1.5 Appointees to casual, contractual and coterminous positions that are not primarily confidential in nature must meet the education, training and experience requirements of the positions as prescribed in the QS Manual.

Eligibility is not required for appointment to casual, contractual and coterminous positions, except for 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 prescribed for positions listed

Ref. 13



under Category IV of CSC MC 11, s. 1996 as amended. Preference shall be given to eligibles.

- 1.6 An appointment to a position without an approved/confirmed qualification standards by the CSC shall be disapproved/invalidated.
- 1.7 An appointment shall be disapproved/invalidated when the appointee does not meet the qualification standards for the position.

2. Publication and posting of vacant positions

2.1 Vacant positions in the first and second levels including executive/managerial in the second level, that are authorized to be filled, together with their corresponding qualification standards and plantilla item numbers, shall be published in the CSC Bulletin of Vacant Positions, the DOH Website, E-jobs for Health, and other job search websites, and shall be posted in three conspicuous places in the premises of the Department for a period of at least ten (10) calendar days. Except for the seven (7) positions listed below, appointments which have been issued in violation of this legal requirement shall be disapproved/invalidated by the CSC.

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.

The appointing authority shall be personally liable for the salary of appointees whose appointments have been disapproved/invalidated based on such ground.

- 2.2 A list of vacant positions authorized to be filled and their corresponding qualification standards and plantilla item numbers shall be submitted in electronic and printed copies to the CSC-Field Office concerned using 2018 revised CSC Form No. 9.
- 2.3 All positions occupied by holders of temporary appointments shall be continuously posted in three (3) conspicuous places in the agency and published in the CSC Bulletin of Vacant Positions until filled by permanent appointments. Exception to this rule are positions under Category II of CSC MC. No. 11, s. 1996, as amended.
- 2.4 Other modes of publication such as DOH E-jobs for Health, and social media may be resorted to.
- 2.5 Exempt positions from the publication requirement are:
 - a. Primarily confidential positions
 - b. Policy determining positions
 - c. Highly technical positions

- d. Coterminous with that of the appointing officer/authority including other non-career positions such as contractual and casual identified under Section 9, Subtitle A, Title I, Book V of EO 292.
- e. Reappointment (change of status to permanent) of those appointed on temporary status for Category II positions under CSC MC No. 11, s. 1996, as amended
- f. Reappointment (renewal) of those appointed on temporary status for Medical Officer/Specialist positions pursuant to PD No. 1424, Further Amending RA No. 1243, As Amended by RA No. 2251, otherwise known as the "Hospital Residency Law";
- g. Positions to be filled by existing regular employees in the agency in case of reorganization/rationalization; provided the approved staffing pattern is posted in the agency bulletin boards and other conspicuous places in its central and regional offices/centers for health development.

2.6 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.

If no appointment is issued within the nine (9) month period, the vacant position shall be republished and reposted.

2.7 Anticipated vacancies may be published in case of retirement, resignation, or transfer. The publication should not be earlier than thirty (30) days prior to retirement, resignation, or transfer.

3. Compliance with Merit Selection Plan (MSP)

3.1 Non-compliance with the procedures/criteria provided in the CSC-approved MSP is a ground for disapproval/invalidation of an appointment.

3.2 Notwithstanding the initial approval/validation of an appointment, the same may be recalled by the CSC for failure to comply with the procedure/s criteria provided in the CSC-approved MSP.

4. Establishment of Human Resource Merit Promotion and Selection Board (HRMPSB)

4.1 There shall be two (2) HRMPSB in the Department - one for the first and second level positions and another, for executive/managerial in the second level positions.

4.2 The HRMPSB for first and second level positions shall be established in the Central Office, Regional Offices/Centers for Health Development, Hospitals, Sanitaria, Treatment and Rehabilitation Centers, Food and Drug Administration, Bureau of Quarantine, as illustrated below:

[Handwritten signature]
[Handwritten mark]

Members	1 st and 2 nd Level Positions	Executive/Managerial in the 2 nd level positions
Chairperson	For Central Office - Director in-charge of Human Resource Management or the duly authorized Cluster/Team alternate.	Undersecretary in-charge of Human Resource Management or the duly authorized Cluster/Team alternate
Members	<p>Head of organizational unit where the vacancy exists, or the duly authorized Cluster/Team alternate.</p> <p>Human Resource Management Officer (HRMO) or the career service employee directly responsible for recruitment, selection, and placement or the duly authorized alternate.</p> <p>Two (2) regular and alternate representatives of the rank and file career employees, from the first level and from the second level, who shall be chosen by the duly accredited employees association in the Department</p>	<p>Assistant Secretary or equivalent or the duly authorized Cluster/Team alternate</p> <p>Director for Administration or the duly authorized alternate</p>

4.3 A Department/Regional /Hospital Personnel Order shall be issued indicating the principal members of the HRMPSB and their duly authorized alternates. The same shall be posted in the bulletin board.

4.4 The membership of the HRMPSB can be modified, provided it conforms to the prescribed composition under CSC MC No. 14, s. 2018. Agencies may add a reasonable number of members, but the prescribed composition may not be reduced. Mere incomplete composition of the Personnel Selection Board (PSB) is fatal defect to an appointment. The completion of the composition of the PSB is vital in the appointment process. Absence of a single member in the composition of the PSB is violative of Civil Service Law and rules which warrants revocation of approval made on an appointment (*ASTUDILLO, Bill L., CSC Resolution No. 100197 dated November 12, 2010 citing Sales, et al., vs Carreon, G.R. No. 160791 dated February 13, 2007 which was cited in BREGAUDIT, Pamela M., CSC Resolution No. 100819 dated April 27, 2010*).

Any change in the composition of the HRMPSB shall be reported to the CSC Regional/Field Office concerned.

4.5 The accredited employees association in the Department shall choose their rank and file representatives in the HRMPSB. The first level representative/alternate and the second level representative/alternate shall participate during the screening of candidates for vacancies in their

[Handwritten signature]
16

respective levels. Both rank-and-file representatives shall serve for a period of two (2) years.

4.6 The following positions are exempt from HRMPSB screening:

- a. Substitute appointment due to its short duration and emergency nature.
- b. Reappointment to change the employment status from temporary to permanent upon meeting the deficiency or to renew the appointment of a temporary employee, if upon publication, there are no qualified applicants and his/her performance ratings are at least Very Satisfactory for two (2) rating periods.
- c. Appointments to casual, contractual, coterminous and other non-career positions.

4.7 Except for those positions enumerated in the preceding item, failure of the appointee to pass the HRMPSB is a ground for disapproval/invalidation of an appointment.

4.8 Notwithstanding the initial approval/invalidation of an appointment, the same may be recalled by the CSC for failure to pass through the HRMPSB.

VIII. ROLES, FUNCTIONS AND RESPONSIBILITES

1. HRM Office/Unit

- 1.1 Provides secretariat and technical support to the HRMPSB for the comparative assessment (documents review, administration of examination) and final evaluation of candidates.
- 1.2 Responsible for the conduct, evaluation and analysis of the structured Background Investigation undertaken on the official/s and employee/s concerned.
- 1.3 Prepares list of qualified candidates for the vacant positions, both internal and external, including qualified next-in-rank officials or employees who have filed the necessary application.
- 1.4 Conducts a preliminary evaluation of the qualifications of all candidates using the CSC Qualification Standards or the CSC-approved DOH Qualification Standards Manual, as the case maybe. Those initially found qualified shall be included and ranked in a selection line-up, which shall also reflect the candidates' comparative competence and qualifications based on the Evaluation Criteria on Education, Training, Experience, Outstanding Accomplishments, General and Technical Examinations, Background Investigation, Potentials, and Performance.

Whenever applicable, candidates who have passed the preliminary evaluation shall undergo the available pre-employment test, to gauge the candidate's cognitive ability and mental preparedness to handle the demands and requirements of the position being applied for.

2. Human Resource Management Officer (HRMO)

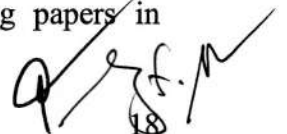
For purposes of Human Resource Actions, the status of offices is either regulated or accredited.

An office is REGULATED when its core HR systems have been assessed at Maturity Level 1 (Transactional HRM) or below. This means that the office has not fully demonstrated readiness in exercising delegated HR functions and needs to be subjected to regular monitoring/assistance by the CSC.

On the other hand, an office is ACCREDITED when its core HR systems, practices and HRMO competencies are confirmed by the CSC to be at Maturity Level 2 (Process-defined HRM) or below. This means that the office has demonstrated readiness in exercising delegated HR functions. It can be granted or conferred level II accreditation status and enjoy certain privileges, eg. authority to take final action on appointments.

The following functions are common to regulated and accredited offices:

- a) Conduct to the employees of the Department an orientation of the revised DOH-MSP within six (6) months from CSC approval to ensure employee's awareness and understanding of the system
- b) Develop and maintain an updated database of employees qualifications to include education, training, experience, eligibilities, skills, competencies, and other similar information.
- c) Submit to the CSC Field Office concerned, within the first quarter of the year the agency's updated Personal Services Itemization and Plantilla of Personnel (PSIPOP).
- d) Submit to the CSCFO the list of vacant positions authorized to be filled together with their corresponding qualification standards and plantilla item numbers in electronic and printed copies.
- e) 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.
- f) Review thoroughly and check the veracity, authenticity and completeness of all the requirements and supporting papers in



A handwritten signature in black ink, followed by the date '18' written below it.

connection with all cases of appointments before submitting the same to the CSC.

- g) Sign at the back of appointment two (2) Certifications, namely: Certification as to completeness and authenticity of requirements; and Certification regarding the publication and posting of vacant positions to be filled up, and HRMPSB deliberation was done ten (10) days after publication.
- h) Ensure that the required signatories have duly signed the appointment papers.
- i) Furnish appointee with a photocopy of his appointment (appointee's copy) for submission to the CSC, ensuring that the appointee signs on the acknowledgment portion of the appointment.
- j) Submit to the CSC, through the CSC Field Office concerned, within the prescribed period, the required reports such as DIBAR, summary list of employees' performance rating, and such other reports as may be required by the CSC.
- k) Post in three (3) conspicuous places in the Department, at least fifteen (15) calendar days, a notice announcing the appointment of an employee.
- l) Ensure the oath taking of the new appointee and conduct an orientation program for new employees including other human resource interventions for existing employees.
- m) Submit to the CSCFO a copy of the Oath of Office within thirty (30) calendar days from the date of assumption of the appointee.
- n) Submit to the CSCFO a copy of the Certification of Assumption to Duty within thirty (30) calendar days from the date of assumption of the appointee.
- o) Ensure the conduct of orientation and workshop of the HRMPSB members, including alternate representatives, regarding the Department's recruitment, selection, placement, and promotion process, and the CSC policies on appointments.
- p) Ensure the orientation of officials and employees on the recruitment, selection, placement, and promotion process.



Handwritten signature and initials, possibly 'J.F.' and 'A', with a flourish above the signature.

- q) Ensure the establishment, maintenance and disposal of 201 files pursuant to the guidelines of CSC MC No. 8, s. 2007, CSC MC. No. 1, s. 2011 and the National Archives of the Philippines' approved disposition schedule.
- r) Ensure the renewal of professional licenses of appointees to positions involving practice of professions regulated by bar/board/law.

They differ in the following aspects:


REGULATED	ACCREDITED
<p>1. Submit to the CSC RO/FO appointments (CSC, agency, and appointee's copy) with supporting documents in the prescribed Appointment Transmittal and Action Form indicating the names of the appointees, their position, status and nature of appointment within thirty (30) days from issuance of the appointment.</p> <p>2. Transmit to the appointee the original copy of his/her appointment acted upon by the CSC.</p>	<p>1. Submit to the CSC RO/FO Report on Appointments Issued (RAI) with supporting documents on or before the 30th day of the succeeding month.</p> <p>2. Transmit to the appointee a copy the RAI indicating the CSCFO action on the appointment.</p>

Failure of the HRMO to perform any of the functions listed above is a ground for administrative disciplinary action for Neglect of Duty which the agency head or the CSC may initiate:

3. Human Resource Merit Promotion and Selection Board (HRMPSB)

- 3.1 Undergoes orientation and workshop on the Department's recruitment, selection, placement, and promotion process, and the CSC policies on appointments.
- 3.2 Assists the appointing authority in the judicious and objective selection of candidates for appointment to vacant career service positions in the Department in accordance with the CSC-approved MSP. For this purpose, the HRMPSB shall submit to the appointing authority a comprehensive evaluation of the candidates screened for appointment.

The evaluation report shall specify not only that the candidates meet the qualifications of the position but must also contain the observations of the HRMPSB on the candidates' competence and other qualifications that will enable them to effectively carry out the functions of the position.


 20

The report shall indicate the top five (5) candidates deemed most qualified for appointment to the vacant position, from whom the appointing authority, in the exercise of sound discretion and in so far as practicable, can select the candidate/s to be appointed to the position/s to be filled-up.

4. Appointing Authority

- 4.1 Makes the final decision on whom to appoint.
- 4.2 Establishes a HRMPSB and ensures that all members undergo orientation workshop on the Department's recruitment, selection, placement, and promotion process and the CSC policies on appointments.
- 4.3 Takes into consideration the report of the HRMPSB's assessment of candidates and in the exercise of sound discretion, selects, insofar as practicable, from among the top five (5) candidates or less, the candidates deemed most qualified for appointment to the vacant position, depending on the number of candidates.
- 4.4 As far as practicable, ensures equal opportunity for men and women to be represented in the HRMPSB for all levels of positions.
- 4.5 Issues appointments in accordance with the provisions of the CSC-approved MSP.

5. The Officials and Employees of the Department

They shall be responsible for updating their Personal Data Sheet (PDS) annually, and submit supporting documents thereof to the HRMO.

6. The Civil Service Commission/Regional/Field Office

- 6.1 The CSC is empowered to take appropriate action on all appointments and other human resource actions in the civil service. Such power includes the power to recall an appointment initially approved/validated in disregard of applicable provisions of Civil Service Law and rules.
- 6.2 In the evaluation of promotional appointments, the CSCRO/FO shall thoroughly evaluate the manner and merit of the issuance of the appointment vis-à-vis the reasons or justifications of the appointing authority before taking action on the appointments.

IX. Prohibition against the HRMO

As member of the HRMPSB, the HRMO shall not act as secretariat to the HRMPSB. For offices with only one (1) appointed or designated HRMO, employee from other units shall be designated to act as the secretariat.

X. Rules in HRMPSB deliberations

1. Majority of the HRMPSB members shall constitute a quorum for purposes of deliberation of candidates for appointment.
2. The HRMPSB shall maintain fairness and impartiality in the assessment of candidates for appointment. For this purpose, it may adopt such mechanism or scheme to determine most qualified candidates.
3. The deliberations of the HRMPSB shall not be made earlier than ten (10) calendar days from the date of publication and posting of vacant positions. An appointment violation in this rule shall be disapproved/invalidated.
4. The HRMPSB shall undertake the following:
 - 4.1 Strictly follow the process in the selection of employees for appointment in the Department.
 - 4.2 Maintain fairness and impartiality in the evaluation of candidates for appointment. For this purpose, it may adopt such mechanism or scheme to determine most qualified candidates.
 - 4.3 Check/validate results of the documentary review submitted by the HRMO.
 - 4.4 Submit to the appointing authority a comprehensive evaluation of candidates screened for appointment to guide him in the selection of candidates who can efficiently discharge the duties of the position/s to be filled-up.

The evaluation report shall specify that the candidates meet the qualification standards of the position and the HRMPSB's observations on the candidates' competence and other qualifications that will enable them to effectively carry out the functions of the position/s to be filled-up.
 - 4.5 Implement the policy on the three (3) - salary grade limitation on promotion except in situations which are considered meritorious cases.
 - 4.6 Refer to the DOH System Ranking Positions (SRP) in identifying the position/s which is/are considered next in rank to the position/s to be filled-up.
 - 4.7 Ensure the recording, proper filing and safekeeping of the minutes of the deliberations of the HRMPSB.
 - 4.8 Notify all applicants assessed by the HRMPSB of their individual ratings based on education, training, experience, eligibility and interview as well as the result of the evaluation of the HRMPSB.

- 4.9 Upon written request and subject to the approval of the appointing authority, provide information on the individual rating of the particular applicant.

XI. BUDGET

The Secretary shall allocate the necessary funds to ensure the effective and efficient implementation of the DOH-MSP.

XII. REPEALING CLAUSE AND SEPARABILITY CLAUSE

DOH Administrative Order No. 2017-0016 dated August 11, 2017 and all other related issuances inconsistent or contrary to the provisions of this Administrative Order are hereby repealed, revised or modified accordingly. If any section or part of this Order is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

XIII. EFFECTIVITY

This Department Order shall take effect immediately upon CSC approval. Subsequent amendments shall be submitted to the CSC Regional/Field Office for approval and once approved, the same shall be effective immediately.


FRANCISCO T. DUQUE III, MD, MSc
Secretary

24
23