



JAN 19 2023

DEPARTMENT ORDER)
NO. 07)
Series of 2023)
da 1/19/2023

SUBJECT: Revised Guidelines on Hiring and Rehiring of Contract of Service/ Job Order Personnel in the DPWH

To rationalize the hiring of personnel under contract of service, ensure prudent utilization of funds, and keep up with the latest regulations issued by the Commission on Audit, the guidelines on the hiring and rehiring of Contract of Service (COS)/ Job Order (JO) personnel in this Department is hereby amended.

These revised guidelines shall apply to all hiring or rehiring of COS/JO personnel in the Department whose wages are charged to Engineering and Administrative Overhead (EAO), Maintenance and Other Operating Expenses (MOOE) and Preliminary and Detailed Engineering (PDE), subject to the existing budgeting, accounting and auditing rules and regulations and availability of funds based on respective funding source.

General Guidelines

1. The hiring of COS/JO personnel shall be based on the need to augment the regular workforce of the Department, provided that the proposed hirees are qualified to perform the work to be assigned to them and that funds are available for the purpose.
2. The hiring shall be a job of short duration not exceeding one (1) year and with pay computed on a daily basis, and that any rehiring is subject to the conditions stipulated under this Department Order.
3. Although workers hired under COS/JO are referred to as "JO workers" or "JO personnel", there is no employer-employee relationship between them and the Department. Their temporary work shall not be considered government service, and while they are free to apply for any vacant regular position commensurate to their qualifications, they don't have the vested right to be automatically included in the evaluation.
4. COS/JO personnel should not be designated to positions exercising control or supervision over regular and career employees.
5. In case of vacancies for permanent positions, Heads of Offices are encouraged to select from and among their existing eligible COS/JO personnel, subject to existing civil service rules and regulations.

Need for Hiring/ Rehiring

6. The need to augment the regular workforce with COS/JO personnel may be warranted by any of the following cases:

- 6.1 When there is **a regular function for which there are no or only a limited number of regular positions** in the DPWH Personal Services Itemization and Plantilla of Personnel (PSIPOP), e.g., Drivers, which cannot be performed by the existing incumbents of Co-Terminous with the Incumbent (CTI) positions;
 - 6.2 When there is **a temporary, abnormal upsurge in the volume of a regular function** that cannot, under normal circumstances, be performed by the existing personnel; or
 - 6.3 When there is **a specific and urgent temporary work which is not normally performed by the Department** and cannot be assigned to any of the existing personnel (regular or incumbents of CTI positions).
7. The following cases DO NOT constitute a need to hire COS/JO personnel:
 - 7.1 To perform the functions of regular positions that are left vacant.
 - 7.2 To fill the performance gap created by underperforming existing personnel. In this regard, offices concerned shall take necessary step to bring the performance of their personnel up to par, or initiate appropriate disciplinary action, subject to existing civil service rules and regulations.
 - 7.3 To perform general support services that are already outsourced, e.g., no hiring of security guards or utility workers when there are existing contracts for security and janitorial services.
 8. Considering that hiring of COS/JO personnel is premised on the specific need of a certain office, requiring COS/JO personnel to do work for which they were not hired, e.g., Laborers doing office work, especially work that is not related to the official mandate, functions and activities of the Department, is NOT allowed.

Qualifications and Other Requirements

9. For 1st level positions with salary grade 11 and above, and all 2nd level positions, proposed COS/JO personnel shall meet the minimum educational requirements of the positions as prescribed under the Qualifications Standard (QS) Manual approved by the CSC, including the eligibility requirement.
 - 9.1 COS/ JO who are incumbents of first level positions with salary grade 11 and above and 2nd level positions who do not meet the minimum educational, training and eligibility requirements as prescribed under the QS Manual approved by the CSC, shall be given one (1) year to acquire the necessary requirement to qualify for the position being held, or will be given COS/JO positions commensurate to their qualifications as determined by the Head of Office.
10. For 1st level positions salary grade 10 and below, proposed COS/JO personnel shall meet the minimum education requirement per QS of the positions as prescribed under the QS Manual approved by the CSC. Other qualification standards, particularly the eligibility, experience and training requirements, may be waived.

However, passing the Computer Proficiency Examination (CPE) conducted by the Information Management Service (IMS) in the Central Office is required for positions that perform computer- aided work/ responsibilities within six (months) in the position.

11. Although there is no employer-employee relationship, the rule on nepotism shall apply. This prohibits the hiring of COS/JO in favor of relatives within the third degree of consanguinity or affinity of any of the appointing authority, recommending authority, head of office, or persons exercising immediate supervision over the COS/JO personnel, including but not limited to the concerned Regional/ Bureau/ Service Director and District Engineer.
12. The hiring of new COS/JO personnel is also subject to the submission of medical clearance from any government hospital, and psychological clearance from any government authorized assessment psychological center, certifying that the individual applicant is mentally and physically fit to work. This requirement may be waived if the duration of the contract of service is less than six (6) months.
13. Drug testing, if warranted, may also be required before hiring or anytime during the stay of the COS/JO worker in the Department, at the expense of the COS/JO worker.

Funding/Applicable Rates/Payment of Service Fees

14. The hiring/rehiring of COS/JO personnel shall be subject to availability of appropriate funds and shall be done within the broader context of sound resource management. Under no circumstance shall JO personnel be hired to accommodate people whose skills, if any, are not required by the Department or who are not the best persons available to do the required temporary work.
15. Offices should not hire COS/JO personnel if they do not have available funds to sustain payment of wages.
16. The service fees of the COS/JO personnel shall be commensurate to Step 1 of the Salary Grade (SG) of the equivalent regular plantilla positions to which they are being hired/rehired. The minimum service fees or daily rate of these personnel shall not be less than Php 525.04, the minimum daily rate of positions allocated to Step 1, SG-1, of civilian personnel, as prescribed under DBM NBC No. 579 dated 24 January 2020, subject to adjustments, if any.

Payments of premium of up to 20% of the respective wage/salary of COS/JO personnel pursuant to COA-DBM Joint Circular 2, s. 2020 shall not be implemented due to the following considerations:

- Uniform applicability, in as much as there are implementing offices which do not have available funds for the payment of premium; and
- Sustainability/Continuity of implementation, on account of uncertain funding sources for the succeeding years

17. COS/JO personnel shall render services within regular working hours for a maximum of twenty-two (22) working days in a month. Civil Engineers, Architects and Drivers may be allowed to render services beyond 22 working days per month provided that the additional work is urgent and necessary and failure to do the additional work would be detrimental to the Department. Offices needing additional manpower due to voluminous year-end activities, strict deadlines or urgent submission of reports may also allow their other technical/non-technical COS/JO personnel to render beyond 22 working days only on extreme urgent cases, subject to the following conditions:
- 17.1 There is sufficient fund to pay additional wages for services rendered beyond 22 working days per month;
- 17.2 There is an approved authority to render services beyond 22 days approved by their Heads of Offices; and
- 17.3 The Contract of Service of the JO personnel concerned shall indicate that they are allowed to render services beyond 22 working days.
- 17.4 COS/JO personnel shall only be allowed to render additional services during Saturdays/ Holidays if at least Section Chief is present to supervise them.
18. Considering that additional services rendered by COS/JO personnel during Saturdays/ Holidays are treated as regular working day/s, Department guidelines on Overtime shall not apply.
19. The Request for Authority to Render Service during Saturdays/ Holidays for COS/JO personnel, shall be approved by the following:

Requesting Office	Approved by:
Office of the Secretary	Secretary/ Head Executive Assistant
Office of the Senior Undersecretary/ Undersecretary	Senior Undersecretary/ Undersecretary Concerned
Office of the Assistant Secretary	Assistant Secretary Concerned
Bureaus/ Services/ UPMO	Assistant Secretary Concerned (Director Concerned for Offices without Assistant Secretary)
Regional Offices	Regional Director Concerned
District Engineering Offices	District Engineer Concerned

Official Travel

20. Pursuant to the guidelines set forth under Commission on Audit (COA) Resolution No. 2021-044 dated December 28, 2021, the following COS/JO personnel may be allowed to go on official travel within the jurisdiction of the offices which hired them to perform essential tasks that cannot be performed by sufficient number of regular employees:

- 20.1 COS/JO Civil Engineers who are directed to go on project sites;
 - 20.2 COS/JO Personnel assigned to project sites who are directed to report to their respective Regional/ District Engineering Offices;
 - 20.3 Other COS/JO workers performing technical works that require project visits, e.g., surveying;
 - 20.4 COS/JO Drivers who are assigned to transport engineers and other personnel who are required to go on project sites via land travel.
 - 20.5 Other non- technical COS/JO personnel that need to assist in DPWH programs, where regular CO/RO/DEO employees cannot undertake said duties.
21. Official local travel of COS/JO personnel may be allowed provided that the following conditions are met:
- 21.1 Travel is essential to the effective performance of the COS/JOs functions and is required to meet the needs of the department;
 - 21.2 There is authority to travel duly approved by the Head of Office concerned;
 - 21.3 The Contract of Service of the JO personnel concerned shall indicate that they may be authorized to travel locally in the performance of their duties; and
 - 21.4 The travel to be undertaken cannot be done by regular employees in the office.
22. COS/JO personnel may claim travel expenses based on applicable rates charged against appropriate funds subject to the usual accounting and auditing rules.
- 22.1 A daily rate of Php 800.00 shall be paid for official travel where the destination is more than 50 kilometer radius.
 - 22.2 For Official travel that falls on a Saturday or Holiday, the daily rate of COS/JO personnel shall be paid plus applicable per diems. Further, if the official travel falls on a Sunday, he shall be paid the applicable per diem only.
 - 22.3 In addition to the documentary requirements usually submitted by regular employees, the COS/JO personnel shall also submit a *certification*, in all cases, from the Head of Agency or his authorized representative that: (a) the official mission/ tasks cannot be performed by/or assigned to any other regular/ permanent official and/or employee; and (b) the tasks/ activities are necessary to fulfill the obligations as contained in his/ her Contract of Service.
 - 22.4 COS/JO personnel shall be allowed to travel per month for a maximum of eight (8) days for technical positions and four (4) days for non-technical positions.

Preparation of Request for Authority to Hire/Rehire/Replace/ Reclassify, their Contract of Service and Approving Authorities

23. Approving authorities for request for authority to hire/ rehire/ replace/ reclassify, are as follows:

Preparation of Authority to Hire/ Rehire				
Nature of Hiring	Request for Authority	Approving Authority		
		Central Office	Regional Offices	District Engineering Offices
Original / Reclassification (Upgrading)	Authority to Hire/ Upgrade	Secretary	Regional Director	Regional Director
Renewal	Authority to Rehire	Undersecretary Concerned		
Replace	Authority to Replace			
Reclassification Downgrading or Lateral (same salary grade)	Authority to Downgrade/ Reclassify to same salary grade			

- 23.1

In the request for authority to hire COS/JO personnel, the positions requested and the particular time frame or period of hiring should be indicated. (Sample format in Annex "A-1" for Central Office and Annex "A-2" for Field Offices).
- 23.2

Upon renewal of contract of services, the name, position and salary grade of the concerned COS/JO personnel and the particular time frame and period of hiring should be indicated.
24.

If the services of the COS/JO personnel are still needed, there must be a request for authority to rehire on annual basis, including justifications for such renewal. Should the renewal of contract involve reclassification of the previously approved positions (upgrading, downgrading, or lateral salary grade), the Head of Office shall request and provide justification on the need to reclassify positions based on the need of the office. Heads of Offices concerned shall be responsible in ensuring that requests to reclassify COS/JO positions is based on the need to do required temporary work for the office and serves the best interest of the Department.

25. The signatories for contracts of services of JO personnel are as follows:

Contract of Service		
Office	Signatories	
	First Party	Signed in the Presence of
Central Office	Undersecretary/ Assistant Secretary/ Director Concerned	Chief, Human Resource Management Division, HRAS
Regional Office	Regional Director	Chief, Administrative Division
District Engineering Offices	District Engineer Concerned except for initial contract of JO workers which shall be signed by the Regional Director Concerned	Chief, Administrative Section

Required Documents

26. Any request for hiring/rehiring of COS/JO personnel shall be submitted to the Human Resource Management Division (HRMD), HRAS (for Central Office) and Regional Administrative Division (for ROs) and Administrative Section (for DEOs), for evaluation prior to the request for funding, with the following documents:
- 26.1 Documents to establish the need for hiring:
- 26.1.1 An updated organizational chart of the office concerned, including vacant positions, incumbents of CTI positions, existing COS/JO personnel and the proposed position for hiring.
 - 26.1.2 Description of the work to be done by the proposed COS/JO, including expected outputs and indicators.
 - 26.1.3 Justification as to why the existing workforce cannot perform the work to be done by the proposed COS/JO.
- 26.2 Documents to establish the qualifications/ fitness of the proposed hiree:
- 26.2.1 For 1st level positions with Salary Grade 11 and above and 2nd level positions — updated Personal Data Sheet (PDS) with supporting documents, including certification of the required eligibility.
 - 26.2.2 For 1st level positions — updated PDS with supporting documents.
 - 26.2.3 Medical/Psychological certificates and result of drug testing, if required. However, these may be submitted within 30 days upon issuance of the contract of service.

26.2.4 For rehiring, at least "Satisfactory" performance rating of the proposed hiree, as shown in their Individual Performance Commitment and Review (IPCR).

27. The evaluation of candidates for initial hiring of COS/JO personnel shall be done by the offices concerned.

This Order supersedes Department Order No. 50 series of 2015, dated March 25, 2015, Department Order No. 168 series of 2022, dated August 1, 2022, Department Order No. 260 series of 2022 and other previous issuances to the contrary and shall take effect immediately.


MANUEL M. BONOAN
Secretary

10.1 MBG/MSV

Department of Public Works and Highways
Office of the Secretary



WIN3L11973

MEMORANDUM

FOR : SECRETARY
This Department

THRU : UNDERSECRETARY CONCERNED

SUBJECT : REQUEST FOR AUTHORITY TO HIRE/REHIRE JOB ORDER PERSONNEL

In order to augment the regular workforce of the _____ (Office) _____, may we respectfully request for authority to hire the following positions under Job Order status for the period _____ (one year) _____:

POSITION	SALARY GRADE	RATE PER DAY

JUSTIFICATION:

It is understood that this office shall conscientiously observe and adhere to the existing policies of this Department relative thereto, and the pertinent provisions stipulated under Department Order No. _____ dated _____, "Revised Guidelines on Hiring and Rehiring of Contract of Service/Job Order Personnel in the DPWH".

The following documents are submitted to the Human Resource Management Division (HRMD), HRAS, for evaluation prior to the request for funding purposes:

1. Updated Organizational Chart of the Office. (*Sample Format in Annex "B"*)
2. Functional Chart
3. List of Existing Personnel, including vacant positions, incumbents of CTI positions, reassigned personnel from other offices, existing JO personnel and the proposed JO positions for hiring. (*Sample Format in Annex "C"*)
4. Description of the work to be done by the proposed JO, including expected outputs and indicators. Include explanation why the work cannot be done by the existing personnel.
5. For 1st level positions with Salary Grade 11 and above and 2nd level positions — updated Personal Data Sheet (PDS) with supporting documents, including certification of the required eligibility.
6. For 1st level positions — updated PDS with supporting documents.

7. Medical/ Psychological certificates and result of drug testing (optional).

Head of Office concerned

Recommending Approval:

Undersecretary Concerned

O.K. as to Availability of Funds:

DEBORAH B. STA. MARIA
OIC, Budget Division, FS

Approved:

MANUEL M. BONOAN
Secretary

MEMORANDUM

FOR : The Regional Director
This Department

THRU : The Regional Administrative Officer

SUBJECT : REQUEST FOR AUTHORITY TO HIRE/REHIRE JOB ORDER PERSONNEL

In order to augment the regular workforce of the _____ (Office) _____, may we respectfully request for authority to hire the following positions under Job Order status for the period _____ (one year) _____:

POSITION	SALARY GRADE	RATE PER DAY

JUSTIFICATION:

It is understood that this office shall conscientiously observe and adhere to the existing policies of this Department relative thereto, and the pertinent provisions stipulated under Department Order No. _____ dated _____, "Revised Guidelines on Hiring and Rehiring of Contract of Service/Job Order Personnel in the DPWH".

The following documents are submitted to the Administrative Division, for evaluation prior to the request for funding purposes:

1. Updated Organizational Chart of the Office. (*Sample Format in Annex "B"*)
2. Functional Chart
3. List of Existing Personnel, including vacant positions, incumbents of CTI positions, reassigned personnel from other offices, existing JO personnel and the proposed JO positions for hiring. (*Sample Format in Annex "C"*)
4. Description of the work to be done by the proposed JO, including expected outputs and indicators. Include explanation why the work cannot be done by the existing personnel.
5. For 1st level positions with Salary Grade 11 and above and 2nd level positions — updated Personal Data Sheet (PDS) with supporting documents, including certification of the required eligibility.
6. For 1st level positions — updated PDS with supporting documents.

7. Medical/ Psychological certificates and result of drug testing (optional).

Head of Office concerned

Recommending Approval:

Regional Administrative Officer

O.K. as to Availability of Funds:

Approved:

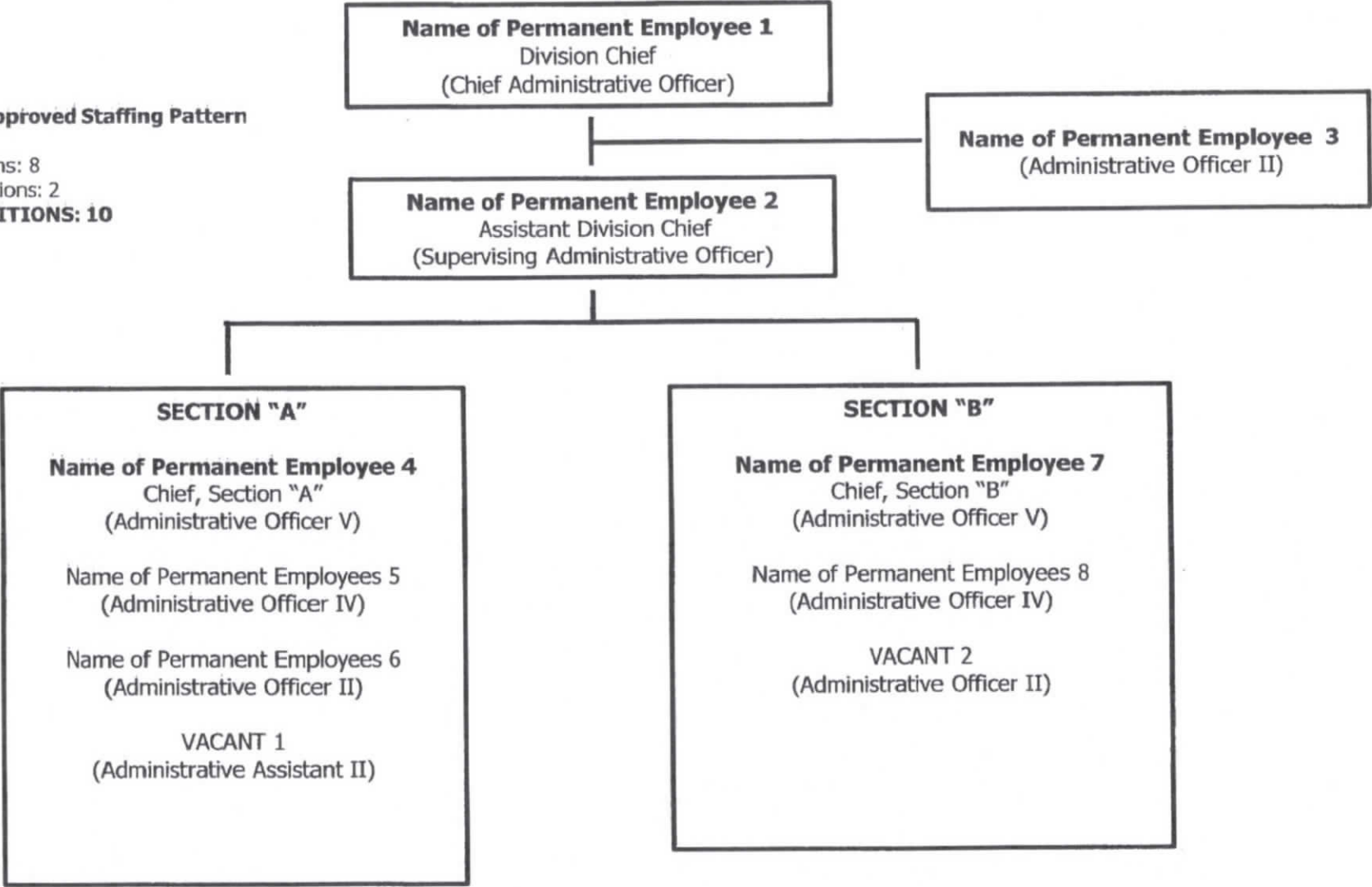
Regional Director

(NAME OF DIVISION)
SAMPLE ORGANIZATIONAL CHART

ANNEX "B"

No. of Positions per DBM Approved Staffing Pattern

Filled Positions: 8
Unfilled Positions: 2
TOTAL POSITIONS: 10



Prepared by:

Noted:

Administrative Officer

Head of Division/ Office

SAMPLE LIST OF EXISTING PERSONNEL

(Permanent, CTI, Reassigned and JO)

Name of Division:

OFFICE/AREA OF ASSIGNMENT	POSITION	STATUS	NAME	SG	EFFECTIVITY	REMARKS
Office of the Division Chief	Chief Administrative Officer (HRMO V)	P	Name of Permanent Employees 1	24	-	
	Supervising Administrative Officer (HRMO IV)	P	Name of Permanent Employees 2	22	-	
	Administrative Officer IV (HRMO II)	P	Name of Permanent Employees 3	11	-	
	Administrative Aide IV (Driver II)	P	Name of Reassigned Employee 1	4	-	Reassigned from Bureau of Equipment (BOE)
Section A	Administrative Officer V (HRMO III)	P	Name of Permanent Employees 4	18	-	
	Administrative Officer IV (HRMO II)	P	Name of Permanent Employees 5	16	-	
	Administrative Officer II (HRMO I)	P	Name of Permanent Employees 6	11	-	
	Administrative Assistant II (HRMA)	P	Vacant 1	8	-	
	Administrative Assistant I (Computer Operator I)	JO	Name of Existing JO 1	7	January 1 - June 30, 2015	
Section B	Administrative Officer V (HRMO III)	P	Name of Permanent Employees 7	18	-	
	Administrative Officer IV (HRMO II)	P	Name of Permanent Employees 8	16	-	
	Administrative Officer II (HRMO I)	P	Vacant 2	11	-	
	Administrative Assistant IV (Bookbinder IV)	CTI	Name of CTI Employee 1	10	-	
	Administrative Assistant II (Clerk IV)	JO	Name of Existing JO 2	8	January 1 - June 30, 2015	

- Note: 1. Indicate the actual deployment of staff per area of assignment
 2. Include the reassigned employees, if any, & indicate the mother office

Summary	
No. of Permanent Employees	8
No. of Vacant Position/s	2
Sub total (No. of Positions per DBM Approved Staffing Pattern)	10
No. of CTI Employee/s	1
No. of Reassigned Employee/s	1
No. of Existing JO Personnel	2
Sub total	4
TOTAL NUMBER OF EXISTING PERSONNEL	14
No. of additional JO position/s requested	2
TOTAL NUMBER OF PROPOSED PERSONNEL	16

The following provisions may be added to the Contracts of Services for Job Order Personnel, if applicable.

1. In the exigency of service, the SECOND PARTY is allowed to render beyond 22 working days per month provided that the additional work is urgent and necessary and failure to do the additional work would be detrimental to the Department. Provided further that that conditions stipulated under DO. _____s. _____, item 17, are met.
2. The SECOND PARTY is allowed to go on official local travel within the jurisdiction of the offices which hired them to perform essential tasks provided that conditions stipulated under DO. _____s. _____, items 20-22, are met.