



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM


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ACCOUNTABILITY

IA G Memo No. 40-2021

MEMORANDUM

FOR : **ALL DEPUTY COMMISSIONERS
ALL DISTRICT COLLECTORS
ALL ADMINISTRATIVE OFFICERS
CONTRACT OF SERVICE PERSONNEL**

FROM :  **DONATO B. SAN JUAN**
Deputy Commissioner
Internal Administration Group

SUBJECT : **UPDATED GUIDELINES ON RETENTION/
RENEWAL OF JOB ORDER AND/OR CONTRACT OF
SERVICE PERSONNEL IN THE BUREAU OF CUSTOMS**

DATE : December 13, 2021

References:

- Commission on Audit (COA), Department of Budget and Management (DBM) Joint Circular No.2, s.2020 with the subject Updated Rules and Regulations Governing Contract of Service (COS) and Job Order (JO) Workers in the Government; *(Annex A)*
- CMO No. 07-2021 with the subject: Updated Guidelines on the Retention/ Renewal Job Order and/or Contract of Service (COS) Personnel in the Bureau of Customs-Central Office and Collection Districts; *(Annex B)*
- CSO No. 18-2021 with the subject: Delegation of Authority to Sign; *(Annex C)*

In compliance with the above-cited references, the Bureau shall observe the following guidelines on the engagement of services of the existing COS personnel:

- 1.0 The initial contract period of the abovementioned COS personnel, which is from **January 01, 2022 to June 30, 2022**, may now be processed with the following conditions:

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- 1.1 Only the COS personnel with existing **approved Contracts** as of even date shall be entitled for renewal for the abovementioned contract period.
- 1.2 The position title and amount of salary to be indicated in the Contracts must be the same as that of the position title and salary authorized for the previous contract period (October to December 2021). Change of position title and salary shall not be allowed unless approved by the Deputy Commissioner, IAG, and Budget Division, subject to availability of funds.
- 2.0 Further, the Office concerned shall prepare six (6) original copies of Contract (new template pursuant to CSO No. 18-2021) for each of their respective COS personnel together with the following documentary requirements (*Annex D*), to be transmitted to the HRMD not later than **December 20, 2021**:
 - 2.1 Six (6) copies of Statement of Functions attached as Annex A of the Contract; (*Annex E*)
 - 2.2 One (1) duly notarized and properly accomplished Personal Data Sheet (PDS);
 - 2.3 Three (3) original copies of Certification stating that the COS personnel shall made to perform functions which are not part of the job description of the Bureau's existing regular employee; (*Annex F*)
 - 2.4 Three (3) original copies of Certificate of Assumption (to be submitted after the assumption date of the concerned COS personnel); (*Annex G*)
 - 2.5 One (1) copy of Performance Certificate; and (*Annex H*)
 - 2.6 One (1) copy of Performance Evaluation (October to December 2021) (*Annex I*)
- 3.0 Relative thereto, all requests for COS/JO personnel shall be endorsed to the Office of the Deputy Commissioner, Internal Administration Group (IAG) through the HRMD.
- 4.0 Please be guided accordingly.

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CONTRACT OF SERVICE

KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered into by and between:

The **BUREAU OF CUSTOMS (BOC)**, with office address at 16th St., Gate 3, South Harbor, Port Area, Manila, hereinafter represented by its Commissioner, **REY LEONARDO B. GUERRERO with DONATO B. SAN JUAN** as his authorized representative, hereinafter referred to as, the "**First Party**"; and

NAME OF COS PERSONNEL, Filipino, of legal age with residence and postal address at _____, hereinafter referred to as the "**Second Party**",

-WITNESSETH-

WHEREAS, the First Party needs the services of the Second Party who shall perform the services as POSITION TITLE at the OFFICE/DIVISION/PORT;

WHEREAS, the Second Party has signified the intention, to which the First Party has accepted, to provide services needed by the latter;

WHEREAS, the Second Party possesses the technical knowledge, training and skill required to perform the services stated above and attest the following: (a) absence of any relation within the third civil degree by consanguinity or affinity with the appointing authority or recommending authority of the BOC, or persons exercising immediate supervision over him/her; (b) absence of the circumstance of previous dismissal from government service arising from an administrative offense; and (c) not having reached the compulsory retirement age of 65 (sixty-five) years old;

NOW, THEREFORE, in consideration of the mutual covenants and agreements made herein, the Parties, by these presents, enter into this Contract whereby:

1. The Second Party specifically undertakes to perform the duties and responsibilities for the services stated above and further defined in Annex "A" of this Contract which has been signed by the Head of the Office/ Division Chief/ District Collector;
2. The Second Party shall perform the services on the agreed schedule;
3. The Second Party shall perform the services from **JANUARY 01, 2022 TO JUNE 30, 2022** and shall receive an agreed monthly compensation of **PESOS: XXX (Php00)** and a monthly premium equivalent to 5% (five percent) of the monthly compensation to be released on a semestral basis;
4. Nothing in this Contract shall create an "employer-employee" relationship between the First Party and the Second Party. As such, the services rendered under this contract shall not be considered as part of government service of the Second Party;
5. The Second Party shall not be entitled to the benefits and other emoluments entitled/received by the employees of the First Party; and
6. This Contract can be terminated at any time at the option of either party.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____ at _____.

By authority of the Commissioner (BOC CSO No. 18-2021)

DONATO B. SAN JUAN
Deputy Commissioner, Internal Administration Group

NAME OF COS PERSONNEL
Contract of Service Personnel

Witnesses:

KHRISTINE JANE V. MELENCIO
Acting Chief, Human Resource Management Division

Head of the Office/ Division Chief/ District Collector

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
_____, SS.

BEFORE ME, a Notary Public for and in _____, this _____ personally appeared:

<i>Name</i>	<i>Valid Identification</i>	<i>Place Issued</i>
Donato B. San Juan	BOC ID NO: 2018-0292	Manila
<i>Name of COS Personnel</i>	<i>No. of any Government Issued ID</i>	_____

Known to me and to be the same persons who executed this instrument and they acknowledged to me that the same is their voluntary act and deed.

WITNESS MY HAND SEAL on the date and at the place first above-mentioned

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2022.



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ANNEX A

Contract of Service Personnel:

Contract Period: **January 01, 2022 to June 30, 2022**

Office Assignment:

Position:

Functions:

-
-
-

Head of Office/ Division Chief/ District Collector



CERTIFICATION

This is to certify that **Mr./ Ms.** _____, Contract of Service personnel assigned at the **OFFICE/DIVISION/PORT** shall be made to perform functions which are **not** part of the job description of the Bureau's existing regular employee.

Issued this day/month/year.

Head of Office/ Division Chief/ District Collector



CERTIFICATE OF ASSUMPTION

This is to certify that **Mr./ Ms.** _____, has assumed his/her duties and responsibilities as **POSITION TITLE** at **OFFICE/DIVISION/PORT** on the day/month/year, in compliance with the approved Contract of Service with the Bureau.

Head of Office/ Division Chief/ District Collector



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PERFORMANCE CERTIFICATE

This is to certify that **Mr./ Ms.** _____, contract of service personnel assigned at the **OFFICE/DIVISION/PORT**, has **outstandingly/ satisfactorily/ unsatisfactorily performed** his/ her duties as **POSITION TITLE**.

In addition, **Mr./ Ms.** _____, has aided this office in accomplishing mandates and targets by **specify significant contribution/s of the COS** during his/her contract period.

This certification is issued to form part of her performance evaluation.

Immediate Supervisor
Signature over printed name

Head of Office
Signature over printed name



Name: _____ Immediate Supervisor: _____

Place of Assignment: _____ Position: _____

PERFORMANCE EVALUATION

OUTSTANDING	Outstanding	130% and above	5
SATISFACTORY	Very Satisfactory	115% - 129%	4
	Satisfactory	90% - 114%	3
UNSATISFACTORY	Needs Improvement	51% - 89%	2
	Needs Development	50% and below	1

Responsibility Area	Success Indicator	Actual Accomplishment	Rating
<i>i.e Product Data Base of import entries</i>	<i>Produced one (1) accurate consolidated matrix/data base of import entries monthly</i>	<i>A Total of six (6) Data Base of import entries created for the Contract period.</i>	3

Name of Ratee
 Signature over printed name

 Immediate Supervisor
 Signature over printed name

 Head of Office
 Signature over printed name



21 January 2021

CUSTOMS SPECIAL ORDERNO. 18-2021**SUBJECT: DELEGATION OF AUTHORITY TO SIGN**

In the exigency of service and pursuant to CMO No. 07-2021, the following official and personnel of the Bureau of Customs are hereby designated as the authorized signatories of contracts of personnel under Contract of Service:

1. First Party – Deputy Commissioner,
Internal Administration Group (IAG)
2. Second Party – Contract of Service Personnel
3. Witness 1 – Chief, Human Resource Management Division
– Authorized Representative
4. Witness 2 – Head of the Organizational Unit

This Customs Special Order shall take effect immediately and shall last until revoked.

REY LEONARDO B. GUERRERO
 Commissioner JAN 28 2021



BOC-03-08501

Bureau of Customs
 CENTRAL RECORDS AND DIVISION

**CERTIFIED TRUE COPY
 OF THE ORIGINAL**

Margaret G. Manalaysay
MARGARET G. MANALAYSAY
 Administrative Officer V