

URIARTE, Jr. Nicanor
OLIVA, Anna Maria
Re: Grant of Step Increment

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RESOLUTION NO. 001254

Nicanor Uriarte, Jr., Administrative Officer, Central Board of Assessment Appeals, Department of Finance, requests the Commission for an opinion regarding the rules and regulations governing the grant of step increment.

The material representation of Uriarte, Jr. are, as follows:

"Mr. Uriarte started working with the Central Board of Assessment Appeals in the 7th of December 1993. He was, then appointed to the position of Attorney II, SG 18, with a temporary status. However, in the year 1996 sometime in the month of September, such position was abolished and the position of Administrative Officer II, also with the same Salary Grade, was created by virtue of such abolition-creation duly approved by the Department of Budget and Management. He was appointed to the said position in a permanent capacity, without any interruption in the service, and which he is holding even to now.

"The same case is besetting Ms. Oliva. She was temporarily appointed to the position of Accountant I, SG-11, on February 1, 1996. However, while holding the said position, Cashier I, SG-10, became vacant and shw was appointed to the latter position in a permanent status. She now holds the same position up to now.

"Since the employees in the case at bar have continuously served the Central Board of Assessment Appeals from the year 1993 and 1996, aren't they entitled to step increments from the year 1996 and 1999, respectively? Is Mr. Uriarte entitled already to two steps by year 1999 and Ms. Oliva by one step starting year 1999?"

A cursory reading of the instant query reveals that the focal issue that needs to be clarified is whether or not Uriarte, Jr. and Oliva are entitled to be granted step increments from the year 1996 and 1999, respectively.

Section 7(b), Rule X of the Omnibus Rules Implementing Book V of Executive Order No. 292 (Administrative Code of 1987) provides, as follows:

x x x

"(b) Length of Service Incentive which shall be given to an employee who has rendered at least three years of continuous satisfactory service in a particular position and which shall consist of step increments in accordance with the provisions of

Joint CSC-DBM Circular No. 1, s. 1990." (Underscoring supplied)

Corollary, Rule III, Section 2 of Joint CSC-DBM Circular No. 1, s. 1990, has provided the criteria for the grant of step increments, as follows:

"Section 2. Length of Service. A one (1) step increment shall be granted to officials and employees for every three (3) years of continuous satisfactory service in the position. Years of service in the position shall include the following:

"(a) those rendered before the position was reclassified to a position title with a lower or the same salary grade allocation; and

"(b) those rendered before the incumbent was transferred to another position within the same agency or to another agency without a change in position title and salary grade allocation.

"In the initial implementation of step increments in 1990, an incumbent shall be granted step increments equivalent to one (1) step of every three (3) years of continuous satisfactory service in a given position occupied as of January 1, 1990."

As can be gleaned from the aforementioned provisions, the length of service required before an official or employee can be granted one (1) step increment shall be three (3) years of continuous satisfactory service in the same position within the same agency.

To determine whether or not service is continuous, it is necessary to define what an actual service is. "Actual service" refers to the period of continuous service since the appointment of the official or employee concerned, including the period or periods covered by any previously approved leave with pay (Memorandum Circular No. 41, s. 1998). Appointment in this case means permanent appointment.

Rule I, Section 1 of Joint CSC-DBM Circular No. 1, s. 1990 emphatically states, as follows:

"These rules and regulations shall apply to all officials and employees in the national and local governments, including those in government-owned and controlled corporations with original charters, state universities and colleges, judiciary and legislature, who are appointed on a permanent status in the career service." (emphasis supplied)

As per verification from the Central Board of Assessment Appeals, it was found that Uriarte, Jr. was appointed as Administrative Officer III (SG-18) on September 1, 1996 and Oliva as Cashier I (SG-10) on January 2, 1998, both under permanent status. Therefore, Oliva is not entitled to a step increment since she was permanently appointed as Cashier I only on January 2, 1998. On the other hand, since Uriarte Jr. was appointed on September 1, 1996, he is entitled to a one step increment if it can be shown that his three years of continuous service is marked by a satisfactory rating.

WHEREFORE, the Commission resolves to rule that Anna Maria Oliva is not entitled to a step increment while Nicanor Uriarte, Jr., is entitled to one step increment, provided he has obtained at least a satisfactory rating during the last 3 years subject to the guidelines set forth in the Joint CSC-DBM Circular No. 1, s. 1990.

Quezon City, May 24, 2000

(Sgd.) CORAZON ALMA G. DE LEON

Chairman

(Sgd.) JOSE F. ERESTAIN, JR.

Commissioner

(Sgd.) ELMOR D. JURIDICO

Commissioner

Attested by:

(Sgd.) ARIEL G. RONQUILLO

Director III