



Republika ng Pilipinas
Pambansang Pangasiwaan ng Patubig
(NATIONAL IRRIGATION ADMINISTRATION)
Lungsod ng Quezon

**LABANAN
ANG
KAHIRAPAN**



OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
E. DE LOS SANTOS AVENUE
QUEZON CITY PHILIPPINES

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MC No. 18 OUB 2010

MEMORANDUM CIRCULAR

TO : THE ACTING DEPUTY ADMINISTRATORS, DEPARTMENT /
REGIONAL / OPERATION / PROJECT MANAGERS, DIVISION
MANAGERS AND OTHERS CONCERNED

SUBJECT: **REVISED POLICIES IN THE RESOLUTION OF PROTEST CASES**

Quoted hereunder in full is CSC MC No. 4, s. 2010 treating on the above-quoted
subject, viz:

"Republic of the Philippines
Civil Service Commission
Constitution Hills, Batasang Complex, Diliman 1126 Quezon City

MC No. 4, s. 2010

MEMORANDUM CIRCULAR

TO : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS,
BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT;
LOCAL GOVERNMENT UNITS; GOVERNMENT OWNED OR
CONTROLLED CORPORATIONS AND STATE COLLEGES AND
UNIVERSITIES

SUBJECT: **Revised Policies in the Resolution of Protest Cases**

Pursuant to CSC Resolution No. 0917818 dated December 11, 2009, the
Commission adopts the Revised Policies in the Resolution of Protest Cases which
seeks to implement the provisions of the Administrative Code of 1987 (Executive
Order No. 292). These policies are as follows:

1. A protest on appointment shall no longer be acted upon through the
grievance machinery.

2. A qualified next-in-rank employee shall have the right to appeal initially to the head of agency, then to the Civil Service Commission Regional Office (CSCRO), and then to the Civil Service Commission Proper.
3. Except for the venue on the filing of protest cases the Rules of Protest under Rule V-A of the Uniform Rules on Administrative Cases in the Civil Service (CSC Memorandum Circular No. 19, s. 1999; CSC Resolution No. 99-1936 dated August 31, 1999) shall be applicable in resolving protest cases.

All rules, regulations and issuances which are inconsistent with the aforesaid policies are hereby repealed, amended or modified accordingly.

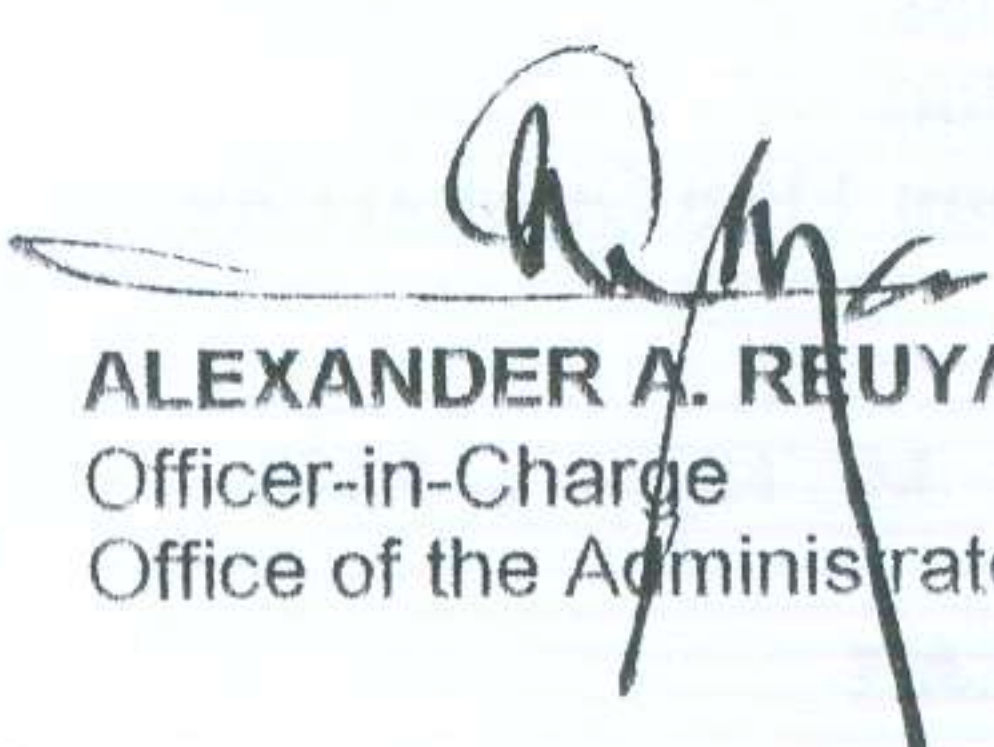
CSC Resolution No. 091718 was published on January 26, 2010 in the Philippine Star and shall take effect on February 10, 2010.

Quezon City.

(Sgd.) FRANCISCO T. DUQUE III, MD, MSc
Chairman

08 Feb. 2010"

Be guided accordingly.



ALEXANDER A. REUYAN
Officer-in-Charge
Office of the Administrator

4 March 2010



**Revised Policies in the Resolution
of Protest Cases**

X-----X

RESOLUTION NO. 091718

WHEREAS, Section 3, Article IX-B of the 1987 Constitution mandates that the Civil Service Commission shall establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, and courtesy in the civil service;

WHEREAS, Section 21 (6), Chapter 5, Title I, Subtitle A, Book V of the Administrative Code of 1987 (Executive Order No. 292) states that a qualified next-in-rank employee shall have the right to appeal initially to the Secretaries or heads of agencies or instrumentalities including government-owned or controlled corporation with original charters, and finally to the Civil Service Commission on appointment made in favor of another employee if the appellant is not satisfied with the written special reason or reasons given by the appointing authority for such appointment;

WHEREAS, the Uniform Rules on Administrative Cases in the Civil Service (CSC Memorandum Circular No. 19, s. 1999; CSC Resolution No. 99-1936 dated August 31, 1999) provides that a protest on appointment filed by a qualified next-in-rank may be filed either with the appointing authority or with the Civil Service Commission Regional Office;

WHEREAS, CSC Resolution No. 01-0113 (Revised Policies on Grievance Machinery) dated January 10, 2001 and which was circularized through CSC Memorandum Circular No. 02, s. 2001 mandates that a protest on appointment filed by an aggrieved party shall be acted upon through the grievance machinery;

WHEREFORE, to faithfully implement EO 292, it is necessary to issue new guidelines in the resolution of protest cases, as follows:

1. A protest on appointment shall no longer be acted upon through the grievance machinery.

Certified True Copy:

[Signature]
SEYMOUR D. PAJARES
Chief Personnel Specialist
Commissioner, Bureau of Labor & Industry (BOLI)


2. A qualified next-in-rank employee shall have the right to appeal initially to the head of agency, then to the Civil Service Commission Regional Office (CSCRO), and then to the Civil Service Commission Proper.
3. Except for the venue on the filing of protest cases, the Rules on Protest under Rule V-A of the Uniform Rules on Administrative Cases in the Civil Service (CSC Memorandum Circular No. 19, s. 1999; CSC Resolution No. 99-1936 dated August 31, 1999) shall be applicable in resolving protest cases.

All rules, regulations and issuances which are inconsistent herewith are hereby repealed, amended or modified accordingly.

This Resolution shall take effect fifteen (15) days after publication in a newspaper of general circulation.

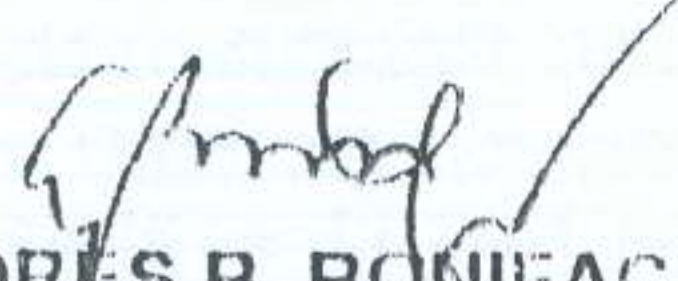
Quezon City, 11 DEC 2009

VACANT
Chairman


CESAR D. BUENAFLORES
Acting Chairman


MARYANN Z. FERNANDEZ-MENDOZA
Commissioner

Attested by:


DOLORES B. BONIFACIO
Director IV

Commission Secretariat and Liaison Office

RCL/APE/CT/Y6
Resolution_Protest
PR_Folder

Certified True Copy:


SEYMOUR R. VAJARES
Chief Personnel Specialist
Commission Secretariat & Liaison Office