

**[ CSC RESOLUTION NO. 1101502, November 08,  
2011 ]**

**REVISED RULES ON ADMINISTRATIVE CASES IN THE CIVIL  
SERVICE (RRACCS)**

*Adopted: 08 November 2011*

*Date Filed: 01 August 2014*

Pursuant to Section 6, Article IX-A of the 1987 Constitution, the Civil Service Commission en banc may promulgate its own rules concerning pleadings and practices before it or before any of its offices. Such rules however shall not diminish, increase, or modify substantive rights. Likewise, Section 12 (2), Chapter 3, Title I, Subtitle (A), Book V of the Administrative Code of 1987 (Executive Order No. 292) empowers the Civil Service Commission among others, to prescribe, amend and enforce rules and regulations to effectively carry into effect the provisions of the Civil Service Law and other pertinent laws which includes the procedure in administrative cases in the Civil Service.

**NOW, THEREFORE**, the Commission hereby adopts and promulgates the following rules concerning disciplinary and non-disciplinary proceedings in administrative cases in the Civil Service.

**GENERAL PROVISIONS**

**Rule 1**

**APPLICABILITY AND CONSTRUCTION**

**Section 1. Title.** – This Rules shall be known and cited as the **Revised Rules on Administrative Cases in the Civil Service (RRACCS)**.

**Section 2. Coverage.** – This Rules shall apply to all disciplinary and nondisciplinary administrative cases brought before the Civil Service Commission, agencies and instrumentalities of the National Government, local government units, and government-owned or controlled corporations with original charters except as may be provided by law.

Sexual harassment cases shall be primarily governed by the Administrative Rules on Sexual Harassment Cases (CSC Resolution No. 01-0940 dated May 21, 2001). This Rules shall apply suppletorily to said cases.

**Section 3. Construction.** – This Rules shall be liberally construed in order to promote their objective in obtaining just, speedy, and inexpensive disposition of administrative cases.

Administrative investigations shall be conducted without strict recourse to the technical rules of procedure and evidence applicable to judicial proceedings.

**Section 4. Definition of Terms.** – The terms hereunder shall be construed as follows:

- a. **AGENCY** refers to any bureau, office, commission, administration, board, committee, institute, corporation with original charter, whether performing governmental or proprietary function, or any other unit of the national government as well as provincial, city or municipal government.
- b. **APPOINTING OFFICER** refers to the person or body duly authorized to issue appointments in the civil service.
- c. **CIVIL SERVICE** is the generic term which refers to all men and women in all branches, subdivisions, instrumentalities and agencies of the Government, including government-owned or controlled corporations with original charters.
- d. **CIVIL SERVICE COMMISSION FIELD OFFICES (CSCFOs)** refer to the Civil Service Commission Field Offices under the direct supervision of the Civil Service Commission Regional Office, each headed by a Field Director.
- e. **CIVIL SERVICE COMMISSION REGIONAL OFFICES (CSCROs)** refer to the sixteen (16) Civil Service Commission Regional Offices and those that may be subsequently created, each headed by a Regional Director.
- f. **COMMISSION** refers to the Civil Service Commission composed of the Chairman and two (2) Commissioners.
- g. **DEPARTMENT** refers to any of the executive departments or entities having the category of a department, including the judiciary, legislative and the other constitutional commissions.
- h. **DISCIPLINING AUTHORITY** refers to the person or body duly authorized to impose the penalty provided for by law or rules.
- i. **FORUM-SHOPPING** refers to the filing of several administrative actions or complaint either simultaneously or successively before another agency or any tribunal having jurisdiction over the case against the same party involving the same essential facts, circumstances, acts, causes of action or relief, and all raising substantially the same issues either pending in, or already resolved adversely by, some other tribunal or agency.
- j. **PARTY ADVERSELY AFFECTED** refers to the respondent against whom a decision in an administrative case has been rendered or to the disciplining authority in an appeal from a decision reversing or modifying the original decision.
- k. **PERSON COMPLAINED OF** refers to the person who is the subject of a complaint but who is not yet issued a notice of charge/s or formal charge by the disciplining authority.
- l. **PERSONNEL ACTION** refers to any action denoting the movement or progress of personnel in the Civil Service which shall include appointment, promotion, transfer, reinstatement, reemployment, reappointment, detail, reassignment, secondment, demotion and separation from the service.
- m. **PROBATIONARY EMPLOYEE** refers to the employee who is required to undergo a thorough character investigation and assessment of capability to perform the duties of the position enumerated in the Position Description Form (PDF).
- n. **RESPONDENT** refers to the person who is issued a notice of charge/s or formal charge by the disciplining authority.
- o. **QUALIFIED NEXT-IN-RANK** refers to the employee appointed on a permanent basis to a position previously determined to be a next-in-rank to the vacancy and who meets the requirements for appointment thereto as

previously determined by the appointing authority and approved by the Commission.

## **Rule 2**

### **JURISDICTION AND VENUE OF ACTIONS**

**Section 5. *Jurisdiction of the Civil Service Commission.*** – The Civil Service Commission shall hear and decide administrative cases instituted by or brought before it, directly or on appeal, including contested appointments and review decisions and actions of its offices and of the agencies attached to it.

**Section 6. *Referral of Case or Matter to the Proper Office.*** – In the event that an administrative case or matter is filed before the Commission or any of its Regional Offices, but jurisdiction over such case or matter properly belongs to another CSCRO or to the Commission, the same shall be forwarded to the appropriate office.

**Section 7. *Cases Cognizable by the Civil Service Commission*** – The Civil Service Commission shall take cognizance of the following cases:

#### **A. Disciplinary**

1. Decisions of Civil Service Commission Regional Offices brought before it on appeal or petition for review;
2. Decisions of heads of agencies imposing penalties exceeding thirty (30) days suspension or fine in an amount exceeding thirty (30) days salary brought before it on appeal;
3. Complaints brought against Civil Service Commission personnel;
4. Complaints against officials who are not presidential appointees;
5. Decisions of heads of agencies imposing penalties not exceeding 30 days suspension or fine equivalent thereto but violating due process;
6. Requests for transfer of venue of hearing on cases being heard by Civil Service Commission Regional Offices;
7. Appeals from the order of preventive suspension; and
8. Such other actions or requests involving issues arising out of or in connection with the foregoing enumeration.

#### **B. Non-Disciplinary**

1. Decisions of heads of agencies on personnel actions;
2. Decisions of Civil Service Commission Regional Offices;
3. Requests for favorable recommendation on petition for the removal of administrative penalties or disabilities;
4. Protests against appointments, or other personnel actions, involving nonpresidential appointees;
5. Requests for Extension of Service;
6. Reassignment of public health workers and public social workers brought before it on appeal;
7. Request for correction of personal information in the records of the Commission within five (5) years before mandatory retirement; and
8. Such other analogous actions or petitions arising out of or in relation with the foregoing enumeration.

**Section 8. Cases Cognizable by Regional Offices.** – Except as otherwise directed by the Commission, the Civil Service Commission Regional Offices shall take cognizance of the following cases:

**A. Disciplinary**

1. Cases initiated by, or brought before, the Civil Service Commission Regional Offices provided that the alleged acts or omissions were committed within the jurisdiction of the Regional Office, including Civil Service examination anomalies or irregularities and/or the persons complained of are rank-and-file employees of agencies, local or national, within said geographical areas;
2. Complaints involving Civil Service Regional Office personnel who are appointees of said office; and
3. Petitions to place respondent under preventive suspension.

**B. Non-Disciplinary**

1. Disapproval/Recall of Approval/Invalidation of appointments brought before it on appeal;
2. Decisions of heads of agencies, except those of the department secretaries and bureau heads within their geographical boundaries relative to protests and other personnel actions and other non-disciplinary actions brought before it on appeal; and
3. Requests for accreditation of services; and
4. Requests for correction of personal information in the records of the Commission not falling under Section 7 (B) Item 7 of this Rules.

**Section 9. Jurisdiction of Heads of Agencies.** – The Secretaries and heads of agencies, and other instrumentalities, provinces, cities and municipalities shall have original concurrent jurisdiction with the Commission over their respective officers and employees. They shall take cognizance of complaints involving their respective personnel. Their decisions shall be final in case the penalty imposed is suspension for not more than thirty (30) days or fine in an amount not exceeding thirty (30) days salary. In case the decision rendered by a bureau or office head is appealable to the Commission, the same may be initially appealed to the department and finally to the Commission and pending appeal, the same shall be executory except when the penalty is removal, in which case the same shall be executory only after confirmation by the Secretary concerned.

**DISCIPLINARY CASES**

**Rule 3  
COMPLAINT**

**Section 10. Who May Initiate.** – Administrative proceedings may be initiated by the disciplining authority motu proprio or upon complaint of any other person.

**Section 11. Requisites of a Valid Complaint.** – Except when initiated by the disciplining authority or his/her authorized representative, no complaint against a civil service official or employee shall be given due course unless the same is in writing, subscribed and sworn to by the complainant. In cases initiated by the proper disciplining authority or his/her authorized representative, a show cause order is sufficient.

No anonymous complaint shall be entertained unless there is obvious truth or merit to the allegations therein or supported by documentary or direct evidence, in which case the person complained of may be required to comment.

The complaint in triplicate copies shall be written in a clear, simple and concise language and in a systematic manner as to apprise the person complained of, of the nature and cause of the accusation against him/her and to enable him/her to intelligently prepare his/her defense or answer/comment. However, should there be more than one (1) person complained of, the complainant is required to submit additional copies corresponding to the number of persons complained of.

The complaint shall contain the following:

- a. full name and address of the complainant;
- b. full name and address of the person/s complained of as well as his/her/their position/s and office/s;
- c. a narration of the relevant and material facts which shows the acts or omissions allegedly committed;
- d. certified true copies of documentary evidence and affidavits of his/her witnesses, if any; and
- e. certification or statement of non-forum shopping.

The absence of any of the aforementioned requirements may cause the dismissal of the complaint without prejudice to its refile upon compliance with the above requirements.

**Section 12. *When and Where to File a Complaint.*** – Except when otherwise provided for by law, an administrative complaint may be filed at anytime with the Commission or any of its Regional Offices, heads of departments, agencies, provinces, cities, municipalities and other instrumentalities.

**Section 13. *Withdrawal of the Complaint.*** – The withdrawal of the complaint does not result in its outright dismissal nor discharge the person complained of from any administrative liability. Where there is obvious truth or merit to the allegation in the complaint or where there is documentary evidence that would tend to prove the guilt of the person/s complained of, the same should be given due course.

**Section 14. *Action on the Complaint.*** – Upon receipt of a complaint which is sufficient in form and substance, the disciplining authority shall require the person/s complained of to submit a Counter-Affidavit/Comment under oath within three (3) days from receipt of order requiring him/her/their comment/s.

#### **Rule 4 PRELIMINARY INVESTIGATION**

**Section 15. *Preliminary Investigation; Definition.*** – A Preliminary Investigation is a proceeding undertaken to determine whether a *prima facie* case exists to warrant the issuance of a formal charge. It involves a fact-finding investigation or an *ex-parte* examination of records and documents submitted by the complainant and the person/s complained of, as well as documents readily available from other government offices.

**Section 16. *How conducted.*** – Within five (5) days from receipt of the complaint sufficient in form and substance, the person/s complained of shall be required to submit his/her/their counter-affidavit/comment. Where the complaint is initiated by