



REPUBLIC OF THE PHILIPPINES  
Department of Finance  
**BUREAU OF CUSTOMS**  
**OFFICE OF THE COMMISSIONER**  
MANILA 1099

September 29, 2007

**CUSTOMS MEMORANDUM ORDER**

NO. 32-2007

TO: All Bureau Officials and Employees

SUBJECT: Revised Rules, Regulations and Procedures in Reassignment and Designation of Personnel

I. Objectives:

1. To implement more effectively civil service rules and regulations on reassignment and designation specifically CSC MC No. 2, s. 2005 and CSC MC No. 6, s. 2005, Revised Rules on Reassignment and Guidelines on Designation, respectively;
2. To ensure that these personnel actions are utilized only to the interest of the service; and
3. To set-up a more objective process of evaluating personnel for reassignment/designation.

II. Definitions:

1. Reassignment is the 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.
2. Designation is the assignment of an employee to perform the functions of a position that is higher than his/her actual plantilla position.
3. Reassignment and designation are separate personnel actions but there can also be an occasion that an employee may be reassigned and designated at the same time. In the latter's case, the rules and regulations for both personnel actions as herein prescribed shall be complied with.

III. Guidelines in Reassignment:

1. Reassignment can either be with or without consent of the employees. If the reassignment is with consent, it shall have no limit. However, if it is without consent, reassignment shall be for a maximum period of one year only.
2. Reassignment of employees with station-specific place of work indicated in their respective appointments shall be allowed only for a maximum

period of one year. If appointment is not station-specific, the one year maximum period shall not apply. An appointment is considered station-specific when the name of the particular division/port where the position is located is specifically indicated in the face of the appointment paper. Station-specific appointment does not refer to a specified plantilla item number since it is used for purposes of identifying the particular position to be filled or occupied by the employee.

3. Reassignment outside geographical location if with consent shall have no limit. However, if it is without consent, reassignment shall be for a maximum period of one year only.
4. Such prescriptive period stated in Nos. 1-3 shall be specifically stated in the Customs Personnel Order issued. However, such prescriptive periods shall also be subject to renewal upon proper justifications.
5. Employees who shall hereinafter appointed shall not be considered for reassignment, unless it is required in the exigency of the service pursuant to Section 703 of the TCCP, as amended, within a period of one year from date of assumption.

IV. Guidelines in Designation:

1. Employees to be designated career positions must be holders of permanent appointments.
2. Employees to be designated for certain positions (initially for COO III, COO V, Section Chiefs) must pass the examination, oral or written, as may be hereinafter prescribed by the Commissioner of Customs.
3. For positions hereunder enumerated, the following minimum training requirements shall be required for designation:
  - a. Acting COO III/COO V:
    - a.1. Basic Assessment Course
    - a.2. WTO Valuation Seminar
    - a.3. AHTN/MFN/CEPT (Tariff Classification Seminar)
    - a.4. Border Enforcement of Intellectual Property Rights Training Program
    - a.5. ACOS/E-World Training Program
    - a.6. Other trainings required by the Commissioner of Customs
  - b. Section Chief:
    - b.1. Supervisory Development Course

Seminars/workshops for other positions shall be defined by the Training and Development Division for approval by the Deputy Commissioner, IAG.

4. Designees can only be designated to positions within the level they are currently occupying. They should also meet the minimum requirements of the position to which he/she is to be designated in terms of education, civil service eligibility and experience. However, Division Chiefs may be designated to perform the duties of third level positions. On the other hand, Utility Worker, SG-1 and Messenger, SG-2 may only be designated to Acting Security Guard position when the exigency of the service so requires.

5. Employees can only have one designation. Multiple designations shall be allowed only in provincial ports wherein the operational transactions are low and the actual personnel complement is not adequate. However, guidelines as herein promulgated must strictly apply to his primary designation. His/her other designations, on the other hand, should be properly justified and should be for a specific period of time only.
6. Employees hereinafter appointed shall not be considered for designation within a period of one year from date of assumption. However, in the exigency of the service, the Commissioner of Customs may order the reassignment or designation of newly appointed employees to any other port/office even within the 1 year period provided under the preceding sentence.
7. Employees to be designated must have a Very Satisfactory Performance Rating for the last two rating periods and must present a Certificate of No Pending Case issued by the Legal Service. In the event that the Legal Service fails to issue a Certification to that effect within 15 days from application, the said employee shall be deemed to have NO derogatory record or pending case therein.
8. Designations can be made either to positions with appointees or to vacant positions. For positions with appointees who temporarily cannot perform the functions of the position (on leave, scholarship, special assignments, suspension, etc.), the designation should synchronize with the absence of the appointee, provided, that in no case shall a designation exceed one year. For positions without appointees, designations may be made for a period not exceeding one year. Accordingly, such period should be stated in the Customs Personnel Order issued in favor of the designees. To the contrary notwithstanding, all designations for a limited period shall be subject to renewal upon proper justifications.
9. Designees cannot be granted the salaries of the positions they are being designated to, except for allowances that go with the performance of functions, such as RATA.

V. Procedures in Reassignment and Designation:

Step 1 Issuance of favorable recommendation/endorsement - In every reassignment/designation, a prior recommendation with sufficient justifications of the receiving and releasing offices should be secured, unless for clear and justifiable reasons, prior favorable recommendation cannot be obtained due to irreconcilable differences or strained relation, as the case may be. For this purpose, the re-assignee/designee shall execute an affidavit stating the reason for non-compliance to the foregoing requirement.

Such recommendation should be signed by the concerned District Collector of Customs/Service Director. The concerned District Collector/Service Director shall be accountable for making recommendations that are not in accordance with this Order and other related civil service rules and regulations.

Step 2 - Evaluation by the Administrative Division/Human Resources Management Division - The Administrative Division/HRMD shall evaluate

the request with reference to compliance with the above guidelines on reassignment and/or designation.

Step 3 - Written examination, for designation purposes only - Initially for Acting COO III, COO V and other Section Chief, the applicant shall take the corresponding qualifying examination as the Commissioner of Customs may provide. Other positions may be added to the above-mentioned positions as the Commissioner of Customs may deem necessary. For this purpose, only those who pass the examination shall be qualified for designation.

Step 4 - Preparation of Memorandum of recommendation by the Administrative Division/Human Resources Management Division citing the results of evaluation in Steps 2 and/or Step 3 hereof.

Step 5 - Issuance of Customs Personnel Order (CPO) by the designated authority as per Section VI of this Order.

Step 6 - Assumption of personnel - The employee duly issued with Reassignment and/or Designation Order shall assume the position within five (5) days from issuance of the order. In addition, he shall comply with other requirements such as but not limited to, office clearance, turn-over of responsibilities, transfer of leave card, submission of assumption report, and others as maybe required in the CPO transmittal letter. Failure to comply with the order can be a ground for disciplinary action. Likewise, the concerned District Collector and/or Division Chief shall be held accountable and responsible for the immediate implementation of a duly issued Customs Personnel Order.

VI. Authority for Issuance of Reassignment/Designation Order:

1. Reassignment and/or Designation Orders of personnel from the level of Customs Operations Officer V, SG-20 or equivalent Section Chief and higher shall be approved by the Commissioner of Customs upon endorsement of the concerned District Collectors/Directors/Deputy Commissioners and recommendation of the Deputy Commissioner, Internal Administration Group. The appropriate Customs Personnel Order shall be prepared and numbered by HRMD.
2. Reassignment and/or Designations Orders of personnel from the level of Customs Operations Officer IV, SG-18 and below (rank and file) involving movement from one Service/Port to another shall be approved by the Deputy Commissioner, Internal Administration Group upon recommendation of the concerned District Collectors/Directors. The appropriate Customs Personnel Order shall be prepared and numbered by HRMD.
3. Reassignment and/or Designation Orders of personnel from the level of Customs Operations Officer IV, SG-18 and below (rank and file) involving movement within the Collection Districts and its subports only shall be approved by the District Collector of Customs upon recommendation of the Deputy Collector for Administration/Chief, Administrative Division. The corresponding District CPO shall be prepared and numbered by the Administrative Division, with a copy immediately furnished the Office of the Commissioner and HRMD for post evaluation and recording.

4. Reassignment and/or Designation Orders of ESS and CIIS personnel involving movement within ESS and CIIS units in the different Ports/Subports below the District Commander level, shall be approved by the Deputy Commissioner, Intelligence and Enforcement Group upon recommendation of their respective Director. The appropriate Customs Personnel Order shall be prepared and numbered by HRMD.
5. In all cases, failure of the concerned officials to act upon the request/indorsement as referred to in the preceding sentences within 30 days from receipt of the said request/indorsement shall be deemed to have been approved *in toto*.
6. The contrary notwithstanding, the Commissioner of Customs may in the exigency of service, issue Designation/Reassignment Orders without the necessary approval of the concerned Bureau officials as provided above, pursuant to Section 703, of the TCCP as amended.

VII. Separability and Effectivity Clause

This Order supersedes CMO 25-2001 and CMO 2-2005 and all other Memoranda and Orders that are inconsistent with the provisions of this Order.

This Order shall be applied prospectively.

Effective immediately.



NAPOLION L. MORALES  
Commissioner