

[CESO RESOLUTION NO. 946, June 14, 2011]

REVISED POLICY ON RECOMMENDATION FOR ORIGINAL AND PROMOTIONAL APPOINTMENT TO CAREER EXECUTIVE SERVICE (CES) RANKS OF OFFICIALS WITH PENDING CASES

WHEREAS, Presidential Decree No. 1 dated September 24, 1972, created the Career Executive Service Board (CESB) to serve as the governing body of the Career Executive Service (CES) and mandated it to promulgate rules, standards and procedures in selection, classification, compensation and career development of members on the Career Executive Service;

WHEREAS, the same law provides that members of the Career Executive Service (CES) shall be classified according to rank based on broad levels of responsibility and on personal qualifications and demonstrated competence;

WHEREAS, the Board, prior to its recommendation to the President for appointment to a CES rank of qualified CES Eligibles, requires a candidate to submit clearances from various offices;

WHEREAS, Article III, Section 3 of CESB Resolution No. 798 s. 2009 provides for the guidelines on appointment to a CES rank of a CESO with pending cases;

WHEREAS, under existing rules, the Board recommends a CESO or CES eligible for appointment to a CES rank, even if he/she has pending cases, if after an exhaustive review of the cases, the Board finds that the cases do not involve moral turpitude;

WHEREAS in the case of Villaber vs. COMELEC, G.R. No. 148326 dated November 15 2011 moral turpitude is defined as "an act of baseness, vileness, or depravity in the private duties which a man owes his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and woman, or conduct contrary to justice, honesty, modesty, or good morals";

WHEREAS, a number of officials who are being considered for appointment to CESO rank have pending cases filed against them;

WHEREFORE, based on the foregoing premises, the Board **RESOLVES** as it is hereby **RESOLVED**, to adopt a Revised Policy on Recommendation for Original and Promotional Appointment to Career Executive Service (CES) Ranks of Officials with pending Cases:

RULE I

With Respect to Cases Pending with the Office of the Ombudsman