



UNIVERSITY OF THE PHILIPPINES  
QUEZON CITY

OFFICE OF THE VICE PRESIDENT  
FOR ADMINISTRATION

MEMORANDUM MSVA 13 - 40

26 March 2013 RECEIVED BY:

UP Manila

For The Chancellors

Name: Ally 3-45  
Date: MAR 26 2013

Dr. Caesar A. Saloma, UP Diliman  
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Dr. Rommel A. Espinosa, UP Visayas  
Dr. Grace Javier Alfonso, UP Open University  
Prof. Sylvia B. Concepcion, UP Mindanao  
Dr. Raymundo D. Rovillos, UP Baguio

Atty. Liza D. Corro, UP Cebu  
Dr. Jose C. Gonzales, Director, Philippine General Hospital (PGH)

Attention: Vice Chancellor for Administration  
Directors / Heads, HRDO

Subject: **Comelec requirements on requests for exemption from the election ban on hiring and transfer of personnel**

The election ban on the appointment or hiring of new employees, creation or filling up of new positions, promotion or giving of salary increases, remuneration or privilege takes effect on 29 March 2013, until the election period which ends on 13 May 2013.

The Commission on Elections (COMELEC promulgated Resolution No. 9581 dated 18 December 2012 on the "enforcement of prohibitions on the appointment, hiring of new employees, creating or filling of new positions, giving any salary increase or transfer, detail of any officer or employee..." (Section 261 paragraphs (g) and (h) of IRR, Omnibus Election Code).

Some of the pertinent provisions of the resolution are as follows:

1. "Transfer of employees – Requests for authority to make or cause any transfer or detail shall be in writing, indicating the (1) office and place to which the officer or employee is proposed to be transferred or detailed or otherwise move; and stating the reasons thereof." (Section 2)
2. "Renewal of appointment of temporary, casual, substitute and contractual personnel – This is not covered by the prohibition and will no longer need prior authority of the Commission. However, the appointing authority shall furnish the Commission a complete list of employees whose appointments were renewed, indicating their position, item number, salary grade and work station (CU/unit)" (Section 7)

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3. "Appointing or hiring new employees – Where there is urgent need to appoint or hire new employees and such employee has already been appointed or hired without prior authority of the Commission, the requesting CU/unit shall notify the Commission within three (3) days from the date of the appointment or hiring, stating the (1) exact date when the position sought to be filled became vacant, (2) the cause of vacancy, (3) the reason(s) for said appointment or hiring and (4) all the necessary data or information regarding the same.

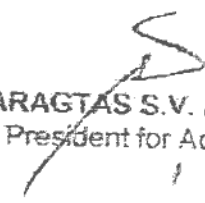
The need to fill up a vacant position by a new employee may be considered "urgent" if the position to be filled is essential to the proper functioning of the office or agency concerned and that the same has been vacated either by death, retirement, resignation, promotion or transfer of the regular incumbent; provided, that the appointment is issued within sixty (60) days from occurrence of the vacancy, and that the same cannot be filled by promotion or transfer of internal staff within the same period.

It is understood that all appointments discussed herein shall not be made to influence in any manner the results of the election."

"Appointment to a position which has been vacant for more than sixty (60) days shall not be considered urgent and must therefore require prior written authority from the Commission". (Section 8)

4. "Promotion, salary increases, grant of privileges - These shall be strictly prohibited". (Section 9)

If there are urgent requests for exemption, please address these to the HON. SIXTO S. BRILLIANTES JR., Chairman of the Commission on Elections (COMELEC) or through the regional COMELEC offices in case of the CUs in the regions. Please furnish the UP President a courtesy copy, through the OVPA.

  
MARAGTAS S.V. AMANTE  
Vice President for Administration

cc: President Alfredo E. Pascual  
Vice Presidents  
OSU

*Reference*

COMELEC Resolution No. 9581 dated 18 December 2012 "Enforcing prohibitions against appointment or hiring of new employees..." Download: [www.comelec.gov.ph/uploads/Elections/.../res/com\\_res\\_9581.pdf](http://www.comelec.gov.ph/uploads/Elections/.../res/com_res_9581.pdf)