



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**  
MANILA

December 3, 2001

CUSTOMS MEMORANDUM ORDER  
NO. 6-2002

TO: All Officials and Employees of the Bureau of Customs

SUBJECT: Merit Selection Plan (MSP)

Pursuant to the provisions of Section 32, Book V of Administrative Code of 1987 (Executive Order No. 292), CSC Memorandum Circular No. 3, s.1979 as amended by CSC Memorandum Circular No. 18, s. 1988 and CSC Memorandum Circular No. 38, s. 1989, as further amended by CSC Memorandum Circular No. 40, s. 1998, CSC Memorandum Circular No. 15, s.1999, CSC Memorandum Circular No. 8, s. 1999, and CSC Memorandum Circular No. 3, s. 2001, this Merit Selection Plan (MSP) is hereby established for the guidance of all concerned.

**I. OBJECTIVES :**

It is the policy of the Bureau of Customs to strictly adhere to the principles of merit, fitness and equality in the selection of employees for promotions and hiring purposes. The selection shall be based on their relative qualifications and competence to perform the duties and responsibilities of the position. There shall be no discrimination in the selection of employees on account of gender, civil status, disability, religion, ethnicity, or political affiliation. In this pursuit, this MSP aims to:

1. Establish a system that is characterized by strict observance of the merit, fitness and equality principles in the selection of employee for promotion to a higher position in the career service.
2. Create equal opportunities for employment to all qualified men and women to enter the government service and for career advancement in the Bureau.

**II. SCOPE:**

This MSP shall cover all positions in the Bureau including first, second and third level career positions.

### III. DEFINITION OF TERMS:

**Career Service** – positions in the civil service characterized by (1) entrance based on merit and fitness to be determined as far as practicable by competitive examination, or based on highly technical qualifications; (2) opportunity for advancement to higher career positions; and (3) security of tenure.

**Comparatively at Par** – predetermined reasonable difference or gap between point score of candidates for appointment established by Personnel Selection Board (PSB).

**Deep Selection** – the process of selecting a candidate for appointment who is not next-in-rank but possesses superior qualifications and competence.

**First level positions** – shall include clerical, trades and crafts, and custodial service positions which involve non-professional or sub-professional work in a non-supervisory capacity requiring less than four years of collegiate studies.

**Hiring Quota** – is the predetermined ratio of applicants for appointment to ensure that one gender does not fall short of the desired percentage of the selection rate for the other gender in equivalent positions at every level, provided they meet the minimum requirements of the position.

**Job Requirements** – requisites not limited to the qualification standards of the position but may include skills, competencies, potential, physical and psycho-social attributes necessary for the successful performance of the duties required of the position.

**Next-in-rank positions** – refers to a position which, by reason of hierarchical arrangement of positions in the Bureau, is in the nearest degree of relationship to a higher position as contained in the Bureau's System of Ranking approved by the Commissioner and furnished the Civil Service Commission. The system of ranking takes into account the organizational structure, the classification and/or functional relationship, the pay or range allocation and the geographical location.

**Promotion** – is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law and usually accompanied by an increase in salary.

**Personnel Action** – any action denoting the movement or progress of personnel in the civil service such as original appointment, promotion, transfer, resintatement, reemployment, detail, reassignment, secondment and demotion.

**Psycho-Social Attributes** – refer to the characteristics or traits of a person which involved both psychological and social aspects. Psychological includes the way he/she perceives things, ideas, beliefs and understanding and how she/he acts and relates these things to others and in social situations.

Qualified next-in-rank – refers to an employee appointed on a permanent basis to a position previously determined to be next-in-rank to the vacancy proposed to be filled and who meets the requisites for appointment thereto as previously determined by the appointing authority and attested by the Commission.

Qualification Standards – is a statement of the minimum qualifications for a position which shall include education, experience, training, civil service eligibility, physical characteristics and personality traits required in the performance of the job.

Second level positions – shall include professional, technical or scientific positions which involve professional, technical or scientific work in a non-supervisory or supervisory capacity requiring at least four years of collegiate work up to Division Chief level or its equivalent. However, pursuant to MC No. 42 s., 1998 and CSC Resolution No. 98-3234, all appointees to division chief positions, except full-fledged lawyers, Doctors of Medicine, Doctors of Dental Medicine/Dental Surgery and Doctors of Veterinary Medicine must possess a master's degree in addition to the eligibility, experience and training requirements.

Selection Line-up -- is a listing of qualified and competent applicants (whether next-in-rank or not) for consideration to a vacancy which includes, but not limited to, the comparative information of their education, experience, training, civil service eligibility, performance rating, relevant work accomplishments, personality traits, potential, etc.

Superior Qualifications – shall mean outstanding relevant work accomplishments, educational attainment and training appropriate for the position to be filled. It shall include demonstration of exceptional job mastery and potential in major areas of responsibility.

System of Ranking Positions – is the hierarchical arrangement of positions from highest to lowest, which shall be a guide in determining which position is next-in-rank, taking into consideration the following:

- a. organizational structure
- b. salary grade allocation
- c. classification and functional relationship of positions, and
- d. geographical location

Third level positions – shall include positions in the Career Executive Service which in the Bureau includes the positions from Collector of Customs V and higher which generally requires either a Career Service Executive Eligibility (CSEE) or Career Executive Service (CES) eligibility.

#### IV. BASIC POLICIES ON PERSONNEL SELECTION FOR PROMOTIONS AND HIRING PURPOSES:

1. Whenever a position in the first, second or third level becomes vacant, the same can be filled either by promotion or hiring. However, as far as practicable, only positions which are identified in the Bureau's System of Ranking of Positions as "Open" positions shall be filled by hiring.
2. On the other hand, all employees of the Bureau, whether incumbent of next-in-rank positions or not as identified in the Bureau's System of Ranking of Positions, but who meet the minimum qualification requisites as set forth in the duly approved Qualification Standards for the position shall be considered for promotion and included in the selection line-up. Qualified next-in-rank employees shall be automatically included in the selection line-up without need of application while other qualified employees need to file their applications. However, a voluntary waiver for promotion to be executed by a next-in-rank employee may first be solicited and this shall be regarded as a presumption of regularity which shall be accepted on its face value under the cardinal principle that no employee can be compelled to accept a promotion.
3. The process of deep selection is available to the appointing authority provided, that such employee who is not next-in-rank possesses superior qualifications and competence if compared to the next-in-rank employees who merely meets the minimum requirements of the position.
4. In order to enhance mobility, professionalism, creativity, potentiality and achievement, giving due consideration to civil service and other awards for outstanding accomplishments, promotions shall not be restricted by organizational areas/ports/division or section lines, except when such restriction is demonstrably in the interest of the customs service as a whole. At the same time, for reasons of equity and morale, the best qualified next-in-rank employees within the organizational unit where the vacancy is, all circumstances being comparatively equal or at par, shall be given preference for promotion to the vacant position.
5. An employee may be promoted or transferred to a position which is not more than three (3) salary, pay or job grades higher than the employee's present position except in meritorious cases, such as: if the vacant position is next-in-rank as identified in the System of Ranking Positions; or the lone or entrance position indicated in the agency staffing pattern.

6. The comparative competence and qualification of candidates for appointment shall be determined basically on the basis on the following:
- Performance
    - For appointment by promotion, the performance rating of the appointee for the rating period prior to the effectivity date of appointment should be at least very satisfactory.
    - For appointment by transfer, the performance rating for the last rating period immediately preceding the transfer from the former office or agency should be at least very satisfactory.
  - Education and Training – include educational background, successful completion of training courses accredited by the Civil Service Commission, scholarships, training grants and others which must be relevant to the duties of the position to be filled.
  - Experience and Outstanding Accomplishments – included occupational history, relevant work experience acquired either from the government or private sector, and accomplishments worthy of special commendation.
  - Personality Traits – include the characteristics or traits of a person which involved psychological and social aspects. Psychological includes the way he/she acts and relates these things to other and in social situations.
  - Potential – refers to the capacity and ability of a candidate to assume the duties of the position to be filled and those of higher or more responsible positions.

Accordingly, the Central Personnel Selection Board (CPSB) shall prescribe the specific criteria for selection and screening procedures, consistent with the provisions of this Merit Selection Plan, approved by the appointing authority and properly disseminated to all officials and employees. Any subsequent modification or changes of said procedures and criteria shall likewise be approved and properly disseminated.

7. The PSB shall maintain fairness and impartiality in the assessment of candidates for appointment.
8. Promotion within six (6) months prior to compulsory retirement shall not be allowed except as otherwise provided by law.
9. An employee who is on local or foreign scholarship or training grant or on maternity leave may be considered for promotion. For this purpose, performance rating to be considered shall be the rating immediately prior to the scholarship or training grant or maternity leave.

If promoted, the effectivity date of the promotional appointment shall be on the assumption to duty.

- 10. Pendency of the administrative case shall not disqualify respondent for promotion. For this purpose, a pending administrative case shall be construed as follows:
  - When the disciplining authority has issued a formal charge; and
  - In case of complaint filed by a private person, a prima facie case is found to exist by the disciplining authority.

V. GENERAL PROCEDURES IN THE SELECTION OF PERSONNEL:

- A. For first and second level positions -
  - 1. HRMD shall publish all BOC vacant positions in the CSC Bulletin of Vacant Position and post the same in three (3) conspicuous places in the Bureau for at least 10 calendar days. The same list shall also be provided to the Service Director/District Collector concerned together with the Qualification Requirements and identified next-in-rank positions, if any.

However, in accordance with Section V.2 of CSC, MC No. 3, the following positions shall be exempted from this publication requirement:

- a. Primary confidential positions;
  - b. Positions which are policy determining;
  - c. Highly technical positions;
  - d. Other non-career positions;
  - e. Third level positions; and
  - f. Positions to be filled by existing regular employees in case of reorganization.
- 2. The concerned Service Director/District Collector shall prepare and submit a list of qualified next-in-rank candidates as well as other qualified applicants within his Service/Collection District. He may likewise indicate therein the employee whom he recommends for promotion, stating the reasons for his choice. The initial evaluation and selection shall be done by a Local Personnel Selection Board (LPSB) which shall be created for the purpose.
  - 3. Upon receipt of such initial evaluation, HRMD shall review the same in order to ensure that they are in accordance with the prescribed criteria and scoring methodology. Qualified next-in-rank and applicants from other Services/Collection Districts or applicants from outside the Bureau shall likewise be included in the evaluation.

- 4. HRMD shall then prepare a Selection Line-up for consideration of the Central Personnel Selection Board which should reflect the comparative competence and qualification of candidates on the basis of the policies and criteria for promotion and selection prescribed by this Merit Selection Plan and relevant implementing rules and regulations.
- 5. The Central Personnel Selection Board shall then determine en banc and certify to the Commissioner of Customs that it has made a systematic and objective assessment of the competence and qualification of candidates. The duly certified selection line-up will then be submitted to the Commissioner of Customs.
- 6. The Commissioner of Customs shall assess the merits of the Boards' recommendations and in the exercise of sound discretion, select, in so far as practicable, from among the top five ranking applicants deemed most qualified for appointment to the vacant position unless a deep selection process is applied and justified.
- 7. After the selection by the Commissioner, HRMD shall notify and inform the selected candidates through their respective Services/Ports. Such notification shall also be posted at conspicuous place in their respective ports and at HRMD for a period of at least 15 days indicating therein the date of posting.

B. For third level positions:

Vacant positions in the third level are exempted from the publication requirement as in a.1. above. However, as far as practicable, all other policies, procedures and criteria herein prescribed shall be applied in the selection of officials for appointment to vacant positions in the third level. The Personnel Selection Board for third level positions shall prescribe additional procedures in accordance with the rules and regulations of the Career Executive Service Board.

VI. GRIEVANCE:

A qualified next-in-rank employee not selected for appointment may present his/her grievance with the BOC Grievance Committee which shall be created for the purpose and whose rules and regulations is prescribed under CSC MC No. 02 s. 2001. Such grievance may only be presented based on the following issues:

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1. Non-compliance with the selection process;
  2. Discrimination on account of gender, civil status, disability, pregnancy, religion, ethnicity or political affiliation;
  3. Disqualification of applicant to a career position for reason of lack of confidence of the appointing authority; and
  4. Other violations of the provisions of the MSP

## VII. COMPOSITION OF THE PERSONNEL SELECTION BOARD (PSB)

### A. For first and second level positions:

#### A.1. Central Personnel Selection Board

a. Chairperson - Commissioner of Customs or his/her authorized representative

#### b. Members -

- b.1. Director, Administration Office and/or Chief, HRMD
- b.2. Director/District Collector or authorized representative from the organizational unit where the vacancy is
- b.3. Two representatives from the rank and file employees, one from the first level and one from the second level, who shall be chosen by the duly accredited employee association of the Bureau

c. Secretariat - HRMD

#### A.2. Local Personnel Selection Board

g. Chairperson - District Collector of Customs

#### h. Members -

- b.1. All Deputy District Collectors
- b.2. Division/Unit Chief of the division/unit where the vacancy is
- b.3. 2 Representatives of the rank and file (1<sup>st</sup> and 2<sup>nd</sup> level, as the case may be)

c. Secretariat - Administrative Division/Unit

### B. For third level positions:

a. Chairperson - Commissioner of Customs

b. Members - At least four (4) Career Executive Service Officers to be designated by the Commissioner of Customs

c. Secretariat - HRMD

## VIII. FUNCTIONS AND RESPONSIBILITIES:

1. The Human Resource Management Division (HRMD) shall have the following functions and responsibilities:



- a. Disseminate copies of the Bureau's MSP and its annexes to all personnel after approval thereof by the Civil Service Commission. An orientation shall also be conducted by the HRMD within six (6) months upon approval of the MSP. This orientation is meant to ensure awareness and understanding of the plan. A report on the same shall be submitted to the Civil Service Field Office concerned for record purposes.
  - b. Develop a system of ranking positions which will be submitted for approval of the appointing authority, copy furnished the Civil Service Commission and its Field Office concerned for record purposes.
  - c. Develop and maintain an updated qualification database of BOC employees to include education, training, experience, skills, competencies, and other similar information.
  - d. Assist the PSBs created under this MSP in all of their secretariat requirements, such as, preparation of list of candidates for selection, preliminary evaluation of qualifications and notification/publication requirements.
2. The Personnel Selection Boards shall have the following functions and responsibilities:
- a. Adopt a formal screening procedure, formulate criteria for evaluation of candidates, taking into consideration the following:
    - a.1. Reasonable and valid standards and methods of evaluating the competence and qualifications of all applicants competing for a particular position.
    - a. 2. Criteria for evaluation of qualifications of applicants for appointment must suit the job requirements of the position.
  - b. Disseminate screening procedures and criteria for selection to all BOC employees. Any modification of the procedures and criteria shall likewise be properly disseminated.
  - c. Prepare a systematic assessment of the competence and qualifications of candidates for appointment. Maintain fairness and impartiality in the assessment of candidates.
  - d. Evaluate and deliberate en banc the qualifications of those listed in the selection line-up.
  - e. Submit the list of candidates recommended for appointment from which the appointing authority shall choose the applicant to be appointed.
  - f. Maintain records of deliberations for records and reference purposes.
  - g. Orient all Bureau officials and employees relative to the policies on personnel actions, including the gender and development dimensions of this Merit Selection Plan.

- 3. The Commissioner of Customs shall have the following functions and responsibilities:
  - a. Establish a PSB and see to it that all its members undergo orientation and workshop on the selection/promotion process and CSC policies on appointments. The Commissioner of Customs shall, as far as practicable, ensure equal opportunity for men and women to be represented in the PSB at all levels.
  - b. Assess the merits of the PSB's recommendation for appointment and in the exercise of sound discretion, select, in so far as practicable, at least from any the following:
    - b.1. top five ranking applicants deemed most qualified to the vacant position;
    - b.2. applicants who have undergone deep selection and found to possess superior qualifications; and
  - c. Issue appointments in accordance with the provisions of this MSP.
- 4. The officials and employees of the Bureau of Customs shall be responsible for updating their Personal Data Sheet (PDS) at least annually or as often as may be required and submit supporting documents thereto to the HRMD.

IX. EFFECTIVITY

This Merit Selection Plan and subsequent amendments thereto shall take effect immediately after the approval by the Civil Service Commission.

X. COMMITMENT

I hereby commit to implement and abide by the provisions of this MSP. It is understood that this MSP shall be the basis for expeditious approval of appointments.



**RUFUS B. VILLANUEVA**  
Commissioner

APPROVED:  
  
**ARNES D. PADILLA**  
 Director IV  
 CSC Regional Director

Date 1-7-02