



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM
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DEPARTMENT OF AGRARIAN REFORM

MEMORANDUM CIRCULAR No. 14
Series of 2013

SUBJECT: Guidelines in the Implementation of the DAR Rationalization Plan

I. PREFATORY STATEMENT

In view of the demands and challenges facing the public sector to improve the delivery of services to its people, the President issued Executive Order (EO) No. 366 dated October 4, 2004, entitled: "Directing a Strategic Review of the Executive Branch and Providing Options and Incentives for Government Employees Who May Be Affected By the Rationalization of the Functions of the Executive Branch".

In consonance with EO No. 366 and its Implementing Rules and Regulations, the Department of Agrarian Reform started its rationalization efforts in 2005 by creating the Change Management Team (CMT) and conducting a thorough review of the Department's mandate, core functions and services with the end view of designing an organizational structure and staff complement which is more responsive to the demands of its clientele and challenges facing the Department from its internal and external environments. In the finalization of the Rationalization Plan (hereinafter referred to as the "Plan"), series of consultation sessions with various sectors in all level of the Department were held to fine tune the proposal which was submitted to the Department of Budget and Management (DBM) on 6 May 2012.

Thus, the Plan is guided by the following objectives:

1. Focusing government's efforts on its vital/core functions and priority programs and projects under the ten-point agenda of the Administration;
2. Improving the quality and efficiency in the delivery of government service by eliminating/minimizing overlaps and duplication, and by rationalizing the delivery and support systems, organizational structures and staffing;
3. Improving agency accountability for performance and results; and
4. Implementing programs and projects of government within its allowable resources.

The Department of Budget and Management, tasked to review the Rationalization Plans, held meetings and/or requested for documents with selected heads of offices to clarify core functions, accomplishment and current programs.

On 1 August 2013, DBM approved the DAR Rationalization Plan that provides a more mission-focused organizational structure and creates a lean-and-mean staffing pattern geared towards achieving program efficacy and resource use efficiency. DAR is given two (2) months to implement the Plan and submit the new Staffing Pattern to

DBM on 30 September 2013 to enable the affected employees to receive the incentive package under EO366.

To ensure that the Plan is implemented in a timely and efficient manner, the Implementing Guidelines of the Plan is hereby issued.

II. OBJECTIVES

These guidelines aim to accomplish the following:

1. Identify and define the responsibilities and accountabilities of all concerned offices/units of the Department to ensure the smooth implementation of its Plan;
2. Provide the specific and detailed processes and procedures to ensure fairness and transparency in the implementation of the Plan; and
3. Install and put into operation an appeals mechanism that will address issues and concerns of personnel who will be affected by the Plan.

III. GUIDING PRINCIPLES

1. The rationalization plan shall apply to all employees of the Department holding plantilla positions, whether on a regular, temporary, contractual or casual status.
2. The rationalization plan does not apply to personnel engaged by the Department to provide services but without any employer-employee relationship.
3. Rationalized positions are positions in the original plantilla, which were either abolished or reduced in number in the Indicative Staffing Pattern.
4. Holders of rationalized position are not automatically separated from government service. They may apply to retained-vacant positions or to newly created positions. Permanent employees, who opt to remain in government service but were not placed, may stay as part of the CSC / CES pool, or with the DAR on a "co-terminus with the incumbent" status.
5. The positions of incumbents will be respected in the placement of employees in the Indicative Staffing Pattern. However, for 3rd level positions, the place of assignment will be disregarded as the Department adopts a "no-borders" approach to 3rd level appointees.
6. Affected employees are those who were not placed in the Indicative Staffing Pattern.
7. The Change Management Team shall oversee the actual implementation of the Rationalization Plan.



IV. COVERAGE

The guidelines shall apply to all Offices, Bureaus, Services/Staff/Units of the Department at the Central Office and its Regional, Provincial and Municipal Offices, and covers all DAR employees on permanent, temporary, co-terminus, contractual or casual status.

The Plan does not cover DAR-ARMM employees.

V. IMPLEMENTATION PROCEDURE

A. Timetable

The Department is given 2 months to implement the Rationalization Plan. To ensure that DAR meets the deadline set under Executive Order No. 366, the schedule and procedure is as follows:

1. INFORMATION DISSEMINATION (1-9 August 2013)

Upon approval of the Plan, the CMT and Sub-CMTs shall conduct orientation sessions to make sure that all employees are informed on a) the approved organizational structure and staffing pattern; b) how the Plan will be implemented; c) the effects to employees and the options available for retained and affected employees.

The CMT, Sub-CMTs and concerned units in DAR may supplement face-to-face sessions with on-line information materials on the DAR website.

2. IDENTIFICATION OF and NOTICE TO EMPLOYEES HOLDING RATIONALIZED POSITIONS (12-16 August 2013)

Upon receipt of the Indicative Staffing Pattern (ISP), the CMT shall inform the Sub-CMTs and the National and Regional Selection & Promotion Boards of the approved positions in their respective offices; they shall, in turn, identify holders of rationalized positions in their office.

The CMT and Sub-CMT Chairs shall issue notices to rank-and-file employees within their jurisdiction **not later than 16 August 2013**. The Preliminary Notice shall inform the employees whether their position was retained or rationalized and enumerates the options under the Rationalization Program.

For 3rd level officials (with appointments & designated), the CMT shall issue notices **not later than 14 August 2013**.

The CMT, upon the confirmation of the Sub-CMT, shall post all retained-vacant and newly-created positions in the DAR Website (www.dar.gov.ph) and in 3 conspicuous places in the DAR premises to inform employees of available positions open for filling up.

3. FILING OF APPLICATIONS AND SUBMISSION OF REPLY FORMS (12-23 August 2013)

All DAR employees shall submit to the Personnel Division/Section a duly-signed Reply Form indicating their preferences should they be affected by the rationalization efforts.

Employees who intend to apply to retained-vacant positions are likewise required to submit their Application Documents to the Personnel Division/Section to ensure that they will be included in the list of contenders to the position/s they are applying for.

All Reply Forms and Application Documents for rank-and-file positions (including division chiefs) shall be submitted **not later than 12 noon of 22 August 2013** for consolidation on 23 August 2013.

For 3rd level positions, interested employees shall submit their Reply Forms and Application Documents electronically at cmt_level3@gmail.com **not later than 12 noon of 15 August 2013**.

An employee whose position was abolished in the ISP who fails to submit his/her Reply Form indicating his/her preferences shall be deemed to have opted for CTI under the rationalization program.

*For employees whose positions were abolished in the ISP and opted to retire, Retirement Documents shall be forwarded to the Personnel Division/Section **not later than 12 noon of 23 August 2013** to allow for early processing of their retirement benefits by the DBM and GSIS.*

4. DELIBERATIONS TO SELECT, PROMOTE AND PLACE OFFICIALS AND EMPLOYEES (15-28 August 2013)

The respective Selection and Promotion Boards shall deliberate on rationalized and retained-vacant positions. The schedule of deliberation is as follows:

- a) For 3rd level positions, Dir III and Dir IV, on **15 August 2013 afternoon**, by the Sectorial Advisory Board (composed of the Undersecretaries for Field Operations, Legal Affairs, Support Services and Finance, Planning and Administration) acting as the Third-Level Selection and Promotion Board;
- b) For 3rd level positions, PARO II, PARO I, RARAD & PARAD, on **19 August 2013 afternoon**, by the Sectorial Advisory Board (composed of the Undersecretaries for Field Operations, Legal Affairs, Support Services and Finance, Planning and Administration) acting as the Third-Level Selection and Promotion Board;
- c) For Division chiefs, on **20-21 August 2013**, by the respective National or Regional Selection and Promotion Board;
- d) For rank-and-file employees, on **22-28 August 2013**, by the respective Central, Regional or Provincial Selection and Promotion Board.

Results of deliberations of respective Selection and Promotion Boards shall be submitted immediately to the CMT and Sub-CMTs for review; and posted one (1) day after each deliberation. All results will then be posted on **29 August 2013** at the DAR Website and in three (3) conspicuous places within the DAR premises.

*Employees who were not placed in the new staffing pattern and opted to retire from government service are required to formalize their intent to retire **not later than 12 noon of 29 August 2013** for transmittal to the DBM on 30 August 2013 for appropriate action*

5. FILING AND RESOLUTION OF APPEALS (2-12 September 2013)

Employees may file their appeals to the CMT and Sub-CMTs **not later than 12 noon of 2 September 2013**.

All 3rd level employees, and division chiefs at the central office, shall file their appeals to the CMT.

Division chiefs and rank-and-file employees at the municipal, provincial, and regional offices from SG1 to SG 22 shall file their appeals to the Sub-CMTs.

The Sub-CMTs shall resolve all issues, concerns, complaints, and appeals of affected division chiefs and rank-and-file employees **not later than 12 September 2013**. The Sub-CMTs shall forward to the CMT **not later than 12 noon of 13 September 2013** all unresolved issues for evaluation during the CMT deliberations on **16-19 September 2013**.

6. VALIDATION OF PERSONNEL ACTIONS BY CMT (16-20 September 2013)

To ensure that this IRR as well as applicable rules and procedures governing employee placement have been complied with, taking into account the overall interest of the Department and the agrarian reform program, all recommended personnel actions shall be reviewed and validated by the CMT, prior to submission to the Secretary for confirmation.

7. FINAL NOTICE TO PERSONNEL AND CONFIRMATION OF OPTIONS (23-26 September 2013)

Placement results, as validated by the CMT and confirmed by the Secretary, shall be posted at the DAR Website and in 3 conspicuous places within the DAR premises on **23 September 2013**.

The CMT shall issue the Final Notices on 23 September to employees who were not accommodated in the ISP. Affected employees shall confirm in writing their decision (to join the DAR's CTI pool or the CSC pool / CES pool) **not later than 12 noon of 26 September 2013**.

8. SUBMISSION OF STAFFING PATTERN TO DBM (30 September 2013)

The resulting staffing pattern, as well as the names and corresponding position of employees, who opted to be on CTI status, including the list of employees who opted to retire, shall be submitted to DBM on 30 September 2013.

9. FILLING UP OF CREATED POSITIONS

Upon submission of the resulting Staffing Pattern, DBM will issue the Notice of Organizational, Staffing & Compensation Action (NOSCA). The NOSCA provides the legal basis of the Department in filling up the newly-created positions.

B. IMPLEMENTATION ARRANGEMENTS

The implementation of the Plan shall be primarily undertaken by the CMTs and the Selection and Promotion Boards at the different levels of the Department. The roles and responsibilities of these entities are as follows:

B.1 Roles of the Change Management Teams

CMT

1. Ensure that the implementation of the Rationalization Plan is consistent with implementing rules and regulations of Executive Order No. 366 as well as other pertinent laws, rules and regulations.
2. The Chair of the CMT shall notify the employees who may be affected by the Plan and require them to confirm their decision on whether to avail of the retirement/separation benefits or remain in government service in accordance with the policies and procedures set forth herein.
3. Promulgate / adopt / formulate instruments / procedures to ensure the smooth implementation of the Rationalization Plan.
4. Implement the necessary information dissemination activities to ensure the smooth implementation of the Plan.
5. Coordinate and consolidate the processes and outputs of the Regional Change Management Teams.
6. Resolve the issues and concerns raised by the affected employees in accordance with the policies and procedures set forth hereof.
7. Mitigate the impact of the rationalization effort through coordination with concerned agencies for the timely release of benefits, and coordination with the DAREA in the conduct of capacity building activities, forum on investment opportunities, among others, which would help the affected employees cope with their new life outside of government.
8. Perform such other related functions which may be assigned by the Secretary of the Department.

Sub-CMT

1. Issue Preliminary Notices to DAR employees.
2. Ensure regularity of deliberation results and transmit reports to the CMT.
3. Implement the necessary information dissemination activities to ensure the smooth implementation of the Plan.
4. Resolve the issues and concerns raised by the affected personnel at the regional and provincial offices under their jurisdiction in accordance with the policies and procedures set forth herein.

5. Consolidate all recommended personnel actions of Selection and Promotion Boards at DARRO & DARPOs and submit to CMT for review and validation.
6. Prepare consolidated list of employees who decided to avail of the retirement/separation incentives and those who would opt to continue their service in the government, for submission to the CMT.
7. Mitigate the impact of the rationalization effort through coordination with concerned agencies for the timely release of benefits, and coordination with the DAREA in the conduct of capacity building activities, forum on investment opportunities, among others, which would help the affected employees cope with their new life outside of government.
8. Perform such other related functions which may be assigned by the CMT.

B.2 Roles of the Selection and Promotion Boards

1. Determine and identify retained and/or affected personnel in accordance with the criteria herein prescribed
2. Screen and select candidates who may be appointed to fill up the retained (vacant), reclassified (vacant) and newly-created positions in accordance with the policies and procedures set forth hereof and the Merit Selection and Promotion Plan (MSPP) of the Department.
3. Formulate/Adopt additional selection criteria or procedures to identify the best possible employees to be retained.
4. Ensure fairness and transparency in the assessment of personnel
5. Submit prescribed Reports to the CMT

For purposes of this IRR, the following shall compose the Selection & Promotion Board which shall deliberate on rank and file positions:

Central Office Selection and Promotions Board		
Composition:		Functions:
Chair	Assistant Secretary	Deliberate on all CARPO positions at DARCO, including the positions under the Office of the Secretary, Offices of the Undersecretaries and Assistant Secretaries
Members	Assistant Secretary concerned	
	Director / Head of Office of the Position deliberated upon	
	DAREA National President	
Secretariat	Personnel Division	



Local Selection and Promotions Board at DARCO		
Composition:		Functions:
Chair	Bureau Director/Service Director	The Local SPB at DARCO shall deliberate on positions below division chief within their jurisdiction and submit results to the National SPB for consolidation and review.
Members	Division Chiefs within the Bureau/Service DAREA Officer to be designated by the DAREA National Officers	

Local Selection and Promotions Board for CARPOs at the Regional and Provincial Levels		
Composition		Functions
Chair	Regional Director	The Local SPBs shall deliberate on positions of CARPOs/division chiefs within DARRO and DARPO, respectively, and submit results to the Sub-CMT for consolidation and review.
Members	Assistant Regional Director #1 Assistant Regional Director #2, if applicable RARAD DAREA Regional President or DAREA Officer to be designated by DAREA Regional Officers	
Secretariat	Personnel Section	

Local Selection and Promotions Board for Rank and File Employees at the Regional Level		
Composition		Functions
Chair	Assistant Regional Director #1	The Local SPB shall deliberate on positions below division chief within DARRO and submit results to the Sub-CMT for consolidation and review.
Members	Assistant Regional Director #2, if applicable RARAD Division Chiefs DAREA Regional President or DAREA Officer to be designated by DAREA Regional Officers	
Secretariat	Personnel Section	

Local Selection and Promotions Board for Rank and File Employees at the Provincial Level		
Composition		Functions
Chair	PARPO II (PARO II)	The Local SPB shall deliberate on positions below division chief within DARPO and submit results to the Sub-CMT for consolidation and review.
Members	PARPO I, if applicable PARAD Division Chiefs DAREA Provincial President or DAREA Officer to be designated by DAREA Provincial Officers	
Secretariat	Personnel Section	

For other 3rd Level officials, selection and placement shall be conducted as follows:

Positions for Deliberation	Selection and Placement	Confirmation
Assistant Secretary to Undersecretary	Secretary	Secretary
Other 3 rd Level Officials (PARPO I to Director IV)	Sectorial Advisory Board (FOO, LAO, SSO & FPAO)	Secretary

G. R

D. Roles of the DAREA

In accordance with the Civil Service Rules, the DAREA President or the duly designated representative shall serve as member of the CMTs and the Selection and Promotion Boards at the different levels of the Department. In such capacity, the representative will play a significant role in representing the concerns of the rank-and-file. Specifically, they will be responsible for the following:

1. Participate in the deliberations in filling up the retained vacant, reclassified and newly-created positions in accordance with the policies and procedures set forth herein and the MSPP;
2. Participate/coordinate with the CMT in the conduct information dissemination in the Plan implementation through its regional and provincial chapters; and
3. Act as link to the Change Management Team relative to issues and concerns of employees.

The DAREA President (national and regional) shall be the permanent representative of DAREA in all deliberations, except when the DAREA President (national and regional) is a contender in the position being deliberated upon. To ensure continuous deliberations thru the presence and participation of DAREA, the DAREA officers (national/regional/provincial levels) shall identify, in writing, three (3) officers who will be authorized to represent the association.

VI. SELECTION AND PLACEMENT OF EMPLOYEES AND OFFICIALS

The implementation of the Plan shall be governed by the following principles, policies and procedures in accordance with the EO Nos. 366 & 77, RA 6656, CSC MC No. 21, s. 2007, and the DAR MSPP. This applies to all permanent, co-terminus, temporary, contractual/casual employees.

A. Allowable Staffing Actions

As a result of the strategic review of the mandate and functions of the Department, bureaus/services/provinces/divisions/units have been retained, renamed, created, merged, consolidated, abolished or deactivated. Existing plantilla positions have been retained, reduced in number, abolished, reclassified, or created in the Indicative Staffing Pattern (ISP). As such the Selection and Promotions Board are permitted to decide on the following personnel actions to filling up the new staffing pattern:

1. Retention of incumbents of retained positions. The order of preference established under Sec. 3 & 4 of RA 6656 shall be followed in identifying who would be retained in the mother unit in the event that the number of

employees exceeds the number of retained positions. The most qualified in terms of merit in accordance with the set criteria shall be given preference.

2. **Transfer.** Incumbents of positions that have been rationalized in an organizational unit but have been created in another unit may be appointed to the created position.

Incumbents of retained rank and file positions including division chiefs, upon evaluation of the Board, may be placed to another unit where expertise can be optimized without demotion in rank and dislocation.

3. **Promotion to upgraded or reclassified positions.** Pursuant to RA 6656 and CSC MC # 21, s. 2007, incumbents of positions that have been reclassified or upgraded shall be the appointees provided that they meet the qualification standard set by the Department. Incumbent of positions which have been retitled or converted pursuant to DBM Budget Circular 2004-3 & 2004-3A shall be the appointees to said positions.
4. **Promotion to retained-vacant positions.** Qualified next-in-rank and other applicants of retained vacant positions shall be considered as contenders to subject position for filling up.

For third level positions, the promotion shall be effective upon release of appointment papers signed by the President. Should the appointment be released before 30 September 2013, the name of the official shall be listed opposite his new position. Otherwise, s/he shall be listed in the ISP according to her/his existing position.

5. **Placement of Division Chiefs**

All division chiefs and applicants to retained-vacant division chief positions shall be assessed in accordance with the selection and promotion criteria stipulated in this IRR to identify who will be retained or affected. Expertise and potential of retained/promoted division chiefs shall be the basis of placement.

6. **Filling-up of created positions.** Applicants (DAR employees) to created positions may be processed and initially filled up in the ISP, but the effectivity of such appointment will be after the issuance of the NOSCA.

B. Selection and Promotion Criteria for Rank-and-File Employees

Personnel actions shall be based on merit and fitness. Only in case of a tie when all factors have been considered should seniority (length of service in government) be considered as an additional criterion.

The following criteria shall be used by the Selection and Promotion Board in deliberating rank and file positions:

- Performance (40%). This should be based on the last 4 performance ratings of an employee equivalent to 2 years.
- Education (15%) and Training (10%) include educational background, successful completion of training courses accredited by the CSC,

scholarships, training grants and other which must be relevant to the duties and responsibilities of the position.

- Experience (10%) and Outstanding Accomplishment (10%) include occupational history, relevant work experience acquired either from the government or private sectors, and accomplishment worthy of commendation within the last 3 years.
- Psychosocial Attributes and Personality Traits (5%) refer to the characteristics and traits of a person which involve both psychological and social aspects. Psychological includes the way he/she perceives things, ideas, beliefs, and understanding and how he/she acts and relates these things to others and in social situations.
- Potential (10%) refers to the capacity and ability to assume the duties of the position and those of higher or more responsible positions.

Guidelines in rating contenders are attached as **Annex A**.

General Policies on Re-assigned/Detailed Rank and File Personnel

- Where the number of retained positions is LESS than the number of recommended positions and one or more of the position holder/s is/are re-assigned for more than 1 year to other units but is/are performing comparative functions, position holder shall be considered in the unit/office where s/he is re-assigned. Should s/he prefer to vie for the position in her/his mother unit, s/he must signify her/his intention in writing.
- Where the number of retained positions is LESS than the number of recommended positions and one or more of the position holder/s is/are re-assigned for 1 year or less to other units but is/are performing comparative functions, position holder shall be considered in his/her mother unit. Should s/he prefer to vie for the position in the unit/office where s/he is re-assigned, s/he must signify her/his intention in writing.
- Where the position holder of a retained position is re-assigned/detailed and is performing functions lower than her/his position, s/he shall apply and vie for the position together with other contenders/applicants.
- Where the position holder of a retained position is designated to a higher position and the position held does not have an OIC, the position holder shall be retained.
- Where the position holder of a retained position is designated to a higher position for more than 1 year and an OIC holding same/comparative position was designated to perform his/her functions in the mother unit, position holder shall be considered in the unit where s/he is re-assigned. Should s/he prefer to vie for the position in her/his mother unit, s/he must signify her/his intention in writing.
- Where the position holder of a retained position is designated to a higher position for 1 year or less and an OIC holding same/comparative position was designated to perform his/her functions in the mother unit, position holder shall be considered in her/his mother unit. Should s/he prefer to vie for the

position in unit where s/he is re-assigned, s/he must signify her/his intention in writing.

- Where the position holder of a retained position is designated to a higher position and the OIC designated to perform his/her functions in the mother unit holds lower position, the position holder is retained.

C. Selection and Promotion Criteria for Third Level Officials

Selection and Placement of 3rd Level Officials in the Implementation of the DAR Rationalization Plan

1. Preliminary determination of retained officials holding 3rd level positions shall be based on his/her current plantilla position regardless of current assignment.
2. All position holders (regardless of current designation) shall be evaluated based on the following:
 - Basic qualification: academic background, length of service, relevant experience
 - Performance in the last 3 years
 - Managerial and Technical Competency
 - Integrity
3. Officials who were ranked lower than the required number of positions/incumbents will be considered affected.
4. Expertise, acceptability to stakeholders and preferred place of assignment shall be the basis of placement and assignment.

Recommended actions shall be limited to retention, promotion due to upgrading of positions, and may involve re-assignment. Officials who cannot be accommodated in the new staffing pattern have the option to retire with incentives or join the CES pool (if CESO).

Promotion to retained-vacant positions may be done but the effectivity shall be upon issuance of the appointment by the Office of the President.

All placement decisions shall be based on the recommendation of the sector heads and the review of the Change Management Team (CMT) to be confirmed by the Secretary.

VII. Options of Affected Personnel

Option 1: Remain in Government Service

- a. **CSC Pool.** In case the affected employee decides to continue with her/his government service thru placement procedure of CSC, s/he should notify in writing (**Annex B**) the concerned CMT, within two months after receipt of the Final Notice, of such decision. S/he should indicate therein the order of her/his priorities for placement in three (3) government agencies for reassignment which



will be chosen by the affected employee from the list to be provided by the CSC and DBM.

The Personnel Officer of the Department will then consolidate the names of the affected personnel, including those from the regional and provincial offices, and submit the same to the CMT for transmittal to the DBM.

The list of affected employees will likewise be submitted to the CSC for placement in accordance with the order of their priorities, which shall be governed by CSC Memorandum Circular No. 2, Series of 2005 (Guidelines for the Placement of Personnel Affected by the Rationalization of the Functions and Agencies of the Executive Branch).

- b. **CTI Pool.** Holders of rationalized positions may opt to stay in the Department and apply to retained vacant and newly-created positions in accordance with the provisions prescribed herein. However, if after all placement processes have been concluded and a regular (permanent) employee is still not accommodated in the new staffing pattern, s/he will be considered affected and may opt to change her/his employment status from regular to "Co-Terminus with the Incumbent" (CTI) and join the CTI Pool.

Employees under CTI status will enjoy the benefits and privileges of regular/permanent employees. However, the position s/he currently holds (rationalized position) will automatically be abolished once it is vacated thru resignation, retirement, or promotion of the position holder.

Said CTI employees shall be deployed, without causing dislocation, where their competencies may be optimized. The extent of accountability and responsibility that can be delegated to personnel with CTI status will be the subject of a separate memorandum to be issued by the Personnel Division.

Option 2: Avail of Retirement/Separation Benefits and Applicable Incentives

- a. The retirement/separation incentive provided under EO No. 366 shall be made available to the affected employees within two (2) months after approval of the Plan by the DBM. The affected personnel who opt to retire or be separated from the service shall inform the CMT in writing (**Annex C**) and shall be given the option to avail of any of the retirement/separation packages, depending on their qualifications, as provided under the following:
 - a.1 **RA No. 1616** (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); no **incentives under EO 366**;
 - a.2 **RA No. 660** (An Act to Amend Commonwealth Act Numbered One Hundred 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 Therefore", and to Provide Retirement Insurance and for Other Purposes); **with incentives under EO 366**;
 - a.3 **RA No. 8291** (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); **with incentives under EO 366.**

- b. The affected employees, as applicable, shall also be entitled to the refund of their Pag-IBIG contributions and commutation of unused vacation and sick leave credits.
- c. The Personnel Officer of the Department, upon submission of the Plan to the DBM, shall immediately provide the GSIS with the names, records and other pertinent documents of the affected employees to enable the GSIS to reconcile its record with the Department.
- d. The affected employee is deemed separated from government service effective 1 October 2013. However, the affected personnel may continue their service with the Department until such time that the retirement/separation incentives have been released. This shall be applicable to employees who have submitted required documents to the Personnel Division/Section **not later than 29 August 2013.**

VIII. Options of Retained Employees and Officials

Option 1: Continue Service in DAR

Retained employees and officials may apply for promotion to retained-vacant or created positions which will be posted at the DAR Website and in 3 conspicuous places within the DAR premises. Documentary requirements must be submitted to respective Selection and Promotion Board Secretariat for processing

Option 2: Avail of Retirement/Separation Benefits and Applicable Incentives

Retained employees who wish to avail of the retirement package under EO366 may only be allowed if their application has been approved by the respective Selection and Promotion Board.

IX. APPEAL PROCESS

The CMTs, at the national and regional offices of the Department shall be responsible in addressing the issues and concerns which may be raised by the affected personnel.

1. Composition of the Change Management Team

The composition of the existing CMT and Sub-CMTs of the Department shall be reconstituted for the purpose of this IRR.

All of the members of the National CMT coming from the Central Office shall resolve the appeals for DARCO.

The majority of National CMT members coming from DARCO shall constitute quorum for purposes of resolving appeals. In the case of the Regional CMT, simple majority shall constitute quorum.

2. Scope of Appeal

The following concerns may be the subject of complaints, motions for reconsideration and appeals:

- a) Deviations from Section 3 and 4 of RA No. 6656 on the order of placement of affected personnel;
- b) Actions implemented by the CMT and/or any officials of the Department which are not in the approved Plan.

3. Unappealable Actions

- a. The declaration of what functions are to be abolished or merged as a result of consultations between the management and the union or rank and file representatives in the CMT.
- b. An appeal questioning the placement of an employee to a position by the Selection and Promotions Board.
- c. For those who opted to remain in government service via the CSC Pool, their placement in another agency.
- d. For those who opted to remain in government service with DAR, their deployment/assignment.

4. Submission of Issues and Concerns to the CMT

- a) Appeals on the result of the deliberations shall be submitted to the CMT, using the prescribed form (**Annex D: EO 366 Appeal Form**), at the national level for third level officials and DARCO employees and at the regional level for DARRO and DARPO employees not later than 11 September 2013.
- b) The CMT shall resolve the appeal, using the prescribed form (**Annex E: EO366 Appeal Resolution**), to be signed by the Chairman of the CMT concerned, not later than 13 September 2013.

5. Appeal to the Secretary

- a. The decision of the CMT may be appealed to the Secretary by the affected employee within five (5) calendar days upon receipt of the Resolution of the CMT.
- b. The decision of the Secretary shall be executory pending appeal of his decision to the CSC.

6. Appeal to the Civil Service Commission

- a. The affected personnel may further appeal in writing with the CSC the decision of the Secretary within ten (10) working days from the submission of the new staffing pattern to DBM.
- b. The CSC shall render a decision within 30 working days from receipt of the appeal and its decision shall be final and executory.

X. SUPPORT MECHANISM

The CMT is tasked to mitigate the impact of the rationalization effort. It shall identify necessary interventions to assist affected employees. BARIE and/or Information and Education Division, as the HRD units of DAR, may be tapped to design and implement appropriate programs and coordinate with concerned agencies (e.g. GSIS, DTI, DOLE, TLRC, etc.) relative to the conduct of such activities.

Division Chiefs, as the first line HR officers, are enjoined to provide support and assistance to affected personnel directly reporting to them.

XI. EFFECTIVITY

This implementing rules and regulations shall take effect immediately, and shall modify and/or supersede other issuances inconsistent herewith. All personnel actions prior to the issuance of this Implementing Rules and Regulations in relation to the implementation of the Rationalization Plan shall be deemed invalid.

12 August 2013, Diliman, Quezon City


VIRGILIO DE LOS REYES
Secretary

Department of Agrarian Reform
Office of the Secretary



QTH-13-06572

GLOSSARY OF TERMS

Abolition is the dissolution of an office, bureau, service/staff/unit created through Executive action; the elimination or discontinuance of a function. Program, activity or project (IRR, EO 366)

Rationalized Position is a position whose functions have been declared redundant or non-core services/activities of the offices, bureaus, services/staff/units in the department. The position has been reduced in number or is not included in the approved staffing pattern.

Bureau is a principal subdivision of a Department performing a single major function or closely relation functions. A Bureau is either staff or line. A **Line Bureau** directly implements programs pursuant to Department policies. A **Staff Bureau** primarily performs policy, program development, and advisory functions (CSC and DBM Guidelines).

Career Executive Service Positions refer to the positions of undersecretary, assistant secretary, bureau director, assistant bureau director, regional director, assistant regional director, chief of department service, and such other officers of equivalent as may be identified by the CES Board, all of whom are appointed by the president

Career Executive Service Officers (CESOs) refer to CES eligibles appointed to CES positions by the President, and upon recommendation by the CES Board, appointed to CESO ranks by the President

Consolidation is the dissolution of two or more offices, bureaus, services/staff/units, to form a new office, bureaus, services/staff/units.

Conversion of Positions means the abolition of vacant position/s and the creation of another position in its/their stead with the same, lower or higher salary range/grade. (CSC-DBM Organization and Staffing Guidelines).

Co-Terminus with the Incumbent (CTI) means that the position exists with the position holder and will be automatically abolished once vacated.

Deactivation is the act of making dormant or non-operational offices, bureaus, services/staff/units created through Legislative action by phasing out its functions or transferring them to other Departments/Agencies. An agency is rendered dormant or non-operational if its operation is terminated but its formal existence continues. A deactivated agency is devoid of any activity, personnel, financial and physical resources (IRR, EO No. 366).

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

Incumbent refers to one who occupies the position and performs the functions as such.

Merger is the combination of two or more agencies, whereby the identity of one is retained; in this case, the other agency/ies which has/have not survived is/are either abolished, if created through Executive fiat, or deactivated, if created through Legislative action (IRR, EO No. 366).

Promotion is a movement from one position to another with an increase in duties and responsibilities as authorized by law and usually accompanied by an increase in pay. The movement may be from one department or agency to another or from one organizational unit to another in the same department or agency.

Reassignment refers to movement of an employee across the organizational structure within the same department or agency, which does not involve a reduction in rank, status or salary.

Reclassification is a form of staffing modification and/or position classification action, which may be applied to filled positions, only when there has been a substantial change in the regular duties and responsibilities of the incumbent of the position. This may result in a change in any or all of the position attributes: position title, level, and salary grade. (SCS-DBM Organization & Staffing Guidelines).

Secondment is the 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.

Service is a staff unit whose functions are primarily supportive of the major service objectives of a Department. It may either provide technical inputs necessary in the exercise of the substantive functions, or monitor the program of a Department and the units under it (CSC and DBM Guidelines on Organization and Staffing).

Transfer is a movement from one position to another which is of equivalent rank, level, or salary without break in service involving the issuance of an appointment. The transfer may be from one department or agency to another or from one organizational unit to another in the same department or agency: Provided, however, that any movement from the non-career service to the career service shall not be considered a transfer.

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Criteria in Assessing Incumbents whose positions have been reduced in number:

A-1. Education

Academic Credits Earned	Equivalent Points
An employee who meets the minimum educational requirement for the prescribed position	6 points
An employee who has nine (9) doctoral/masteral/academic units in excess of the minimum education required	+1 point
An employee who has graduated for every next higher level of education in excess of the minimum education required	+ 3 points

A-2. Training

Relevant Training Credits Earned	Equivalent Points
An employee who meets the minimum training requirement for the prescribed position	6 points
An employee who has one (1) month or 50 hours training in a relevant field in excess of the minimum	+ 2 points
Training for every 25 hours more of the 50 hours in excess of the minimum	+ 2 points

B. Performance

Get average of overall point scores of 4 SPEED ratings and multiply by 40%.

C-1. Experience

Relevant Experience	Equivalent Points
An employee who meets the minimum number of experience required for the prescribed position	6 points
For every year of relevant experience in excess of the minimum required	+ 1 point

C-2. Outstanding Achievements

Awards	Equivalent Points
CSC Award (Presidential, Dangal ng Bayan, Pag-asa Awardee	5 points
Outstanding Employee Award (DAR Central, Reg'l., Prov'l. Office)	+ 3 points
Other Awards: ONLY Performance-based Awards	+ 2 points

Mechanics for determining Psychosocial Attributes and Personality Traits and Potential

Psychosocial Attributes, Personality Traits, and Potential shall be determined using the assessment instrument (Form 1). Only employees/officials who have firsthand knowledge of the characteristics of the contender are enjoined to rate.

Raters:

Self	10%
Peers (all employees in the division where the contender is assigned)	45%
Superior (division chief; SuARPO may likewise rate)	30%
CMT (at region or province) & Local Selection & Promo Board at CO	15%

The Instrument measures **Psychosocial and Personality Traits** in terms of the following with corresponding weights:

- Appearance (1%)
- Manner/Personal Conduct/Behavior (1%)
- Service Oriented/Work Attitude (1%)
- Moral Values (1%)
- Team Work (1%)

Potential is determined using the following dimensions:

- Leadership (2%)
- Work Oriented/Dedication & Commitment (2%)
- Communication Skills (1%)
- Planning/Decision Making (1%)
- Initiative (2%)
- Quality of Work (1%)
- Creative, Simple and Quick (1%)

Instrument to be used in Assessing **Psychosocial Attributes and Personality Traits and Potential**

How to Compute (Form 2):

The instrument aims to measure Psychosocial Attributes and Personality Traits and Potential of the contender. Rate the contender per item from 1 to 10, 1 being the lowest and 10, highest.



Name of Contender: _____

Type of Rater: _____ Self _____ Peer
 _____ CARPO/Supervisor _____ CMT Member/Local SBP

	Psychosocial Attributes and Personality Traits (5%)	Rating
Appearance	The contender dresses appropriately and exhibits good grooming.	
Manner/ Personal Conduct/ Behavior	The contender shows respect and is considerate to the needs of others. The contender acts professionally and observed office decorum and work ethics.	
Service Oriented / Work Attitude	The contender has a strong sense of urgency in getting work done and maintains commitment to achieve goals and targets of the division/bureau/office.	
Moral Values	The contender exhibits honesty and integrity in works and actions.	
Team Work	The contender contributes to achieve team goals and objectives and motivate team members to work toward common goals.	
	Total	

	Potential (10%)	Rating
Leadership	The contender exhibits any of the following leadership qualities: <ul style="list-style-type: none"> • Can effectively gather, unite & direct people to act and work towards a common objective (Coordinator). • Helps the members of the organization discover, develop & utilize their innate talents and abilities (Animator). • Provides conducive learning environment for the members to share and contribute towards the achievement of the goals and objectives of the organization (Facilitator). 	
Work Oriented / Dedication & Commitment	The contender has a high sense of volunteerism (willingness to perform additional tasks and to work beyond office hours).	
Communication Skills	The contender expresses information and concepts effectively and clearly when writing and speaking and prepares concise and coherent written materials.	
Planning / Decision Making	The contender has the ability to plan and prioritize work activities within the set work standards and parameters and is able to make prompt and sound decisions.	
Initiative	The contender anticipates what needs to be done, takes appropriate action and works with minimal supervision.	
Quality of Work	All aspects of work assignments are thoroughly covered and are acceptable.	
Creative, Simple & Quick	The contender introduces new ways of doing things to simplify work processes and produces quality work with fewer resources.	
	Total	

APPLICATION FOR TRANSFER*(Pursuant to Executive Order No. 366 dated October 4, 2004 and its IRR)*

I hereby apply for transfer to any of the following agencies:

Options	Office	Location
Option 1		
Option 2		
Option 3		

Aware that my current position, qualifications and skills shall be matched vis-à-vis the requirements of my priority agencies, I submit myself for further assessment of the Civil Service Commission.

I understand that this application shall facilitate my placement to any of my priority agencies or other government agencies and local government agencies (LGUs), as deemed appropriate by the Commission.

Very truly yours,

Name and Signature of Employee

Position

Date of Application

(Please submit this form with the updated Personal Data Sheet)
CS Form 212 - Revised 2005



APPLICATION FOR RETIREMENT

(In pursuance of Executive Order No. 366 dated October 4, 2004 and its IRR)

In relation to the notice I received that my position was rationalized, I wish to avail of the retirement/separation benefits under EO 366.

I understand that I need to submit all required documents to GSIS one month prior to my retirement/separation to ensure that I receive all allowable benefits on the day of my retirement.

Very truly yours,

Name and Signature of Employee

Position

Date of Application

Department of Agrarian Reform
Central Office, Diliman, Quezon City

EO 366 Appeal Form

Date Filed: _____

Name of Affected Personnel

Section/Division/Office

Position Title/Designation (if any)

Name of Division Chief (Supervisor)

Nature or Subject of Appeal*:

Action desired/justification*:

Signature of Affected Personnel

*Use additional sheets if necessary

Department of Agrarian Reform
Central Office, Diliman, Quezon City

EO 366 Appeals Resolution Form

Name of Affected Personnel

Position Title/Designation (if any)

Nature or Subject of Appeal:

Resolution:

*Use additional sheets if necessary

Date Decision Rendered: _____

CMT Chair

