

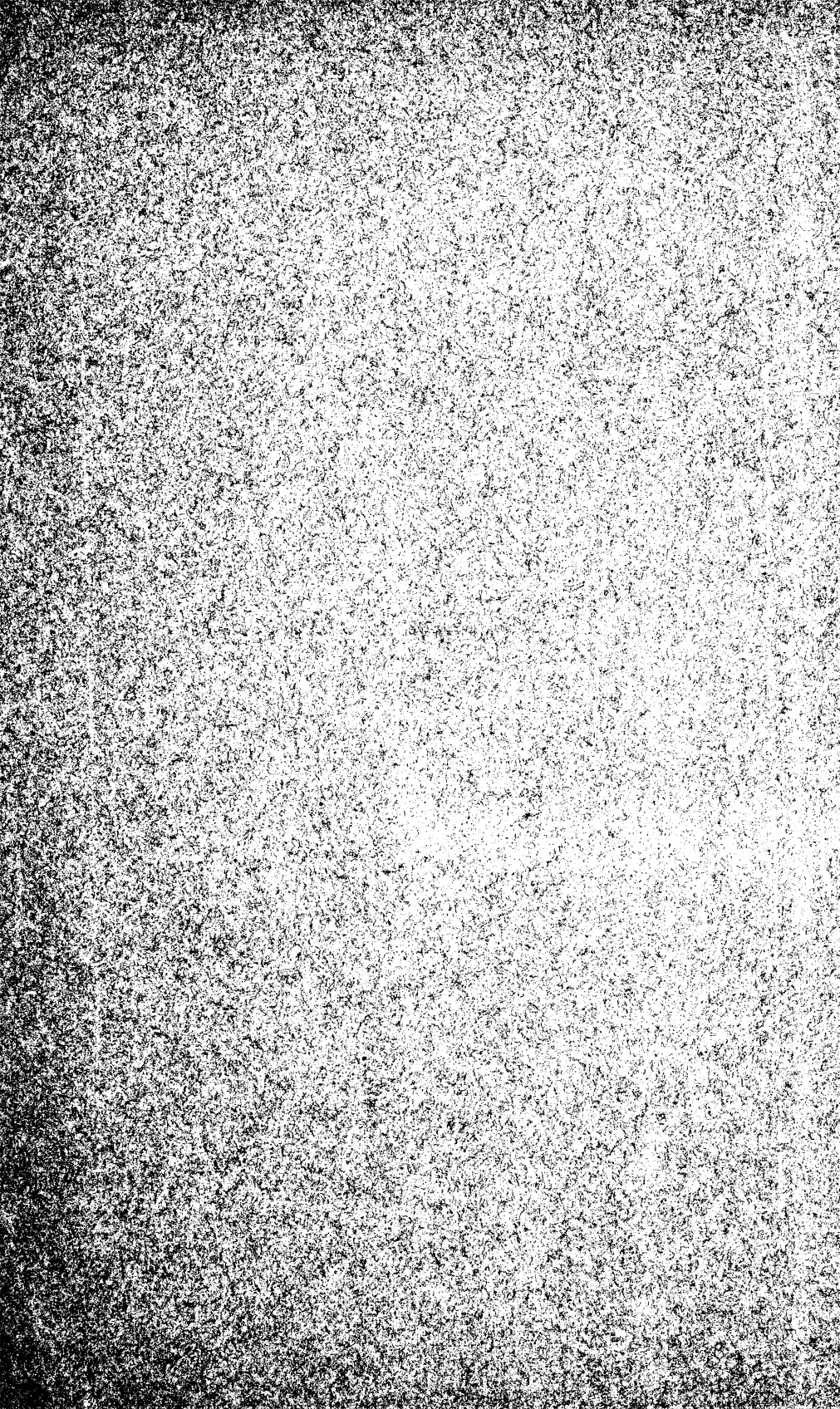
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TWENTY-SEVENTH ANNUAL  
REPORT OF THE DIRECTOR OF  
CIVIL SERVICE

TO THE  
GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS  
FOR THE  
YEAR ENDED DECEMBER 31, 1926



MANILA  
BUREAU OF PRINTING  
1927



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# ORGANIZATION DIAGRAM OF THE BUREAU OF CIVIL SERVICE

## AS OF DECEMBER 31, 1926

Officers .....	2
Classified service .....	66
Other employees .....	5
<b>Total .....</b>	<b>73</b>

Total cost of Bureau, 1926 .....	\$109,226.94
Actual revenue turned in to Treasury .....	355.12
Balance .....	108,885.82
Per capita cost of Bureau .....	.009

**DIRECTOR**  
ASSISTANT DIRECTOR

**ADMINISTRATIVE DIVISION**  
*Chief of Division*  
*Assistant Chief of Division*

ACTIVITIES

- (1) Certification of appointments.
- (2) Personnel service records.
- (3) Efficiency and attendance.
- (4) Review of disciplinary actions proposed.
- (5) Leave of absence.
- (6) Applications for retirement.
- (7) Accounts.
- (8) Records.

PERSONNEL

- 7 Chiefs of sections.
- 23 Clerks.
- 4 Messengers.
- 1 Janitor.
- 2 Watchmen.
- 3 Laborers.

EQUIPMENT

- 2 Adding machines.
- 3 Safes, A1lsteel, green No. 201.

**EXAMINING DIVISION**  
*Chief Examiner*  
*Assistant Chief Examiner*

ACTIVITIES

- EXAMINATIONS:**
- (1) Applications for examinations.
  - (2) Preparation and printing of questions.
  - (3) Conducting of examinations.
  - (4) Rating of papers.
  - (5) Records of examinations.
  - (6) Examination of applications for temporary employment.

PERSONNEL

- 9 Examiners.
- 12 Assistant examiners.
- 3 Clerks.
- 3 Messengers.
- 72 Provincial Examining Committees.

EQUIPMENT

- 2 Planotype machines.
- 1 Mimeograph.
- 2 Eyelet presses.
- 1 Allsteel safe.
- 1 Adding machine.
- 1 Printing press.

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FOR THE

YEAR ENDED DECEMBER 31, 1926



MANILA  
BUREAU OF PRINTING  
1927



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# TWENTY-SEVENTH ANNUAL REPORT OF THE BUREAU OF CIVIL SERVICE

THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

MANILA, *March 30, 1927*

SIR: I have the honor to submit the following report of the work of the Bureau of Civil Service for the year ending December 31, 1926:

### APPLICATIONS FOR EXAMINATIONS

The total number of applications received during the year was 17,279 as compared with 20,923 for the previous year, or a decrease of 3,644, which was due to the fact that the third grade examination was not given and to the extension of the practice of closing the receipt of applications as soon as a reasonable number is secured, regardless of how long before the date of the examination that number is reached. The applications received in 1926 were distributed as follows:

For competitive, educational, assembled examinations:	
Approved .....	14,817
Disapproved .....	1,509
Total .....	16,326
For noncompetitive, noneducational, unassembled examinations, and for temporary employment.....	
	953
	17,279

The reasons for the disapproval of applications were:

Not eligible .....	810
Noncompliance and no permission.....	248
Applications incomplete or late.....	162
False statement .....	6
Physical disability, under height, under weight, over age, under age .....	88
Immorality, conviction of crimes or other misconduct .....	32
All others .....	163
	1,509

The following table shows the number of applications received since 1918:

Years	Assembled examinations			Unassembled examinations	Grand total
	Applications approved	Applications disapproved	Total applications received	Applications received	
1918.....	(a)	(a)	(a)	(a)	13,779
1919.....	(a)	(a)	(a)	(a)	13,573
1920.....	(a)	(a)	(a)	(a)	16,839
1921.....	(a)	(a)	(a)	(a)	12,814
1922.....	9,190	1,555	10,745	559	11,304
1923.....	11,042	1,800	12,842	479	13,321
1924.....	12,252	1,431	13,683	494	14,177
1925.....	17,893	1,558	19,451	1,472	20,923
1926.....	14,817	1,509	16,326	953	17,279

<sup>a</sup> No record

### EXAMINATIONS HELD

During the year 127 different examinations were held as against 121 in 1925. The total number of competitors was 13,082 as against 16,312 in 1925, or a decrease of 3,230.

The total number of Filipino competitors in assembled examinations in English was 12,842 as against 15,527 in 1925, or a decrease of 2,685; the number of American competitors was 22, or the same as in 1925; the number of those who took examinations in Spanish was 169 as against 187, or a decrease of 18. Forty-nine persons took the unassembled examinations as against 576 in 1925, or a decrease of 527. Eighteen per cent of the competitors in the assembled examinations passed as against 33 in 1925, or a decrease of 15.

The five examinations which had the greatest number of competitors in 1925 and 1926 are shown below:

#### 1925

1. Second grade .....	3,883
2. Third grade .....	3,434
3. Junior teacher (regular and promotional).....	1,947
4. First grade (regular and promotional).....	1,317
5. Assistant sanitary inspector (regular and promotional) .....	1,090

#### 1926

1. Second grade .....	5,189
2. Junior teacher (regular and promotional).....	1,585
3. First grade (regular and promotional).....	1,484
4. Assistant sanitary inspector (regular and promotional) .....	776
5. Apprentice .....	658

The decrease in the number of competitors has already been explained above. However, there was a notable increase in the number of second grade competitors. Most high-grade positions are filled by promotion; hence, vacancies are generally in the lower ranks, and there is far greater demand for second grade than for first grade eligibles. This circumstance, together with the fact that the third grade examination was not given, may account for the popularity of the second grade examination. The slight rise in the number of those who took the first grade examination is doubtless of no special significance. The number of persons who took the unassembled examinations in 1925 was abnormal because it was in that year that the examination of the bulk of the skilled laborers in the Bureau of Public Works, took place. This explains the big fall in the number of competitors in this class of examinations in 1926.

In addition to those for the classified service of the Philippine Islands, the Bureau of Civil Service was called upon to give the following examinations: general clerical (federal), policeman-shipkeeper (federal), cadet (U. S. Military Academy), midshipman (U. S. Naval Academy), and pensionado. As usual, there were enough applicants for the cadet examination, but considerable difficulty was experienced in securing candidates for the midshipman examination. It was therefore again necessary to enlist the aid of the University of the Philippines and the Bureau of Education in the search for the four suitable candidates to be designated by the Governor-General.

A more detailed statement of the results of the various examinations may be found in the appended tables.

#### CHANGES IN EXAMINATIONS

The auditor and the provincial treasurer examinations were revised with a view to raising their standard.

The persons looking for employment still overwhelmingly outnumbered the vacancies. If the Bureau had not limited the number of applicants, it would probably have at least equalled the figure for 1925. The burden of correcting papers is becoming heavier; but, inasmuch as the vacancies are few, the remedy would seem to be not so much in proportionately increasing the personnel of the Bureau as in limiting the number of applicants. The plan of charging applicants a fee was considered, and rejected principally on the ground that it is unfair to the poor. Further raising the educational requirements was not carried out because it was believed that the present require-

ments are sufficiently high and that the plan would, at best, give only temporary relief due to the fact that the number of high-school and college graduates is rapidly increasing. As pointed out in the last report, even the practice of closing the receipt of applications when a reasonable number is reached, is not very satisfactory, as the applicants now seem to endeavor to file their applications early.

It was finally decided that the best solution was a ruling to the effect that a person obtaining less than 60 per cent as his general rating in a civil service examination would be debarred from the examination next following and from all other examinations of the same or a higher grade occurring before the expiration of the said debarment. While on the surface this may appear hard on those affected, it does not have the undesirable features of the other plans mentioned above, as it bases the discrimination upon lack of ability and, therefore, is in harmony with the merit principle.

#### PENSIONADO EXAMINATION

By virtue of a provision of the 1926 Appropriation Act, the appointment of pensionados was, for the first time, based on competitive examination. Subject to the rules made by the Pensionado Committee, the Bureau held the examination for the following twenty-two courses: leprosy treatment, military dentistry, X-ray, obstetrics, taxation, agricultural economics and financing of industries, public health and sanitation, work for the deaf, local administration and election, local administration with reference to backward peoples, nerve physiology, forest management and forest regulations, chemical engineering, zoölogy, architecture, geodetic surveying and map production, actuarial science, income tax procedure, Philippine linguistics, rural engineering, surgery as applied to children, and courts organization and administration and private corporations.

The examination was open only to those (1) who had finished a four-year college course and had at least one year of creditable experience after graduation or (2) who were Government employees with responsible experience and not less than ten years' continuous service. The subjects and their relative weights were: Thesis, 30; experience, 40; education, 30.

Of the fifty-eight applicants, forty-eight were admitted to the examination and, of these, two were women. The examination was successfully conducted and, on the whole, was a decided improvement over the old method of choosing pensionados.

Table G in the appendix gives a detailed statement of the result of the examination.

#### EXAMINING COMMITTEES

No new regular examining committees were created, but it was felt necessary to appoint special committees of a temporary nature in Muñoz, Nueva Ecija; San Carlos, Occidental Negros; and Trinidad, Mountain Province.

#### FRAUD

Aside from the negligible number of collusion cases, no fraud in civil service examinations was noted in 1926.

#### APPOINTMENTS

The comparative number of probational appointments made each year since 1906 will be found in the following table:

Year	English examinations, number of—		Spanish examinations, number of—		Total
	Americans	Filipinos	Americans	Filipinos	
1906	261	174		300	735
1907	307	204		226	737
1908	385	419		355	1,159
1909	343	354		226	923
1910	316	476		135	927
1911	409	594		191	1,194
1912	322	606		110	1,038
1913	262	817		87	1,166
1914	93	660		68	821
1915	112	717		86	915
1916	116	1,390		189	1,695
1917	76	1,177		106	1,359
1918	83	1,726		93	1,902
1919	82	1,933		30	2,045
1920	113	1,794		22	1,929
1921	93	1,178		65	1,336
1922	75	1,312		60	1,447
1923	90	1,121		33	1,244
1924	90	1,661		40	1,791
1925	54	2,268		18	2,340
1926	51	1,731		13	1,795

The total number of probational appointments made during the year shows a decrease of 545 as compared with that of the preceding year. Fifty-one Americans and 1,744 Filipinos were probationally appointed as compared with 54 Americans and 2,286 Filipinos in the preceding year. Of the number of Americans who received probational appointments 42 were teachers; one, botanist; one, chemist; and 7, patrolmen.

#### APPOINTMENTS IN THE UNITED STATES

Fifty-one persons were appointed in the United States, 46 by probational appointment and 5 by reinstatement. Of those who received probational appointments, 5 were Filipinos.

The following table shows the comparative number of appointments made in the United States since 1903:

Year	Original	Reinstatement	Total	Year	Original	Reinstatement	Total
1903.....	179		179	1915.....	73	18	91
1904.....	338		338	1916.....	<sup>a</sup> 83	16	99
1905.....	225		225	1917.....	44	<sup>a</sup> 6	50
1906.....	142	12	154	1918.....	<sup>b</sup> 73	<sup>a</sup> 2	75
1907.....	187	16	203	1919.....	<sup>c</sup> 62	1	63
1908.....	252	30	282	1920.....	<sup>a</sup> 95	4	99
1909.....	238	22	260	1921.....	<sup>d</sup> 90	<sup>a</sup> 4	94
1910.....	164	16	180	1922.....	<sup>e</sup> 66	1	67
1911.....	244	24	268	1923.....	<sup>f</sup> 87	4	91
1912.....	193	13	243	1924.....	<sup>g</sup> 73	3	76
1913.....	145	11	156	1925.....	<sup>h</sup> 59	1	60
1914.....	49	6	55	1926.....	<sup>e</sup> 46	5	51

<sup>a</sup> 1 Filipino. <sup>b</sup> 4 Filipinos. <sup>c</sup> 3 Filipinos. <sup>d</sup> 13 Filipinos. <sup>e</sup> 5 Filipinos. <sup>f</sup> 9 Filipinos. <sup>g</sup> 7 Filipinos. <sup>h</sup> 12 Filipinos.

The probational appointments made during the year may be found in table 1 appended to this report.

#### REINSTATEMENTS

The comparative number of appointments by reinstatement may be found in the following table:

Year	In the United States		In the Philippine Islands		Total
	Americans	Filipinos	Americans	Filipinos	
1913.....	11		78	235	324
1914.....	6		36	184	226
1915.....	18		34	180	232
1916.....	15	1	23	255	294
1917.....	5	1	17	228	251
1918.....	1	1	19	371	392
1919.....	1		8	434	443
1920.....	4		9	477	490
1921.....	3	1	16	378	398
1922.....	1		19	368	388
1923.....	4		6	338	348
1924.....	3		5	281	289
1925.....	1		4	275	280
1926.....	5		3	297	305

During the year 305 persons were reinstated in the classified service as compared with 280 in the preceding year; or an increase of 25.

Circular No. 8 dated January 22, 1926, as approved by the Governor-General, has been issued to secure more effective compliance with the rule regarding certification of eligibles. The rule contemplates that the recruiting of persons for appointment to positions in the classified service must be done by the Bureau of Civil Service, hence no person should be considered for any vacancy in such positions unless he has been previously



certified by the Bureau. Exception may be made only in cases of temporary or emergency employment and even in such cases previous authority should be secured if possible.

It has also been observed that to defeat the examination requirement persons are sometimes appointed at ₱240 per annum under section 671(*p*) of the Administrative Code even though the positions to be filled pay more than that amount. Considering the fact that a salary of ₱20 a month is not a "living wage" and that employees receiving such low compensation can hardly be expected to render satisfactory service, it would seem to be in the interest of efficient administration that such appointments be reduced to a minimum. This Office has therefore ruled that unless the appropriation law expressly provides a salary of ₱240 for the position it cannot be filled by an unclassified employee under section 671(*p*) of the Administrative Code.

Laborers receiving less than ₱720 per annum are in the unclassified service and can therefore be recruited without the intervention of this Office (section 671 [*o*] of the Administrative Code). Under cover of this authority of law, however, the examination requirement may easily be contravened, for a person may be appointed laborer and later assigned to clerical work. To detect such illegal assignments and similar violations of the Civil Service Law and Rules, the employment of a service examiner or inspector is necessary, but so far, this Office has not been successful in its efforts to secure the necessary appropriation for the position. The Bureau of Audits, however, has been requested to report all such cases discovered by its field examiners. This temporary employment of clerks at ₱20 a month together with the appointment of laborers at less than ₱60 a month, who may later be assigned to clerical duties, constitutes perhaps the most vulnerable spot in the administration of the Civil Service Law and Rules. No doubt the practice of appropriating big lump sums for temporary employees has been partly responsible for the situation.

There is no justification for temporary employment save in the absence of civil service eligibles, and for ordinary clerical positions the supply is more than sufficient.

#### PROMOTIONS, REDUCTIONS, AND TRANSFERS

The total number of appointments by promotion, reduction and transfer made during the year was 4,484 as compared with

4,946 in the preceding year. The following table shows the comparative number of appointments by promotion, reduction and transfer made each year since 1913:

Year	Promotions	Reductions	Transfers	Total
1913.....	2,675	23	232	2,930
1914.....	2,331	41	352	2,724
1915.....	2,628	21	275	2,924
1916.....	1,641	11	471	2,123
1917.....	3,469	29	700	4,198
1918.....	5,783	28	849	6,660
1919.....	6,701	36	885	7,622
1920.....	7,598	22	828	8,448
1921.....	4,755	59	629	5,443
1922.....	2,620	43	462	3,125
1923.....	4,402	49	412	4,863
1924.....	4,132	47	615	4,794
1925.....	4,231	63	652	4,946
1926.....	3,747	59	678	4,484

It may be seen from the table above that there has been a total decrease of 488 in the number of promotions and reductions and a slight increase of 26 in the number of transfers. The decrease in the number of promotions was undoubtedly due to the strict adherence to the policy of not granting increases in salaries in the annual appropriations.

The following are the causes of the appointments by reduction: voluntary acceptance of change of assignment, 21; operation of section 2170 of the Administrative Code as amended by Act No. 3261, 31; and administrative discipline, 7.

During the year, four appointments were made to the classified service under section 683 of the Administrative Code, and four appointments were approved as exceptions to the Memorandum Order of the Governor-General dated July 9, 1915, regarding increases in salary of noneligibles holding clerical positions.

It has been observed that section 683 of the Administrative Code is often invoked by bureaus and offices in recommending the promotions of employees who have not been able to qualify in the appropriate civil service examinations.

This Office is of the opinion that section 683 of the Administrative Code does not contemplate appointments to ordinary clerical or semi-technical positions. Constituting, as it does, an exception to the operation of the competitive principle its provisions should not be liberally applied. With the introduction of the system of promotional examinations in which considerable

weight is given to the experience of the employee there seems to be no valid reason why inability to qualify in the prescribed tests should be invoked in favor of exemption. Rather, such a circumstance should be construed against the employee, inasmuch as it implies lack of capacity for growth and improvement. While length of service, loyalty and faithfulness deserve recognition, they should not entirely outweigh other considerations.

#### APPOINTMENTS TO THE FEDERAL SERVICE

The number of appointments in the Federal civil service in the Islands authorized by the Bureau of Civil Service each year since 1913 may be found in the following table:

Year	Original		Promotion, transfer or reinstatement		Total
	Americans	Filipinos	Americans	Filipinos	
1913.....	36	6	4	3	49
1914.....	5	9	14	1	29
1915.....	9	1		1	11
1916.....	4	1	6		11
1917.....	6		7		13
1918.....	14	2	8	1	25
1919.....	5	1	3	1	10
1920.....	10	8	1	1	20
1921.....	5	8	2	1	16
1922.....	2	6	2	2	12
1923.....	5	11	2	2	20
1924.....	12	3		4	19
1925.....	35	5	7	4	51
1926.....	10	2	6		18

Eighteen appointments to the Federal civil service were made during the year through the certification of the Bureau, 12 of which were original and 6 by promotion, reinstatement, and transfer.

The appointments made during the year in the Federal civil service will be found in table 2 of the appendix of this report.

#### PERSONNEL

There were 462 Americans and 17,756 Filipinos, or a total of 18,218 persons, permanently employed in the Philippine civil service on July 1, 1926, as compared with 506 Americans and 16,339 Filipinos in the preceding year, or a decrease of 44 in the number of Americans, but an increase of 1,417 in the number of Filipinos, or a net increase of 1,373 in the number of permanent employees.

The following table shows the increase or decrease in the number of permanent employees in each bureau or office on July 1, 1926, as compared with that of the preceding year:

Bureau or office	Americans		Filipinos	
	Increase	Decrease	Increase	Decrease
<b>Legislative:</b>				
Philippine Senate.....			27	
House of Representatives.....			16	
<b>Executive:</b>				
Office of the Governor-General.....			1	
Bureau of Audits.....				2
Bureau of Civil Service.....				
Office of the Secretary of the Interior:				
Bureau of Non-Christian Tribes.....			2	
Philippine General Hospital.....				1
Boards of Medical, Pharmaceutical, Dental, Optical, and Nurse Examiners.....				
Executive Bureau.....			3	
Philippine Constabulary.....	4		9	
Office of the Public Welfare Commissioner.....				
Metropolitan Water District.....			10	
Office of the Secretary of Public Instruction.....	1		6	
Bureau of Education.....		40	52	
Pension and Investment Board.....				
Philippine Health Service.....			53	
Office of the Secretary of Finance.....				
Bureau of Customs.....			16	
Bureau of Internal Revenue.....		1	9	
Bureau of the Treasury.....			3	
Bureau of Printing.....				17
Office of the Secretary of Justice:				
Bureau of Justice.....			17	
Public Service Commission.....			1	
General Land Registration Office.....			21	
Philippine Library and Museum.....				1
Bureau of Prisons.....		1	14	
Office of the Secretary of Agriculture and Natural Resources.....				
Bureau of Agriculture.....		1		40
Agricultural Colonies.....				1
Bureau of Forestry.....		1	23	
Bureau of Lands.....			31	
Bureau of Science.....			3	
Weather Bureau.....	3		5	
Office of the Secretary of Commerce and Com- munications:				
Bureau of Public Works.....		1	387	
Bureau of Posts.....		1	45	
Bureau of Supply.....				2
Bureau of Commerce and Industry.....			2	
Bureau of Labor.....				
Bureau of Coast and Geodetic Survey.....	1		2	
Board of Accountancy.....				
<b>Judicial:</b>				
Supreme Court.....				
Courts of First Instance.....			26	
Justices of the peace.....			21	
Provincial service.....		2	559	
<b>Municipal service of Manila:</b>				
Municipal Board.....			2	
Office of the Mayor.....			3	
Department of Finance.....				1
Department of Assessment.....				
Law department and Court.....			3	
Fire Department.....			5	
Police Department.....		3		
Department of City Schools.....			104	
Department of Engineering and Public Works.....		1	1	
Municipal Service of Baguio.....		1	9	
<b>Totals.....</b>	<b>9</b>	<b>53</b>	<b>1491*</b>	<b>65</b>

\* Deduct 9 Filipinos for persons counted more than once by reason of holding more than one position.

The following bureaus and offices had the greatest number of increases in the number of permanent personnel: Bureau of Education, 52 Filipinos; Philippine Health Service, 53 Filipinos; Bureau of Public Works, 387 Filipinos; Provincial service, 559 Filipinos; and Department of City Schools, 104 Filipinos. The increases were mostly due to the change of status of employees from temporary to permanent, and for this reason the number of temporary employees has been considerably reduced, as stated elsewhere in this report.

The total amount of annual salaries paid on July 1, 1926, was ₱24,562,532 as compared with ₱22,620,910 in the preceding year, or an increase of ₱1,941,622. This increase was due to the increase in the number of Filipino personnel and to the increase in the average salary, which was ₱1,348.26 as compared with ₱1,342.89 for the preceding year.

#### TEMPORARY EMPLOYMENT

On July 1, 1926, there were 4 Americans and 369 Filipinos holding temporary clerical positions in the classified service as compared with 2 Americans and 385 Filipinos in the preceding year, or an increase of 2 in the number of Americans but a decrease of 16 in that of Filipinos. There were 118 Americans and 6,181 Filipinos occupying nonclerical and unclassified positions, or a decrease of 4 Americans and 146 Filipinos.

The comparative number and salaries of temporary employees in the different branches of the Government for each year since 1914 will be found in table 6 appended to this report. Table 7 shows the temporary employees in different bureaus and offices on July 1, 1926, holding clerical and semiclerical positions.

#### LEAVE OF ABSENCE

There has been a steady increase in the number of applications for leave of absence acted upon by the Bureau as may be noted from the following statement:

1919 .....	40,610
1920 .....	44,212
1921 .....	47,725
1922 .....	52,271
1923 .....	54,505
1924 .....	55,793
1925 .....	60,406
1926 .....	64,759

Paragraphs 6 and 7 of Civil Service Rule XVI were amended by Executive Order No. 31, series of 1926, by allowing propor-

tional vacation provided therein to teachers who resign from the service at the end of a school year, without regard to the length of service rendered, and also to those who, after serving more than one year, resign from the service or are granted leave by the Secretary on account of illness or urgent necessity prior to the termination of the school year.

Circular No. 9 of this Office was issued on April 28, 1926, to correct some irregularities which had been observed in the keeping of time records. It is hoped that all chiefs of bureaus and offices will adhere to the policy of impressing upon all subordinate officers and employees the necessity of punctuality of attendance in office.

#### SEPARATIONS

There were 108 Americans and 1,379 Filipinos separated from the service during the year, or a total of 1,487 persons, as compared with 110 Americans and 1,456 Filipinos. The total number of separations represents a turnover of 8 per cent as compared with 9 per cent in the previous year.

The comparative number of separations since 1919 will be found in the following table:

Year	Number of employees		Number of separations				Percentage of separations			
	Americans	Filipinos	Americans		Filipinos		Americans		Filipinos	
			Voluntary	Involuntary	Voluntary	Involuntary	Voluntary	Involuntary	Voluntary	Involuntary
1919.....	760	12,047	243	19	1,140	230	32	3	9	2
1920.....	582	12,561	223	36	1,559	265	38	6	12	2
1921.....	614	13,240	104	10	971	334	17	2	7	3
1922.....	604	13,726	117	22	953	390	19	4	7	3
1923.....	562	14,167	112	11	811	261	20	2	6	2
1924.....	526	15,212	109	13	866	192	21	2	6	2
1925.....	506	16,339	103	7	1,095	361	23	1	7	2
1926.....	462	17,756	98	10	1,064	315	21	2	6	2

The following table shows the different causes of involuntary separations each year since 1921:

Causes	1921		1922		1923		1924		1925		1926	
	Americans	Filipinos	Americans	Filipinos	Americans	Filipinos	Americans	Filipinos	Americans	Filipinos	Americans	Filipinos
For cause.....	5	183	12	145	8	125	5	98	3	113	4	135
Death.....	3	85	7	67	3	68	5	67	4	54	2	102
Abolition of position or reduction of force.....	2	58	2	66	---	52	3	20	---	19	1	58
Forced resignation.....	---	3	---	7	---	9	---	4	---	4	---	2
Physical disability.....	---	5	---	3	---	7	---	2	---	2	---	11
Relieved from office.....	---	---	---	102	---	---	---	1	---	169	3	*7
Total.....	10	334	22	390	11	261	13	192	7	361	10	315

\* Due to disapproval of appointment by the Senate.

The reasons of the separations for cause are as follows:

	Americans	Filipinos
Breach of contract.....	3	
Desertion and neglect of duty.....	1	
Abuse of authority.....		2
Dishonesty.....		16
Estafa—falsification of public documents, irregularities in accounts and malversation of public funds.....		35
Gambling.....		3
Immorality.....		15
Inefficiency, neglect of duty and irregularities in office.....		58
Robbery and theft.....		6
Total.....	4	135

Attention may again be invited to the judicial procedure followed by some bureaus and offices in administrative cases. Under the Civil Service Rules it is not necessary to go through a regular trial in order to determine the guilt of an accused employee. In administrative proceedings the investigating official does not sit in judgment upon the respondent but merely ascertains the facts so that the proper authorities can pass upon the desirability or undesirability of retaining him in the public service. The investigating official may summon witnesses other than those presented by the parties and can ask questions on matters not covered by the complaint or in the direct examination. Moreover, it is not necessary that guilt be proven beyond a reasonable doubt. The application of legal and technical rules of evidence would, therefore, seem out of place. Sometimes, it only serves to make the record unduly voluminous, to confuse the issues, and to delay action to the prejudice of the public service and the respondent himself. No constitutional right to life, liberty or property is involved. The holding of a public office is a privilege within the gift of the people, which can and should be withdrawn the moment the integrity, efficiency or ability of the incumbent is seriously impeached. Whenever disciplinary action is to be taken against an employee, Civil Service Rule 12 and the Memorandum Order of the Governor-General dated November 7, 1917, which outline the procedure to be followed in cases of reductions, separations, and suspensions, should always be consulted.

In cases of administrative action for immorality under the Civil Service Rules, the absence of the element of deceit, unchaste reputation or consent of the offended party is generally alleged as a defense. This Office, however, almost always recommends the imposition of the maximum penalty even though an action for seduction would not lie in the courts of justice. That would seem to be the only course consistent with the good

name and dignity of the service. Civil service employees, by the nature of their duties, assume a position of leadership in their respective communities, and the breach of the confidence thus engendered is just as reprehensible as positive deceit. It would be pitiable indeed if public functionaries, who should furnish inspiration and guidance, are the very first to violate the people's trust and to set a poor example.

Several complaints, too, have been received for nonpayment of debts by Government employees. It may be noted that willful failure to pay just debts is one of the causes for disciplinary action under the Civil Service Rules. Where the existence or justness of the claim is denied, however, creditors have no remedy unless judgment is first secured from the court, for it has never been the intent of the rule to make this Bureau a collection agency. While the guarantee which the Civil Service Law affords is a boon to the low-salaried employee, in that it facilitates the extension of credit to him, he should not contract debts beyond his means. Business houses should also be more cautious in offering low-salaried employees goods under the easy installment plan.

#### STANDARDIZATION OF SALARIES

On February 17, 1926, the Personnel Classification Board, composed of the Secretary of Finance as chairman, the Director of Civil Service, the Director of Public Works, the Director, Bureau of Science, and the Collector of Internal Revenue, as members, was created by Executive Order No. 4 for the purpose of preparing and submitting to the Chief Executive an adequate statement giving (1) the duties and responsibilities involved in the grades and classes of positions it may establish, illustrated where necessary by examples of typical tasks; (2) the minimum qualifications required for the satisfactory performance of such duties; (3) the titles given to said classes; and (4) the limits of compensation for each class. The Board was also directed to submit a draft of such legislation as may be deemed desirable or necessary for the classification of positions.

An inventory of positions in the Government service has already been taken and the work of classifying and grading is well under way. The application of the principle of "equal pay for equal work" regardless of person would, undoubtedly, minimize the inequalities in the matter of compensation at present observed and would result in a marked improvement in morale. The standardization of positions on the basis of duties is but



a logical step in the gradual development of the merit law. It complements the examination method of recruitment and is essential to any effective administration of the Government under the Civil Service system. The honor and the prestige attached to public office should be a sufficient reward for the ideal public servant, but the situation should not be permitted under which odious inequalities may arise. Efficiency and justice demand a purely impersonal, objective policy in the granting of increases and promotions.

#### RETIREMENT

During the year 87 persons were granted retirement under the provisions of Act No. 2589, 13 Americans and 74 Filipinos, and the liability of the Government because of the retirement gratuities authorized during the year was ₱166,102.45. The total liability incurred since the passage of the Retirement Law in 1916 up to December 31, 1926, was ₱4,885,652.54, of which ₱4,636,855.74 had been paid. The amounts paid since 1916 are as follows:

1916 .....	₱99,476.30
1917 .....	584,353.28
1918 .....	785,903.66
1919 .....	806,014.27
1920 .....	664,598.52
1921 .....	537,134.11
1922 .....	397,886.44
1923 .....	245,355.33
1924 .....	169,854.77
1925 .....	161,638.27
1926 .....	184,640.79
<b>Total .....</b>	<b>₱4,636,855.74</b>

The following is a detailed statement of the operation of the Retirement Law (Act No. 2589) since its enactment:

Year	Number retired		Total salaries		Gratuities			
	Americans	Filipinos	Americans	Filipinos	Americans		Filipinos	
					Total	Average	Total	Average
1916 .....	298	61	₱1,175,213.00	₱71,124.00	₱1,053,357.00	₱3,534.76	₱66,022.00	₱1,082.33
1917 .....	187	28	847,117.80	40,650.80	769,239.19	4,113.58	39,899.60	1,424.99
1918 .....	153	31	672,898.00	29,722.00	643,020.40	4,202.75	29,243.20	943.33
1919 .....	155	40	615,366.80	44,261.00	536,640.80	3,462.20	41,762.00	1,044.05
1920 .....	120	52	529,046.00	82,101.25	472,666.15	3,938.88	84,083.25	1,616.99
1921 .....	28	46	165,700.00	88,384.05	162,278.00	5,795.64	88,438.05	1,922.57
1922 .....	32	31	184,238.00	45,807.75	175,090.00	5,471.56	44,131.75	1,423.60
1923 .....	18	23	85,040.00	36,095.55	79,676.00	4,426.44	35,639.06	1,549.52
1924 .....	21	38	108,650.00	75,621.25	105,202.00	5,009.62	79,221.25	2,084.77
1925 .....	21	94	92,720.00	141,956.94	80,960.00	3,855.24	132,980.39	1,414.69
1926 .....	13	74	53,520.00	118,990.40	53,840.00	4,141.54	112,262.45	1,517.06
<b>Total ..</b>	<b>1,046</b>	<b>518</b>	<b>4,529,509.60</b>	<b>774,754.99</b>	<b>4,131,969.54</b>	<b>3,950.26</b>	<b>753,683.00</b>	<b>1,454.99</b>

Section 1 of Act No. 2589 has been amended by Act No. 3304 which contains the proviso that "in the case of Chief Justice or Associate Justices of the Supreme Court or a Judge of First Instance, the same shall be paid for six consecutive years an annual gratuity equal to 33 $\frac{1}{3}$  per centum of the last yearly salary received, provided he has filed on or before June 30, 1927 the proper application stating his desire to retire from the service, and such application has been acted upon favorably prior to said date or he has been retired from the service on account of having reached the age limit established by law." In view of this new amendment, several officers and employees have filed applications for retirement to take effect at the convenience of the Government. It should be noted that Act No. 3304 refers only to the Justices of the Supreme Court and Judges of First Instance. It does not designate a new time limit for applications for retirement by other officers and employees of the Government.

With the exception of Act No. 2589 as amended, the provisions of which are temporary in character, there is no general retirement and pension system for officers and employees of the Philippine Government. During the year, House Bill No. 1820, providing for a savings fund for the officers and employees of the Philippine civil service was introduced but failed of approval. This bill was intended to create a savings and loan association for all the civil service employees who are not entitled to the benefits of other retirement laws. It provides that every month 5 per cent of the salary of every regularly and permanently employe be withheld and the amount thus retained would constitute the savings fund of the association. Senate Bill No. 318 providing for retirement and pension of members of the Manila Police Department who have completed 20 years of service and reached the age of 50 years was also introduced but failed of passage.

The only existing retirement laws are those in favor of teachers (Act No. 3050 as amended); certain officers and employees of the Philippines Health Service (Act No. 3173); and officers and enlisted men of the Philippine Constabulary (secs. 871-876 of the Administrative Code). This Bureau does not look with favor upon retirement legislation for only one branch of the Government service, inasmuch as it savors of discrimination against employees of other departments who equally merit the same privilege. It is believed that in the interest of the service

one general pension law should be enacted instead of several retirement laws for certain classes of employees.

#### FINANCIAL STATEMENT

The total amount allowed to the Bureau of Civil Service for the fiscal year ending December 31, 1926 was ₱112,809, of which ₱112,709 was appropriated by Act No. 3227 and ₱100 by Act No. 3325; ₱88,720 was allotted for salaries and wages and ₱24,089 for miscellaneous expenses including the amount appropriated for purchase of equipment. The amount of ₱88,555.14 was expended for salaries and wages leaving an unexpended balance of ₱164.86. Of the amount allowed for miscellaneous expenses ₱20,665.80 was expended, leaving a balance of ₱3,423.20. The amount of ₱486.16 was expended by the Bureau for the purchase of furniture and equipment. A total saving of ₱3,588.06 was reverted to the Insular Treasury on December 31, 1926.

The following table shows a detailed financial statement of the Bureau for the year 1926:

Purpose	Expenditure	Appropriation	Saving
Salaries and wages.....	₱88,555.14	₱88,720.00	₱164.86
Contingent expenses:			
Traveling expenses of personnel.....	574.24	950.00	375.76
Freight, express and delivery service.....	67.35	120.00	52.65
Postal, telegraph, telephone, and cable service.....	2,790.84	3,000.00	209.16
Illumination and power service.....	527.61	1,200.00	672.39
Miscellaneous service.....	316.79	400.00	83.21
Rental of building and ground.....	9,914.75	9,915.00	.25
Consumption of supplies and materials.....	4,727.04	6,000.00	1,272.96
Printing and binding reports, documents and publications.....	854.65	1,500.00	645.35
Maintenance and repair.....	406.37	500.00	93.63
Purchase of equipment.....	486.16	504.00	17.84
Total for contingent expenses.....	20,665.80	24,089.00	3,423.20
Grand total.....	109,220.94	112,809.00	3,588.06

#### OUTSIDE EMPLOYMENT

Executive Order No. 103, series of 1913, and paragraph 5 of Civil Service Rule 13 prohibit Government officers and employees in the Philippine civil service from engaging in any private business, vocation or profession which would bring them into competition with professional or business men. This prohibition outlines the policy of the Government with regard to outside activities on the part of its officers and employees, and has general application to persons both in the classified and the unclassified service. The rule is founded upon reasons of

morality and public policy. It is believed that the doctrine of incompatible offices should apply just as well to the case of Government officials and employees holding offices in private entities. "Offices are said to be incompatible and inconsistent so as to be executed by the same person, when from the multiplicity of business in them they cannot be executed with care and ability; or when, their being subordinate and interfering with each other, it induces a presumption they cannot be executed with impartiality and honesty." (Mechem on Public Officers, p. 269.) It may also be interesting to note what the Supreme Court of the Philippine Islands said in the case of *Borja vs. Agoncillo et al.*, Official Gazette Vol. XXIII, No. 32, "When by his actions and conduct a public official violates his oath of office or voluntarily assumes a position which would be in direct conflict with the proper discharge of his official duty under his oath of office, he no longer has a vested right in his office and is subject to removal under reasonable rules and regulations. As it was written of old, he cannot serve two masters. As a public official he cannot keep and respect the obligation in question and be loyal to the Government and to the discharge of his official duty." Civil Service Rule 13, it should be noted, provides that conduct prejudicial to the best interest of the service or willful violation of any of the provisions of the Civil Service Rules may be considered reason demanding proceedings to remove for cause, to reduce in class or grade, or to inflict other punishment as provided by law.

Officers and employees who desire to engage in outside business should therefore first secure the approval of the bureau chief and the head of department concerned or of the Governor-General as provided in the rules. One glaring case of violation of the Executive Order referred to is that of a responsible officer who was separated from the service in view of his connections with a firm dealing in school books and supplies. The issuance of Department Order No. 2, series of 1926, which is published in this report, seems to be an off-shoot of this case.

Under existing regulations permission to accept outside employment is limited to that involving outdoor labor which would better the physical condition of the employee or to teaching subjects which would be of benefit to the Government or the community. It has been observed that many Government officials and employees have applied for permission to teach and are now on the teaching staff of several private institutions of learning, thereby offering a keen competition with professional teachers.

It may be well to invite attention, in this connection, to the fact that the great majority of the minor employees pursue courses at night in the same institutions. There is no prohibition in the Civil Service Rules regarding outside studies and this Office is not in favor of checking any laudable attempt at self-improvement which tends to increase the usefulness and efficiency of the employee. This view finds support in Act No. 2935 which grants the employee the privilege of requesting the Government to advance his tuition fees. It may be significant to note, however, that a number of bureaus and offices have found it necessary in the interest of efficiency to place certain restrictions upon outside studies.

Under section 18, paragraph 41 of Act No. 2935, medical officers of the Philippine Health Service, receiving a salary of less than ₱4,000 per annum, are allowed to engage in the private practice of their profession for compensation. Under the spirit of this legal provision, medical officers of the Philippine Constabulary, the Bureau of Science and other bureaus and offices have been granted similar permission. A number of civil service employees who have finished the course in dentistry and desire to practice their profession outside of office hours, have claimed the same privilege, but their requests have been denied except in cases where there are no private practitioners in the locality.

#### CHANGES IN THE PERSONNEL OF THE BUREAU

During the year there were no important changes in the personnel of the Bureau. One junior examiner and two clerks resigned from the service; one clerk was dropped on account of illness; one junior examiner, one junior stenographer, and four messengers transferred to other bureaus; and four clerks and four messengers were given probational appointment.

Respectfully submitted,



*Director*

His EXCELLENCY  
The GOVERNOR-GENERAL  
*Manila, P. I.*



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## APPENDIX





TABLE A.—Results of the examinations in English taken by Filipinos during the year 1926

Kind of examination	For original appointment						For promotion or transfer						Total					
	Number examined		Number passed		Per cent passed		Number examined		Number passed		Per cent passed		Number examined		Number passed		Per cent passed	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
1. Agricultural assistant.	16		8		50		1						17		8		47	
2. Agricultural assistant, junior.	79		3		4		1						80		3		4	
3. Analyst.	2		1		50								2		1		50	
4. Apprentice.	658		216		33								658		216		33	
5. Assistant agriculturist.	3		1		33		7		4		57		10		5		50	
6. Auditor.							37						37					
7. Auditor (Public Service Commission)	2		1		50								2		1		50	
8. Bacteriologist, assistant.	2		1		50		2		2		100		4		3		75	
9. Bacteriologist, junior.	4		2		50								4		2		50	
10. Cadet (United States Military Academy)	30		5		17		4		2		50		34		7		21	
11. Chief nurse (Philippine Health Service)		1		1		100								1		1		100
12. Clerk of court.	24		4		17		20		2		10		44		6		14	
13. Computer (Coast and Geodetic Survey)	1		1		100								1		1		100	
14. Dentist.	3	1	2	1	67	100							3	1	2	1	67	100
15. Division superintendent of schools.							9		3		33		9		3		33	
16. Draftsman, architectural.							1		1		100		1		1		100	
17. Draftsman, assistant architectural.							4						4					
18. Draftsman, assistant topographical.							38		13		34		38		13		34	
19. Draftsman (Coast and Geodetic Survey)	2		2		100		6		5		83		8		7		88	
20. Draftsman (Coast and Geodetic Survey), junior.	3		3		100								3		3		100	
21. Draftsman, junior architectural.	25		4		16		1		1		100		26		5		19	
22. Draftsman, junior topographical.	47		21		45								47		21		45	
23. Engineer, assistant civil.	68		25		37								71		25		35	
24. Engineer, civil.	4						3						4					
25. Engineer, electrical.							3		1		33		3		1		33	
26. Entomologist, assistant.							3		2		67		3		2		67	
27. Fireman, second class.	33		16		48								33		3		33	
28. First grade.	609	6	30		5		792	7	36		5		38	1,401	13	66	5	5
29. First grade (promotional)	2		1		50		67	1	9		13		69		10		14	
30. Hydrographer.	1		1		100								1		1		100	
31. Hydrographer, assistant.	8						7		2				15				9	
32. Hydrographer, junior.	9		1		11		1						11		1		100	
33. Ichthyologist, assistant.	1		1		100								1		1		100	
34. Inspector, assistant sanitary.	715	1	107		15								715	1	107		15	
35. Inspector, medical.							17		17		100		17		17		100	
36. Inspector (promotional), assistant sanitary.	60		35		58								60		35		58	
37. Inspector (promotional), sanitary.	1						17		4		24		18		4		22	
38. Inspector, senior medical.							5		5		100		5		5		100	
39. Inspector, tobacco.	5		2		40								5		2		40	
40. Legislative researcher and bill drafter.	1		1		100								1		1		100	
41. Librarian, junior.	5		1		20		2		1				7		1		14	
42. Librarian, senior assistant.							2		2				2		1		50	
43. Messenger.	569		216		38								569		216		38	
44. Midshipman (United States Naval Academy)	4		1		25								4		1		25	
45. Nurse instructor.		1		1		100								1		1		100
46. Patrolman, third class.	102		82		80		8		7		88		110		89		81	
47. Pharmacist.	9	7	4	7	44	100							9	7	4	7	44	100
48. Pharmacy clerk.	16		1		6								16		1		6	
49. Plant pathologist, assistant.							3		3		100		3		3		100	
50. Prison guard, fourth class.	87		38		44								87		38		44	
51. Prison guard, third class.	54		28		52								54		28		52	
52. Scientific assistant in chemistry.	15		6		40								15		6		40	
53. Second grade.	4,335	211	490	20	11	9	614	29	29		5		4,949	240	519	20	10	8
54. Social worker.	3		1		33								3		1		33	
55. Stenographer.	11	1	3		27		52	9	20	3	38	33	63	10	23	3	37	30
56. Stenographer, junior.	225	28	43	3	19	11	86	9	21	2	24	22	311	37	64	5	21	14
57. Superintendent of penal colony, assistant.	3		1		33		7		3		43		10		4		40	
58. Surgeon.	6	1	3	1	50	100							6	1	3	1	50	100
59. Surgeon, senior.	5		4		80		13		12		92		18		16		89	
60. Surveyor, assistant.							76		21		28		76		21		28	
61. Surveyor, junior.	31		3		10		9		4		44		40		7		18	
62. Teacher.	96	7	6	1	6	14	186	49	22	7	12	14	282	56	28	8	10	14
63. Teacher, junior.	746	345	104	13	14	4							746	345	104	13	14	4
64. Teacher of agriculture, junior.	38		11		29								38		11		29	
65. Teacher of woodworking, junior.	46		8		17								47		8		17	
66. Teacher (promotional), junior.	331	163	164	30	50	18							331	163	164	30	50	18
67. Telephone operator.	24	17	17	7	71	41							24	17	17	7	71	41
68. Third grade.	50		31		62								50		31		62	
69. Treasurer, assistant provincial.							57		5		9		57		5		9	
70. Treasurer, municipal.							12		7		58		12		7		58	
71. Typist, junior.	286	25	65	3	23	12	107	2	50	1	47	50	393	27	115	4	29	15
72. Veterinarian.	12		10		83								12		10		83	
73. Weather observer, first class.	4						2		1		50		6		1		17	
74. Weather observer, second class.	8		2		25								8		2		25	
Total.	9,539	819	1,838	89	19	11	2,330	106	321	13	14	12	11,869	925	2,159	102	18	11
* 1917.	7,677		1,894		25		1,877		381		20		9,554		2,275		24	
* 1918.	9,196		2,306		25		2,496		539		22		11,692		2,845		24	
* 1919.	8,870		1,810		20		2,690		427		16		11,560		2,237		19	
* 1920.	10,558		2,146		20		3,949		640		16		14,507		2,786		19	
* 1921.	7,561		1,572		21		2,440		464		19		10,001		2,036		20	
* 1922.	6,409		1,721		27		2,376		555		23		8,785		2,276		26	
* 1923.	7,862		2,020		26		2,270		518		23		10,132		2,538		25	
* 1924.	8,823		2,629		30		2,230		445		20		11,053		3,074		28	
* 1925.	12,769		4,467		35		2,758		647		23		15,527		5,114		33	
* 1926.	10,358		1,927		19		2,436		334		14		12,794		2,261		18	

\* Federal examinations not included.



TABLE B<sup>a</sup>.—Results of the examinations in English taken by Americans during the year 1926

Kind of examination (Educational)	For original appointment			For promotion or transfer			Total		
	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed
1. Division superintendent of schools.....				2	2	100	2	2	100
2. First-class patrolman.....	9	7	78				9	7	78
3. First-class sergeant.....				2	1	50	2	1	50
4. Teacher.....	9	8	89				9	8	89
Total.....	18	15	83	4	3	75	22	18	82
1917.....	118	79	67	10	9	90	128	88	69
1918.....	36	26	72	14	9	64	50	35	70
1919.....	32	19	59	2	2	100	34	21	62
1920.....	41	17	41	9	4	44	50	21	42
1921.....	40	22	55	6	3	50	46	25	54
1922.....	15	10	67	14	9	64	29	19	66
1923.....	18	12	67	9	9	100	27	21	78
1924.....	31	26	84	6	6	100	37	32	86
1925.....	12	11	92	10	5	50	22	16	73
1926.....	18	15	83	4	3	75	22	18	82

<sup>a</sup> Federal examinations are not included in all these figures.

TABLE C.—Results of the examinations in Spanish taken by Filipinos during the year 1926

Kind of examination (Educational)	For original appointment			For promotion or transfer			Total		
	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed
1. Clerk of court.....	12	1	8	6			18	1	6
2. Clerk of court (promotional).....				6	3	50	6	3	50
3. Draftsman, junior architectural.....							1		
4. Inspector, assistant sanitary.....	1						7	1	14
5. Inspector, medical.....	7	1	14	3	3	100	3	3	100
6. Inspector, senior medical.....				2	2	100	2	2	100
7. Inspector (promotional), assistant sanitary.....							21	8	38
8. Inspector (promotional), sanitary.....	21	8	38				21	8	38
9. Operator, telephone.....				5			5		
10. Prison guard, fourth class.....	3	1	33				3	1	33
11. Second grade.....	13						13		
12. Stenographer.....	15			26			41		
13. Stenographer, junior.....	2			11	2	18	13	2	15
14. Surgeon.....	16	4	25	1	1	100	17	5	29
15. Surgeon, senior.....	14	6	43				14	6	43
16. Treasurer, municipal.....	2	2	100	2	2	100	4	4	100
Total.....	106	23	22	63	13	21	169	36	21
1917.....	879	116	13	273	55	20	1,152	171	15
1918.....	266	61	23	208	55	26	474	116	24
1919.....	231	34	15	162	35	21	393	69	18
1920.....	258	63	24	138	56	40	396	119	30
1921.....	206	37	18	90	29	32	296	66	22
1922.....	200	36	18	78	14	18	278	50	18
1923.....	234	44	19	115	31	27	349	75	21
1924.....	195	54	28	64	26	41	259	80	31
1925.....	123	31	25	64	22	34	187	53	28
1926.....	106	23	22	63	13	21	169	36	21

TABLE D.—Summary of educational examinations held during the year 1926

Tables	For original appointment			For promotion or transfer			Total		
	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed
Filipinos (English)—A.....	10,358	1,927	19	2,436	334	14	12,794	2,261	18
Americans (English)—B.....	18	15	83	4	3	75	22	18	82
Filipinos (Spanish)—C.....	106	23	22	63	13	21	169	36	21
Filipinos (English)—G.....	21	15	71	27	18	67	48	33	69
Total.....	10,503	1,980	19	2,530	368	15	13,033	2,348	18
Year ended September 30—									
1901.....	1,762	841	48	58	41	31	1,820	882	48
1902.....	3,339	1,710	51	590	334	57	3,929	2,044	52
1903.....	4,263	2,461	56	953	475	50	5,216	2,936	56
Nine months ended June 30, 1904.....	4,161	1,847	44	1,293	637	49	5,454	2,484	46
Year ended June 30—									
1905.....	6,541	2,438	37	1,199	442	37	7,740	2,880	37
1906.....	4,210	1,367	33	806	248	31	5,016	1,615	32
1907.....	4,881	1,403	28	702	225	32	5,583	1,628	29
1908.....	5,543	1,970	36	655	205	31	6,198	2,175	35
1909.....	5,175	1,243	24	523	88	17	5,702	1,331	23
1910.....	5,872	1,734	30	547	113	21	6,419	1,847	29
1911.....	6,165	1,552	25	671	115	17	6,836	1,667	24
1912.....	6,400	1,897	30	847	169	20	7,247	2,066	29
1913.....	8,038	2,009	25	1,071	158	15	9,109	2,167	24
Half year ended December 31, 1913.....	4,361	777	18	704	155	22	5,065	932	18
Year ended December 31—									
1914.....	5,737	1,508	26	951	213	22	6,688	1,721	26
1915.....	8,464	2,309	27	1,133	219	19	9,597	2,528	26
1916.....	9,737	2,771	28	1,572	286	18	11,309	3,057	27
* 1917.....	8,674	2,089	24	2,160	445	21	10,834	2,534	23
* 1918.....	9,498	2,393	25	2,718	603	22	12,216	2,996	25
* 1919.....	9,133	1,863	20	2,854	464	16	11,987	2,327	19
* 1920.....	10,857	2,226	21	4,096	700	17	14,953	2,926	20
* 1921.....	7,807	1,631	21	2,536	496	20	10,343	2,127	21
* 1922.....	6,624	1,767	27	2,468	578	23	9,092	2,345	26
* 1923.....	8,114	2,076	26	2,394	558	23	10,508	2,634	25
* 1924.....	9,048	2,708	30	2,300	477	21	11,348	3,185	28
* 1925.....	12,904	4,509	35	2,832	674	24	15,736	5,183	33
* 1926.....	10,503	1,980	19	2,530	368	15	13,033	2,348	18

\* Federal examinations not included.

TABLE E.—Results of noneducational examinations held during the year 1926

Kind of examination	For original appointment			For promotion or transfer			Total		
	Examined	Passed	Per cent Passed	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed
1. Artesian well inspector.....	3	3	100				3	3	100
2. Assistant supervising well driller.....	1	1	100				1	1	100
3. Botanist.....	1	1	100				1	1	100
4. Carriage painter (Department A, Bureau of Prisons).....	1	1	100				1	1	100
5. Chemist.....	1	1	100				1	1	100
6. Chief, seismic and magnetic division (Weather Bureau).....	1	1	100				1	1	100
7. Commercial radio operator.....	1	1	100				1	1	100
8. Construction foreman.....	6	6	100				6	6	100
9. Deputy provincial governor.....	2	2	100				2	2	100
10. Foreman, assistant inspector of sewers and shop and land transportation.....	1	1	100				1	1	100
11. Highway inspector.....	1	1	100				1	1	100
12. Inspector of waterworks.....	1	1	100				1	1	100
13. Interpreter.....	1	1	100				1	1	100
14. Lightkeeper.....	8	8	100				8	8	100
15. Lineman.....	2	2	100				2	2	100
16. Machinery inspector.....	1	1	100				1	1	100
17. Machinist.....	4	4	100				4	4	100
18. Maintenance foreman.....	3	3	100				3	3	100
19. Manuscript curator.....	1	1	100				1	1	100
20. Organic chemist.....	1	1	100				1	1	100
21. Radio operator.....	1	1	100				1	1	100
22. Road maintenance capataz.....	2	2	100				2	2	100
23. Second mate.....	1	1	100				1	1	100
24. Supervising well driller.....	1	1	100				1	1	100
25. Supervisor of children (Office of the Public Welfare Commissioner).....	1	1	100				1	1	100
26. Surveyman.....	1	1	100				1	1	100
27. Telephone operator.....	1	1	100				1	1	100
Total.....	49	49	100				49	49	100
1919 <sup>a</sup> .....	45	44	98	9	9	100	54	53	98
1920.....	61	60	98	10	10	100	71	70	99
1921.....	199	190	95	10	10	100	209	200	96
1922.....	38	37	97	1	1	100	39	38	97
1923.....	44	40	91				44	40	91
1924.....	39	39	100				39	39	100
1925.....	576	576	100				576	576	100
1926.....	49	49	100				49	49	100

<sup>a</sup> No record for previous years.

TABLE F.—Results of the Federal examinations held during the year 1926

Kind of examination	For original appointment			For promotion or transfer			Total		
	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed	Examined	Passed	Per cent passed
1. General clerical.....	28	10	36				28	10	36
2. Policeman (shipkeeper).....	1	1	100				1	1	100
Total.....	29	11	38				29	11	38
1917.....	3	2	67				3	2	67
1918.....	23	13	57				23	13	57
1919.....	3	2	67				3	2	67
1920.....	36	10	28				36	10	28
1921.....	15	9	60				15	9	60
1922.....	7	3	43				7	3	43
1923.....	36	15	42				36	15	42
1924.....	80	38	48	1	1	100	81	39	48
1925.....	110	56	51				110	56	51
1926.....	29	11	38				29	11	38

TABLE G.—Results of pensionado examinations held during the year 1926

Kind of examination	Number examined		Number passed		Per cent passed	
	Male	Female	Male	Female	Male	Female
1. Actuarial science.....	1		1		100	
2. Agricultural economics and financing of industries.....	5		1		20	
3. Architecture.....	1		1		100	
4. Chemical engineering.....	6		2		33	
5. Court organization and administration and private corporation.....	2		2		100	
6. Forest management and forest regulation.....	2		2		100	
7. Geodetic surveying and map production.....	4					
8. Income tax procedure.....	3		2		67	
9. Leprosy treatment.....	1		1		100	
10. Local administration and election.....	1		1		100	
11. Local administration with reference to backward peoples.....	2		2		100	
12. Military dentistry.....	1		1		100	
13. Nerve physiology.....	1		1		100	
14. Obstetrics.....	1	1	1	1	100	100
15. Philippine linguistics.....	1		1		100	
16. Public health and sanitation.....	3		3		100	
17. Rural engineering.....	2		2		100	
18. Surgery as applied to children.....	3		3		100	
19. Taxation.....	1					
20. Work for the deaf.....	1		1		100	
21. X-ray.....		1		1		100
22. Zoölogy.....	4		3		75	
Total.....	46	2	31	2	67	100

GRAPH SHOWING THE NUMBER OF PERSONS EXAMINED ANNUALLY

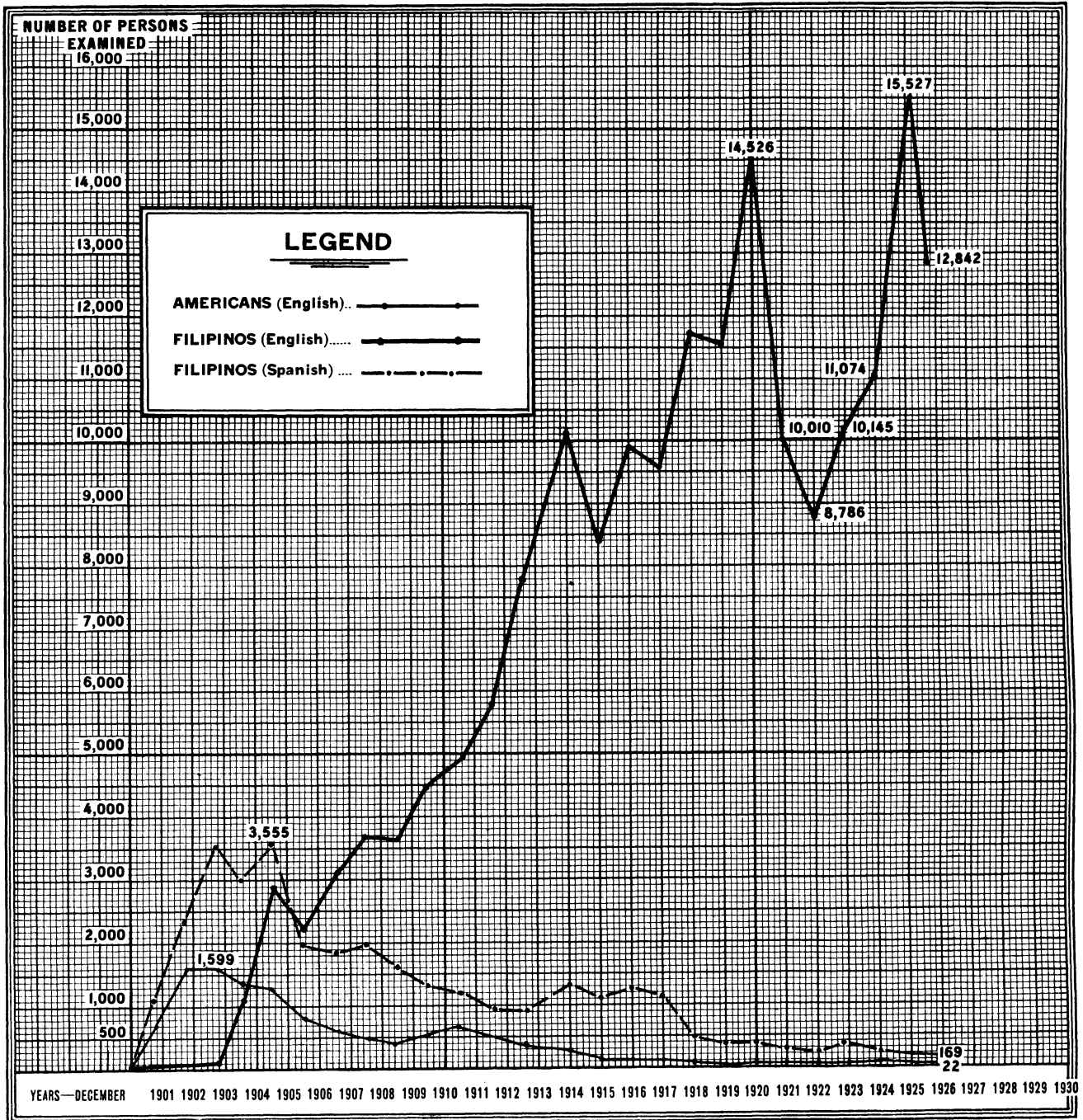






TABLE 1.—Appointments in the Philippine civil service from January 1 to December 31, 1926

Bureau or Office	In the United States			Original, in the Philippine Islands		Total
	Original	Transfer	Reinstate-ment	Filipinos		
				Amer-icans	English regis-ters	
Agent, assistant internal revenue				1		1
Agent, junior commercial				1		1
Agricultural assistant				8		8
Agricultural assistant, junior				4		4
Apprentice				1		1
Artesian well inspector				3		3
Assistant animal husbandman				4		4
Assistant librarian, senior				1		1
Assistant plant pathologist				1		1
Assistant superintendent of penal colony				1		1
Auditor, public service commission				1		1
Bacteriologist, junior				2		2
Bookkeeper				1		1
Bookkeeper, junior				21		21
Botanist	1					1
Carriage painter				1		1
Chemist				1		1
Chemist, organic				1		1
Clerk:						
First grade				20		20
Second grade				236	2	238
Third grade				183		183
Clerk of court				2		2
Computer				1		1
Computer, junior				16		16
Dentist				1		1
Deputy governor				2		2
Division superintendent of schools		1				1
Draftsman:						
Architectural, junior				1		1
Coast and geodetic survey				2		2
Topographical, assistant				1		1
Topographical, junior				22		22
Engineer:						
Civil				1		1
Civil, assistant				29		29
Junior				1		1
Electrical, assistant				1		1
Mechanical and electrical				3		3
Fireman, second class				7		7
Foreman:						
Constructing				9		9
Maintenance				9		9
Forester				1		1
Guard:						
Third class prison				10		10
Fourth class prison				19		19
Hydrographer:						
Assistant				1		1
Junior				4		4
Ichthyologist, assistant				1		1
Inspector:						
Fiber, assistant				2		2
Highway				1		1
Plant				1		1
Sanitary, assistant				129	1	130
Sanitary, assistant (promotional)				4		4
Sewer and shop, assistant				1		1
Water works				1		1
Law clerk				1		1
Legislative researcher				1		1
Lightkeeper				8		8
Machinist				3		3
Medical officer				2		2
Messenger				94		94
Nurse				15		15
Nurse-graduate				66		66
Nurse-instructor				1		1

TABLE 1.—Appointments in the Philippine civil service from January 1 to December 31, 1926—Continued

Bureau or Office	In the United States			Original, in the Philippine Islands		Total	
	Original	Transfer	Reinstatement	Americans	Filipinos		
					English registers		Spanish registers
Observer, second class.....					1	1	
Operator, radio.....					1	1	
Operator, telephone.....					8	8	
Patrolman:							
First class.....				7		7	
Third class.....					33	33	
Pharmacist.....					7	7	
Ranger-graduate.....					22	22	
Scientific assistant in chemistry.....					1	1	
Second mate.....					1	1	
Stenographer.....					2	3	
Stenographer, junior.....					22	29	
Supervising well driller.....					2	2	
Supervisor of children.....					1	1	
Surgeon.....					2	3	
Surgeon.....					3	3	
Surveyman.....					19	19	
Surveyor, junior.....					14	65	
Teacher.....	45		4	2	14	65	
Teacher:							
Agriculture.....					4	4	
Agriculture, junior.....					6	6	
Domestic science, junior.....					1	1	
Junior.....					173	173	
Junior (promotional).....					38	38	
Junior (college of education graduate).....					54	54	
Junior (normal school graduate).....					247	247	
Woodworking, junior.....					18	18	
Woodworking, junior (trade school graduate).....					7	7	
Translator.....					1	1	
Translator, junior.....					1	1	
Treasurer, municipal.....					3	3	
Treasurer, municipal:							
Second grade.....					11	11	
Third grade.....					16	17	
Typist.....					1	1	
Typist, junior.....					38	38	
Veterinarian.....					3	3	
Total.....	46		5	10	1,726	13	

<sup>a</sup> Five of these teachers are Filipinos.

TABLE 2.—Appointments made in the Federal civil service in the Philippine Islands during the year ended December 31, 1926, upon certification of the Bureau of Civil Service.

	Americans	Filipinos
Original:		
Clerk—		
First grade.....		1
General clerical.....	9	1
Policeman (shipkeeper).....	1	
Total original.....	10	2
By promotion, reinstatement and transfer.....	6	
Grand total.....	16	2

TABLE 3.—Americans and Filipinos in the Philippine civil service on July 1, 1926, and the salaries paid <sup>a</sup>

Bureau or office	Number of—		Salaries of—	
	Americans	Filipinos	Americans	Filipinos
Legislative:				
Philippine Senate.....		184		P462,910
House of Representatives.....		245		904,400
Executive:				
Office of the Governor-General.....	11	36	P101,450	53,928
Bureau of Audits.....	1	214	12,000	366,320
Bureau of Civil Service.....		67		85,240
Office of the Secretary of the Interior.....		8		33,580
Bureau of Non-Christian Tribes.....		28		54,040
Philippine General Hospital.....		174		153,200
Boards of Medical, Pharmaceutical, Dental, Optical and Nurse Examiners.....		8		12,420
Executive Bureau.....	1	104	8,000	144,452
Philippine Constabulary.....	20	463	93,578	1,112,097
Office of the Public Welfare Commission.....		102		150,040
Metropolitan Water District.....	4	53	33,000	94,108
Office of the Secretary of Public Instruction.....	1	16	6,000	37,860
Bureau of Education.....	281	1,786	1,067,850	2,575,540
Pension and Investment Board.....		10		10,160
Philippine Health Service.....	11	432	44,600	583,450
Office of the Secretary of Finance.....		4		19,240
Bureau of Customs.....	1	516	5,000	591,136
Bureau of Internal Revenue.....	2	307	8,700	417,468
Bureau of the Treasury.....		66		126,700
Bureau of Printing.....	1	258	2,600	308,420
Office of the Secretary of Justice.....		4		21,400
Bureau of Justice.....		64		139,340
Public Service Commission.....		28		66,340
General Land Registration Office.....		282		268,948
Philippine Library and Museum.....		85		107,708
Bureau of Prisons.....	3	139	7,500	159,060
Office of the Secretary of Agriculture and Nat- ural Resources.....		12		34,920
Bureau of Agriculture.....	4	256	18,600	370,960
Bureau of Forestry.....	3	307	23,000	340,900
Bureau of Lands.....	6	705	24,000	718,400
Bureau of Science.....	9	86	68,200	188,880
Weather Bureau.....	4	208	1,140	125,180
Office of the Secretary of Commerce and Com- munications.....		3		19,600
Bureau of Public Works.....	21	1,207	140,100	1,493,008
Bureau of Posts.....	2	1,964	6,600	1,287,624
Bureau of Supply.....		105		152,607
Bureau of Commerce and Industry.....		243		329,304
Bureau of Labor.....		58		73,012
Bureau of Coast and Geodetic Survey.....	4	36	12,100	45,800
Board of Accountancy.....		1		240
Judicial:				
Supreme Court.....	6	54	78,200	148,772
Courts of First Instance.....	3	385	23,200	870,948
Justices of the Peace.....	2	794	1,440	760,680
Provincial Service.....	7	3,909	30,200	3,848,428
Municipal Service of Manila:				
Municipal Board.....		23		56,070
Office of the Mayor.....		22		43,700
Department of Finance.....		93		116,408
Department of Assessment.....		26		42,200
Office of the City Fiscal.....		32		87,408
Office of the Sheriff.....		19		20,960
Municipal Court.....		21		35,480
Fire Department.....	9	174	30,660	207,220
Police Department.....	45	668	129,220	802,720
Department of City Schools.....		998		1,080,488
Department of Engineering and Public Works.....	5	97	22,300	146,832
Municipal Service of Baguio.....	3	57	5,080	49,960
Total <sup>b</sup> .....	470	18,246	2,004,318	22,558,214

<sup>a</sup> The following employees are not included: temporary and emergency employees; enlisted men of the Philippine Constabulary; and persons compensated by fees only.

<sup>b</sup> Deduct 8 Americans and 490 Filipinos for persons counted more than once by reason of holding more than one position.

TABLE 4.—Comparison of number of regular and permanent employees and salaries in different branches of Philippine civil service on the dates indicated.

## LEGISLATIVE

Date	Number of—			Salaries paid—			Average salaries		
	Amer- icans	Filipi- nos	Total	Amer- icans	Filipinos	Total	Amer- icans	Filipinos	Total
				Pesos	Pesos	Pesos	Pesos	Pesos	Pesos
January 1, 1913...	4	86	90	41,000	163,816	204,816	10,250.00	1,904.84	2,275.73
January 1, 1914...	92	97	189	46,000	186,524	232,524	9,200.00	2,027.42	2,397.15
July 1, 1914.....	96	101	197	42,000	185,828	227,828	8,400.00	1,935.71	2,255.72
July 1, 1915.....	99	105	204	46,000	203,684	249,684	7,666.67	2,057.41	2,377.94
July 1, 1916.....	88	94	182	41,500	163,584	205,084	6,916.67	1,858.91	2,181.72
July 1, 1917.....	129	129	258	179,444	179,444	358,888	1,391.04	1,391.04	1,391.04
July 1, 1918.....	254	254	508	572,228	572,228	1,144,456	2,252.87	2,252.87	2,252.87
July 1, 1919.....	271	271	542	598,900	598,900	1,197,800	2,209.96	2,209.96	2,209.96
July 1, 1920.....	295	295	590	639,748	639,748	1,279,496	2,168.63	2,168.63	2,168.63
July 1, 1921.....	302	302	604	667,180	667,180	1,334,360	2,209.20	2,209.20	2,209.20
July 1, 1922.....	329	329	658	701,306	701,306	1,402,612	2,131.63	2,131.63	2,131.63
July 1, 1923.....	357	357	714	794,676	794,676	1,589,352	2,225.98	2,225.98	2,225.98
July 1, 1924.....	351	351	702	755,375	755,375	1,510,750	2,152.06	2,152.06	2,152.06
July 1, 1925.....	386	386	772	804,410	804,410	1,608,820	2,083.90	2,083.90	2,083.90
July 1, 1926.....	429	429	858	1,367,310	1,367,310	2,734,620	3,187.20	3,187.20	3,187.20

## EXECUTIVE

January 1, 1913...	2,229	3,478	5,707	7,801,602	3,015,294	10,816,896	3,500.05	866.96	1,895.37
January 1, 1914...	2,024	3,789	5,813	7,253,622	3,578,541	10,832,163	3,585.81	944.46	1,863.44
July 1, 1914.....	1,767	4,004	5,771	6,362,819	3,701,005	10,063,824	3,600.92	924.33	1,743.36
July 1, 1915.....	1,686	4,308	5,994	5,875,964	4,217,635	10,093,599	3,704.90	979.02	1,712.52
July 1, 1916.....	1,417	4,789	6,206	5,232,230	4,681,473	9,913,703	3,699.53	977.55	1,597.44
July 1, 1917.....	1,073	5,399	6,472	3,977,767	5,462,814	9,440,581	3,707.15	1,011.82	1,458.68
July 1, 1918.....	765	6,080	6,845	2,997,247	6,568,594	9,565,841	3,897.59	1,080.36	1,397.49
July 1, 1919.....	627	7,005	7,632	2,475,104	7,861,214	10,336,318	3,947.53	1,122.23	1,354.34
July 1, 1920.....	494	7,397	7,891	2,028,344	8,748,545	10,776,889	4,105.95	1,113.89	1,290.95
July 1, 1921.....	534	7,736	8,270	2,245,879	9,561,177	11,807,056	4,205.76	1,235.93	1,427.69
July 1, 1922.....	518	8,056	8,574	2,217,761	9,976,687	12,194,448	4,281.39	1,238.42	1,422.26
July 1, 1923.....	476	8,336	8,812	2,025,170	10,483,532	12,508,702	4,254.55	1,257.62	1,419.50
July 1, 1924.....	439	8,870	9,309	1,848,062	11,450,271	13,298,333	4,209.70	1,290.80	1,428.54
July 1, 1925.....	425	9,316	9,741	1,803,307	12,097,850	13,901,157	4,243.07	1,298.62	1,427.07
July 1, 1926.....	386	9,958	10,344	1,684,018	12,872,630	14,556,648	4,362.74	1,292.69	1,407.25

## JUDICIAL

January 1, 1913...	48	944	992	341,100	963,683	1,304,783	7,106.25	1,020.85	1,315.30
January 1, 1914...	43	950	993	313,400	956,223	1,269,623	7,288.37	1,006.55	1,278.57
July 1, 1914.....	50	977	1,027	326,700	1,036,530	1,363,230	6,534.00	1,060.93	1,327.39
July 1, 1915.....	49	1,033	1,082	321,300	1,058,982	1,380,282	6,557.14	1,025.15	1,276.68
July 1, 1916.....	45	1,044	1,089	288,900	1,092,426	1,381,326	6,420.00	1,046.39	1,268.44
July 1, 1917.....	261	1,118	1,144	164,700	1,122,014	1,286,714	6,334.62	1,003.59	1,124.75
July 1, 1918.....	191	1,140	1,159	162,600	1,190,490	1,353,090	8,557.89	1,044.29	1,167.46
July 1, 1919.....	171	1,136	1,153	144,400	1,204,022	1,348,422	8,494.12	1,059.88	1,160.82
July 1, 1920.....	131	1,158	1,171	114,600	1,262,754	1,377,354	8,815.38	1,090.37	1,176.22
July 1, 1921.....	91	1,158	1,167	75,400	1,249,722	1,325,122	8,377.77	1,079.20	1,135.49
July 1, 1922.....	121	1,169	1,181	108,600	1,322,022	1,430,622	9,050.00	1,130.90	1,211.36
July 1, 1923.....	121	1,047	1,059	108,600	1,278,127	1,386,727	9,050.00	1,220.75	1,309.46
July 1, 1924.....	111	1,130	1,141	102,840	1,637,314	1,740,154	9,349.90	1,448.90	1,525.11
July 1, 1925.....	111	1,186	1,197	102,840	1,726,110	1,828,950	9,349.90	1,455.40	1,527.94
July 1, 1926.....	111	1,233	1,244	102,840	1,780,400	1,883,240	9,349.90	1,443.95	1,513.85

TABLE 4.—Comparison of number of regular and permanent employees and salaries in different branches of Philippine civil service on the dates indicated—Continued.

## PROVINCIAL

Date	Number of—			Salaries paid			Average salaries		
	Americans	Filipinos	Total	Americans	Filipinos	Total	Americans	Filipinos	Total
				<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>	<i>Pesos</i>
January 1, 1913	74	1,222	1,296	320,288	1,097,123	1,417,411	4,328.22	897.81	1,093.88
January 1, 1914	81	1,301	1,382	355,588	1,160,954	1,516,542	4,389.98	892.36	1,097.35
July 1, 1914...	75	1,488	1,563	340,100	1,350,180	1,590,280	4,534.67	907.38	1,081.43
July 1, 1915...	66	1,667	1,733	293,736	1,553,577	1,847,313	4,450.55	931.96	1,065.95
July 1, 1916...	57	2,000	2,057	259,036	1,722,005	1,981,041	4,544.49	861.00	963.07
July 1, 1917...	47	2,274	2,321	212,480	1,951,461	2,163,941	4,520.85	858.16	932.33
July 1, 1918...	45	2,309	2,354	199,200	2,027,277	2,226,477	4,426.67	877.99	945.83
July 1, 1919...	13	2,366	2,379	80,000	2,080,872	2,160,872	6,153.85	879.49	908.31
July 1, 1920...	5	2,473	2,478	36,600	2,304,937	2,341,537	7,320.00	1,143.34	1,158.60
July 1, 1921...	8	2,634	2,642	39,500	2,587,201	2,626,701	4,937.50	982.23	994.20
July 1, 1922...	6	2,663	2,669	36,700	2,595,829	2,632,529	6,116.67	974.78	986.34
July 1, 1923...	9	2,778	2,787	41,140	2,674,444	2,715,584	4,571.11	962.72	974.37
July 1, 1924...	7	2,951	2,958	37,900	2,926,559	2,964,459	5,414.28	991.64	1,002.18
July 1, 1925...	5	3,348	3,353	39,000	3,356,923	3,395,923	7,800.00	1,002.66	1,012.80
July 1, 1926...	4	3,907	3,911	30,200	3,848,428	3,878,628	7,550.00	985.00	991.72

## MUNICIPAL (MANILA AND BAGUIO)

January 1, 1913	268	633	901	740,652	591,456	1,332,108	2,763.63	934.37	1,478.48
January 1, 1914	277	659	936	754,792	633,098	1,387,890	2,724.88	960.69	1,482.79
July 1, 1914...	251	718	969	686,422	683,736	1,370,158	2,734.75	952.28	1,413.99
July 1, 1915...	228	774	1,002	619,580	753,862	1,373,442	2,717.46	973.98	1,370.70
July 1, 1916...	205	804	1,009	555,162	768,996	1,324,158	2,708.11	956.46	1,312.85
July 1, 1917...	164	939	1,103	448,669	845,722	1,294,391	2,735.79	900.66	1,173.62
July 1, 1918...	119	1,083	1,202	350,915	1,015,782	1,366,697	2,948.87	937.93	1,137.02
July 1, 1919...	103	1,269	1,372	305,859	1,292,096	1,597,955	2,969.50	1,018.13	1,267.10
July 1, 1920...	70	1,238	1,308	192,772	1,341,018	1,533,790	2,753.88	1,083.21	1,172.61
July 1, 1921...	63	1,410	1,473	184,772	1,684,666	1,869,438	2,932.88	1,194.79	1,269.13
July 1, 1922...	68	1,509	1,577	193,872	1,790,506	1,984,378	2,851.06	1,186.55	1,258.32
July 1, 1923...	65	1,649	1,714	191,820	2,036,696	2,228,516	2,951.07	1,235.10	1,300.18
July 1, 1924...	69	1,910	1,979	203,200	2,247,718	2,450,918	2,944.90	1,176.81	1,238.48
July 1, 1925...	65	2,103	2,168	194,840	2,495,630	2,690,470	2,982.01	1,186.69	1,240.99
July 1, 1926...	61	2,229	2,290	187,260	2,689,446	2,876,706	3,069.83	1,206.57	1,256.20

## TOTALS

January 1, 1913	2,623	6,363	8,986	9,244,642	5,831,372	15,076,014	3,524.45	916.45	1,677.72
January 1, 1914	2,430	6,791	9,221	8,677,402	6,328,816	15,006,217	3,570.95	931.94	1,627.40
July 1, 1914...	2,148	7,283	9,431	7,758,041	6,957,279	14,715,320	3,611.75	955.28	1,560.31
July 1, 1915...	1,935	7,881	9,816	7,156,580	7,787,740	14,944,320	3,698.49	988.17	1,522.44
July 1, 1916...	1,730	8,725	10,455	6,376,828	8,428,484	14,805,312	3,686.03	966.02	1,416.10
July 1, 1917...	1,310	9,859	11,169	4,808,616	9,561,455	14,365,071	3,666.88	969.82	1,286.16
July 1, 1918...	948	10,866	11,814	3,709,962	11,374,371	15,084,333	3,913.46	1,046.79	1,276.82
July 1, 1919...	760	12,047	12,807	3,005,363	13,037,104	16,042,467	3,954.43	1,082.19	1,252.63
July 1, 1920...	582	12,561	13,143	2,372,316	14,297,002	16,669,318	4,076.48	1,138.20	1,268.30
July 1, 1921...	614	13,240	13,854	2,545,551	15,749,946	18,295,497	4,145.84	1,189.57	1,320.59
July 1, 1922...	604	13,726	14,330	2,556,933	16,386,350	18,943,283	4,233.33	1,193.82	1,321.93
July 1, 1923...	562	14,167	14,729	2,366,730	17,267,475	19,634,205	4,211.26	1,188.85	1,338.03
July 1, 1924...	526	15,212	15,738	2,192,002	19,017,237	21,209,239	4,167.30	1,250.15	1,347.65
July 1, 1925...	506	16,339	16,845	2,139,987	20,480,923	22,620,910	4,229.22	1,253.50	1,342.89
July 1, 1926...	462	17,756	18,218	2,004,318	22,558,214	24,562,532	4,388.35	1,270.46	1,348.26

Proper deductions have been made in these figures for persons counted more than once by reason of holding more than one position.

TABLE 5.—Table showing the number and salaries of regularly and permanently appointed Americans and Filipinos in the service at the middle of the fiscal years indicated.

Year	Officers and employees			Salaries paid			Average salaries		
	Americans	Filipinos	Total	Americans	Filipinos	Total	Americans	Filipinos	Total
				Pesos	Pesos	Pesos	Pesos	Pesos	Pesos
1903	2,777	2,697	5,474	7,236,700	2,189,376	9,492,076	2,605.94	812.76	1,721.97
1904	3,228	3,377	6,605	8,663,720	2,932,834	11,586,554	2,693.92	868.48	1,755.72
1905	3,307	4,023	7,330	8,942,424	3,309,738	12,252,162	2,704.08	822.70	1,671.51
1907 <sup>a</sup>	2,616	3,902	6,518	7,869,242	3,234,494	11,103,736	3,008.12	848.93	1,703.55
1908	2,479	4,080	7,559	7,749,236	3,686,855	11,436,091	3,125.95	903.64	1,743.57
1909	2,659	4,397	7,056	8,576,962	4,018,988	12,595,950	3,225.63	914.03	1,785.14
1910	2,633	4,639	7,272	8,755,486	4,296,896	13,052,382	3,325.29	926.25	1,794.88
1911	2,633	4,981	7,614	8,954,834	4,668,825	13,623,659	3,401.00	937.33	1,789.29
1912	2,680	6,033	8,713	9,247,124	5,468,175	14,715,299	3,450.42	906.37	1,688.89
1913	2,623	6,363	8,986	9,244,642	5,831,372	15,076,014	3,524.45	916.45	1,677.72
1914 <sup>b</sup>	2,430	6,791	9,221	8,677,402	6,328,815	15,006,217	3,570.95	931.94	1,627.40
1914 <sup>c</sup>	2,148	7,283	9,431	7,758,041	6,957,279	14,715,320	3,611.75	955.28	1,560.31
1915	1,935	7,881	9,816	7,156,580	7,787,740	14,944,320	3,698.49	988.17	1,522.44
1916	1,730	8,725	10,455	6,376,828	8,428,484	14,805,312	3,686.03	966.03	1,416.10
1917	1,310	9,859	11,169	4,803,616	9,551,455	14,365,071	3,666.88	969.82	1,286.16
1918	948	10,866	11,814	3,709,962	11,374,371	15,084,333	3,913.46	1,046.79	1,276.82
1919	760	12,047	12,807	3,005,363	13,037,104	16,042,467	3,954.43	1,082.19	1,252.63
1920	582	12,561	13,143	2,372,316	14,297,002	16,669,318	4,076.48	1,138.20	1,268.30
1921	614	13,240	13,854	2,545,551	15,749,461	18,295,497	4,145.84	1,189.57	1,320.59
1922	604	13,726	14,330	2,556,933	16,386,350	18,943,283	4,233.33	1,193.82	1,321.93
1923	562	14,167	14,729	2,366,730	17,267,475	19,634,205	4,211.26	1,218.85	1,333.03
1924	526	15,212	15,738	2,192,002	19,017,237	21,209,239	4,166.04	1,250.14	1,347.60
1925	506	16,339	16,845	2,139,987	20,480,923	22,620,910	4,229.22	1,253.56	1,340.51
1926	462	17,756	18,218	2,004,318	22,558,214	24,562,532	4,333.35	1,270.35	1,358.25

<sup>a</sup> No data for 1906.<sup>b</sup> January.<sup>c</sup> July.

Proper deductions have been made in these figures for persons counted more than once by reason of holding more than one position.

TABLE 6.—Comparison of number and salaries of Americans and Filipinos temporarily employed on July 1 of the years given in the clerical and unclassified and nonclerical positions in the Philippine civil service.

## INSULAR SERVICE AND JUDICIARY

Year	Classified clerical positions				Unclassified and nonclerical positions				Total	
	Americans		Filipinos		Americans		Filipinos			
	No.	Salaries	No.	Salaries	No.	Salaries	No.	Salaries	No.	Salaries
1914	28	73,000	277	202,977	291	701,230	2,491	1,594,866	3,087	2,572,074
1915	17	45,880	217	177,548	236	584,600	2,249	1,521,428	2,764	2,329,459
1916	8	21,480	101	96,395	220	467,185	2,280	1,455,619	2,609	2,040,676
1917	9	24,000	122	90,940	176	436,230	2,274	1,533,136	2,581	2,084,306
1918	10	25,860	141	94,311	169	405,510	2,550	1,882,013	2,870	2,407,694
1919	4	10,960	154	121,833	149	359,500	3,200	2,587,103	3,507	3,079,396
1920	3	7,400	245	154,180	132	364,890	3,891	3,524,215	4,271	4,050,685
1921	2	5,600	256	171,138	107	313,980	5,085	4,651,512	5,450	5,142,230
1922	1	2,400	162	146,888	124	375,950	4,881	4,422,316	5,168	4,947,554
1923			142	126,384	113	348,150	4,291	4,002,870	4,546	4,477,404
1924			144	112,040	107	308,050	4,449	4,118,377	4,700	4,538,467
1925	2	4,400	168	135,924	103	309,540	3,990	3,868,531	4,263	4,318,395
1926	4	12,400	147	139,400	92	261,060	3,906	3,717,777	4,149	4,130,637

TABLE 6.—Comparison of number and salaries of Americans and Filipinos temporarily employed on July 1 of the years given in the clerical and unclassified and nonclerical positions in the Philippine civil service—Continued.

Year	Classified clerical positions				Unclassified and nonclerical positions				Total	
	Americans		Filipinos		Americans		Filipinos		No.	Salaries
	No.	Salaries	No.	Salaries	No.	Salaries	No.	Salaries		
PROVINCIAL SERVICE										
			Pesos				Pesos			
1914.	4	11,680	320	174,644	43	95,757	638	263,606	1,005	545,687
1915.	1	2,490	333	182,032	32	66,060	992	417,286	1,358	667,868
1916.	2	1,320	239	128,602	15	34,900	1,023	468,322	1,279	632,544
1917.			217	114,962	15	28,380	1,073	479,221	1,305	622,563
1918.			185	87,248	10	23,950	678	363,434	873	474,632
1919.			240	115,815			775	429,749	1,015	545,565
1920.			180	95,401	3	8,820	864	441,420	1,047	545,649
1921.			263	144,293	5	13,500	1,299	707,238	1,557	865,031
1922.			235	126,990	5	9,900	1,324	687,229	1,564	824,119
1923.			216	121,010	4	7,200	1,323	712,069	1,543	840,279
1924.			193	112,210	1	600	1,557	842,720	1,751	955,530
1925.			211	115,451	1	600	1,693	1,011,040	1,905	1,127,091
1926.			217	117,360	7	8,460	1,781	1,112,100	2,005	1,237,920
MUNICIPAL SERVICE, MANILA										
1914.	1	1,200	14	14,257	25	52,460	326	193,972	366	261,889
1915.			9	9,240	27	62,830	320	191,871	356	263,941
1916.			5	3,960	24	55,930	451	274,146	480	334,036
1917.			16	7,779	22	56,510	495	297,252	533	361,541
1918.			20	12,030	26	60,390	558	362,164	604	434,584
1919.	1	3,200	15	10,260	20	48,340	744	564,647	780	626,447
1920.			9	8,040	16	32,200	715	570,892	776	611,132
1921.			10	8,321	24	57,600	982	812,111	1,016	878,032
1922.			6	6,000	16	31,710	892	741,330	914	779,040
1923.			3	2,880	18	35,070	980	834,062	1,001	872,012
1924.			2	1,800	12	24,720	711	626,981	725	653,501
1925.			3	2,760	17	37,840	622	557,345	642	597,945
1926.			3	2,880	18	37,320	475	406,494	496	446,694
MUNICIPAL SERVICE, BAGUIO										
1914.			1	900	5	15,600	8	6,840	14	23,340
1915.			1	900	4	12,560	11	7,620	16	21,080
1916.					3	8,900	7	3,600	10	12,500
1917.			1	480	3	8,960	7	4,860	11	14,300
1918.			1	480			22	12,780	23	13,260
1919.			1	360			24	15,300	25	15,660
1920.			1	480			12	10,680	13	11,160
1921.			1	480			15	13,610	16	14,090
1922.			2	960			17	15,230	19	16,190
1923.			1	480			14	13,730	15	14,210
1924.			3	1,380	1	4,200	17	16,780	21	22,360
1925.			3	1,380	1	4,200	22	21,130	26	26,710
1926.			2	960	1	4,200	19	18,340	22	23,500
TOTALS										
1914.	33	85,888	612	392,778	364	865,047	3,463	2,059,284	4,472	3,402,990
1915.	18	48,370	560	369,720	299	726,050	3,617	2,138,205	4,494	3,282,345
1916.	10	22,800	345	228,957	262	566,315	3,761	2,201,687	4,378	3,019,759
1917.	9	24,000	356	214,161	216	530,080	3,849	2,314,469	4,450	3,082,710
1918.	10	25,860	347	194,069	205	489,850	3,808	2,620,391	4,370	3,330,170
1919.	5	14,160	410	248,268	169	407,840	4,743	3,596,799	5,327	4,267,067
1920.	3	7,400	435	258,101	151	405,910	5,518	4,547,215	6,107	5,218,626
1921.	2	5,600	530	324,232	136	385,080	7,381	6,184,471	8,049	6,899,383
1922.	1	2,400	405	280,838	145	417,560	7,114	5,866,105	7,665	6,566,903
1923.			362	250,754	135	390,420	6,608	5,562,731	7,105	6,203,905
1924.			342	227,430	121	337,570	6,734	5,604,858	7,197	6,169,858
1925.	2	4,400	385	255,515	122	352,180	6,327	5,458,046	6,836	6,070,141
1926.	4	12,400	369	260,600	118	311,040	6,181	5,254,711	6,672	5,838,751

TABLE 7.—Showing the number of Americans and Filipinos temporarily employed in clerical and semi-clerical positions in the Philippine civil service on July 1, 1926

Bureau or office	Number of	
	Americans	Filipinos
<b>Legislative:</b>		
Philippine Senate.....		38
<b>Executive:</b>		
Office of the Governor-General.....	3	16
Bureau of Audits.....		1
Office of the Secretary of the Interior.....		2
Bureau of Non-Christian Tribes.....		6
Philippine General Hospital.....		1
Philippine Constabulary.....		3
Office of the Secretary of Public Instruction.....		1
Bureau of Education.....		3
Philippine Health Service.....		3
Office of the Secretary of Finance.....		3
Bureau of Customs.....		4
Bureau of Internal Revenue.....		1
Office of the Secretary of Justice.....		3
Bureau of Justice.....		7
Public Service Commission.....		1
General Land Registration Office.....		21
Philippine Library and Museum.....		1
Office of the Secretary of Agriculture and Natural Resources.....		2
Bureau of Agriculture.....		2
Bureau of Forestry.....		2
Bureau of Lands.....		5
Office of the Secretary of Commerce and Communications.....		3
Bureau of Public Works.....		10
Bureau of Posts.....		10
Bureau of Commerce and Industry.....	1	
Bureau of Labor.....		4
Supreme Court.....		1
Judiciary.....		31
<b>Provincial Service:</b>		
Agusan.....		4
Albay.....		1
Antique.....		4
Bataan.....		2
Batangas.....		3
Bohol.....		3
Bukidnon.....		1
Bulacan.....		5
Cagayan.....		5
Camarines Norte.....		1
Camarines Sur.....		3
Capiz.....		1
Cavite.....		12
Cebu.....		4
Cotabato.....		8
Davao.....		7
Iloilo.....		21
Isabela.....		4
Laguna.....		5
Lanao.....		3
La Union.....		3
Leyte.....		7
Marinduque.....		3
Mindoro.....		5
Misamis.....		1
Mountain Province.....		13
Nueva Ecija.....		25
Occidental Negros.....		4
Oriental Negros.....		7
Palawan.....		2
Pampanga.....		2
Pangasinan.....		8
Rizal.....		4
Romblon.....		2
Samar.....		7
Sorsogon.....		1
Sulu.....		9
Surigao.....		7
Tarlac.....		1
Tayabas.....		3
Zamboanga.....		6
<b>Municipal Service of Manila:</b>		
Office of the City Fiscal.....		1
Department of City Schools.....		1
Department of Engineering and Public Works.....		1
<b>Municipal Service of Baguio.....</b>		2



EXTRACTS FROM THE ADMINISTRATIVE CODE (ACT  
No. 2711) RELATING TO THE CIVIL SERVICE

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SEC. 23. *Oath of office for Insular and provincial employees.*—Save in the case of a laborer or emergency employee, every person elected or appointed to an office or position of trust or profit in the Insular or provincial service, or service of a chartered city, shall, before entering upon the discharge of his duties, take and subscribe an oath of office, in such form as shall be prescribed by the Director of Civil Service, wherein the affiant shall declare that he recognizes and accepts the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that he will well and faithfully discharge to the best of his ability the duties of the office or position upon which he is about to enter or of any position to which he may thereafter be appointed; and that the obligation imposed by such oath of office is assumed by him voluntarily, without mental reservation or purpose of evasion.

SEC. 24. *Oath of office of municipal officials.*—Every person elected or appointed to a municipal or township office shall, before entering upon the discharge of his duties, take and subscribe an oath of office, in such form as shall be prescribed by the Director of Civil Service, wherein the affiant shall declare that he has the requisite qualifications to hold office in the municipality; that he recognizes and accepts the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that he will well and faithfully discharge to the best of his ability the duties of the office upon which he is about to enter or of any position to which he may thereafter be appointed; and that the obligation imposed by such oath of office is assumed by him voluntarily, without mental reservation or purpose of evasion.

SEC. 25. *Occasions for administration of official oath.*—Notaries public and persons entering upon office by virtue of election shall take the oath upon the occasion of every appointment or induction into office; those entering the service by appointment, except notaries, shall be required to take the oath only upon the occasion of first entering upon the discharge of their duties in the particular branch of the service to which they respectively pertain; but if any such

appointee should at any time be entirely separated from the service, he shall be required to take the oath upon entering the service again.

SEC. 26. *By whom oath of office may be administered.*—The oath of office may be administered by any officer generally qualified to administer oaths; but the oath of office of the members and officers of either House of the Legislature may also be administered by persons designated for such purpose by the respective Houses.

SEC. 27. *Preservation of oaths.*—Oaths administered to officers and employees as aforesaid shall, in the absence of special provision, be filed in the bureau, office, or branch of the service to which they respectively pertain and shall be there preserved.

SEC. 64. *Particular powers and duties of Governor-General.*—In addition to his general supervisory authority, the Governor-General shall have such specific powers and duties as are expressly conferred or imposed on him by law and also, in particular, the powers and duties set forth in this chapter.

Among such special powers and duties shall be:

\* \* \* \* \*

(b) To remove officials from office conformably to law and to declare vacant the offices held by such removed officials. For disloyalty to the United States, the Governor-General may at any time remove a person from any position of trust or authority under the Government of the Philippine Islands.

SEC. 79.<sup>1</sup> *Under Secretaries.*—There shall be in each Department one or more Under Secretaries, as the appropriation acts may provide, who shall perform such duties as may be assigned to them by the Secretary of the Department and such as may be imposed upon them by law.

When a Department Secretary is unable to perform his duties owing to illness, absence, or other cause, or in case of a vacancy in the office, the respective Under Secretary, or the Under Secretary designated, as the case may be, shall temporarily perform the functions of said office.

In case neither the Secretary nor the Under Secretaries of a Department are able to perform their duties, owing to illness, absence, or any other cause, the Governor-General may temporarily designate a Secretary or Under Secretary of another Department to perform such duties temporarily during the absence of the former.

(a) *Initiative of the Department Head.*—Executive orders, regulations, decrees, and proclamations relative to matters under the supervision or jurisdiction of a Department, the promulgation whereof is expressly assigned by law to the Governor-General, shall, as a general rule, be issued upon proposition and recommendation by the respective Department.

<sup>1</sup> As amended by Act No. 2803 approved on February 28, 1919.

(b) *Power to regulate.*—The Department head shall have power to promulgate, whenever he may see fit to do so, all rules, regulations, orders, circulars, memorandums, and other instructions, not contrary to law, necessary to regulate the proper working and harmonious and efficient administration of each and all of the offices and dependencies of his Department, and for the strict enforcement and proper execution of the laws relative to matter under the jurisdiction of said Department; but none of said rules or orders shall prescribe penalties for the violation thereof, except as expressly authorized by law. All rules, regulations, orders, or instructions of a general and permanent character promulgated in conformity with this section shall be numbered by each Department consecutively each year, and shall be duly published.

Chiefs of bureaus or offices may, however, be authorized to promulgate circulars of information or instructions for the government of the officers and employees in the interior administration of the business of each bureau or office, and in such case said circulars shall not be required to be published.

(c) *Power of direction and supervision.*—The Department head shall have direct control, direction, and supervision over all bureaus and offices under his jurisdiction and may, any provision of existing law to the contrary notwithstanding, repeal or modify the decisions of the chiefs of said bureaus or offices when advisable in the public interest.

(d) *Power to appoint and remove.*—The Department head, upon the recommendation of the chief of the bureau or office concerned, shall appoint all subordinate officers and employees whose appointment is not expressly vested by law in the Governor-General, and may remove or punish them except as especially provided otherwise, in accordance with the Civil Service Law. Laborers receiving compensation at the rate of seven hundred twenty pesos or less per annum, and other employees receiving compensation at the rate of two hundred and forty pesos or less per annum, shall be appointed and removed by the chief of the bureau or office, subject only to the general control of the Department head.

The Department head also may, from time to time, in the interest of the service, change the distribution among the several bureaus and offices of his Department of the employees or subordinates authorized by law.

(e) *Leave of Secretaries and Under Secretaries.*—The right of a Department head to leave on account of illness or for any other cause shall not be restricted, provided his absence is not incompatible with the interests of the service, and the vacation and other leave of the Under Secretaries shall be regulated, in the discretion of the Department head, either by the existing provisions governing the leaves of judges of Courts of First Instance, or otherwise.

SEC. 178.<sup>1</sup> *Subordinate employees of General Land Registration Office.*—The chief surveyor and other subordinates of the General Land Registration Office shall be appointed by the Secretary of Justice, upon recommendation of the chief of said office. For administrative purposes, the General Land Registration Office shall be under the direct control of the Secretary of Justice.

SEC. 253. *Pay of United States officer detailed for duty in Philippine service.*—An officer of the United States Army or Navy, when detailed to perform the duties of an office under the Insular Government, shall receive in lieu of the salary authorized for said office the difference between the pay actually received by him from the Army or Navy during said detail and the amount of said salary.

SEC. 254. *Division of annual salary into fractional parts.*—All annual salaries shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payment for part of a month the amount to be paid for each day shall be determined by dividing the monthly pay into as many parts as there are days in the particular month.

SEC. 255. *When salary begins to accrue.*—Unless otherwise specially provided by law, the salary of any person appointed to a position in the Philippine service shall begin on the day he enters upon the discharge of the duties of his position.

SEC. 256. *Date of taking effect of appointments and promotions.*—Where a new position is created or the salary of an existing position is increased, appointment to such new position or promotion to the increased salary shall not be effective, unless expressly so provided, prior to the enactment of the law creating the new position or authorizing the higher salary; and aside from exceptional cases, approved as such by the proper Head of Department, an appointment or promotion shall not be effected as of a date prior to that upon which the appointment or promotion is actually made.

SEC. 257. *Salary of employee transferred to other branch of service.*—When an employee stationed in the Philippine Islands is transferred from one branch of the Government service to another, and a change of station is thereby rendered necessary, the salary incident to his new position shall begin when he leaves his former station, provided he travels to his new destination in ordinary course; otherwise he shall be allowed such salary prior to arrival at his new destination for such time only as is ordinarily consumed in travel between the places in question.

SEC. 258. *Attendance of Government employee in certain proceedings.*—When a Government employee is required to attend court as a witness or is required by lawful authority to render service as a witness or otherwise before a court-

<sup>1</sup> As amended by Act No. 2834 approved on March 8, 1919.

martial or in any extradition case or administrative proceeding of any sort, such service shall be deemed to be service in regular course of employment, and the salary accruing during the period thereof shall not be withheld.

SEC. 259. *Inhibition against payment of extra compensation.*—In the absence of special provision, persons regularly and permanently appointed under the Civil Service Law or whose salary, wages, or emoluments are fixed by law or regulations shall not, for any service rendered or labor done by them on holidays or for other overtime work, receive or be paid any additional compensation; nor, in the absence of special provision, shall any officer or employee in any branch of the Government service receive additional compensation on account of the discharge of duties pertaining to the position of another or for the performance of any public service whatever, whether such service is rendered voluntarily or is exacted of him under authority of law.

SEC. 260. *Payment of salary accruing pending suspension.*—When the chief of a bureau or office suspends a subordinate officer or employee from duty, the person suspended shall not receive pay during suspension unless the Department head shall so order; but upon subsequent reinstatement of the suspended person or upon his exoneration, if death should render reinstatement impossible, any salary so withheld shall be paid, but without prejudice to the application of the disciplinary provisions of section six hundred and ninety-five hereof.

In case of a person suspended by the Governor-General or by the President, no salary shall be paid during suspension unless so provided in the order of suspension; but upon subsequent reinstatement or exoneration of the suspended person, any salary so withheld may be paid in whole or in part, at the discretion of the officer by whom the suspension was effected.

SEC. 261. *Extra compensation for substitutionary service.*—In case of the temporary absence or disability of the chief of any bureau or office, without pay, or in cases of a vacancy in such position, the Department head or person making temporary appointment may, in his discretion, order the payment of additional compensation to the substitute who acts or is designated temporarily to supply the place, which compensation with his existing salary shall not exceed the salary authorized by law for the position filled.

A person who serves as acting chief of a bureau or office during the suspension of the chief may also be paid additional compensation in the same manner, if upon the final disposition of the matter of such suspension, the full salary is not paid to the officer who was suspended.

SEC. 262. *Payment of money due to deceased employee.*—Where money is due to the estate of a deceased officer or employee for salary or compensation incident to leave, the

same may be paid to the person or persons whom the Insular Auditor shall ascertain to be lawfully entitled thereto; but such payment shall be without prejudice to the right of any person claiming said sum, or a part thereof, subsequently to proceed by action in court against the person or persons who may have received the same.

SEC. 263. *Salaries of appointees from United States.*—A person residing in the United States who is appointed to a position in the Philippine civil service shall receive full salary from the date of his arrival in the Islands; and he shall receive half salary from the date of his embarkation (or in case of a judge of a court, from the date of his leaving home to come to Manila) until the date of his arrival, provided he proceeds directly to the Islands by the route indicated for him, otherwise for such time only as is ordinarily required to perform the journey by that route.

Except in the case of judges of courts, the half salary earned en route shall not be paid until after two years of satisfactory service in the Islands, unless prior thereto the appointee dies or is involuntarily separated from the service without fault.

SEC. 264.<sup>1</sup> *Half salary upon retirement.*—A regularly appointed officer or employee, not being a judge of a court, who has come to the Islands upon appointment from the United States, and who has rendered continuous, faithful, and satisfactory service for three years or more after arrival in the Philippine Islands, shall, upon his retirement from the service, be allowed half salary for thirty days in addition to full salary for the period which may be granted him as leave of absence.

If appointed prior to January twelfth, nineteen hundred and four, such person shall also be furnished transportation from Manila to San Francisco or transportation of equal cost to the Government by any other route; but the transportation must be used within six months after retirement from the service.

A teacher who has come to the Islands from the United States or from a foreign country under a regular appointment or who has received such regular appointment in the Philippine Islands, and who has rendered under said appointment continuous, faithful, and satisfactory service in the Bureau of Education or in the Office of the Secretary of Public Instruction in the enforcement of Act Numbered Twenty-seven hundred and six, as amended, for three or more years after reporting for duty in the Islands, shall, upon retirement, in addition to the half salary provided for in the first paragraph of this section, also be entitled to actual travel expenses from Manila to his place of residence in the United States or in a foreign country, at the time

<sup>1</sup> As amended by Act No. 3186 approved on November 27, 1924.

of his appointment as follows: To those who have served three but less than four years under present appointment, actual travel expenses but not to exceed three hundred pesos; to those who have served four but less than five years under present appointment, actual travel expenses but not to exceed six hundred and fifty pesos; to those who have served five or more years under present appointment, actual travel expenses but not to exceed one thousand pesos. The travel expenses as herein provided may be applied on actual return transportation other than the most direct route. The term under present appointment means the appointment under which a teacher is serving at the time the travel expenses herein granted are applied for, and the word teacher includes principal, supervisor, and superintendent. The maximum credit allowed a teacher for service rendered prior to March thirty-first, nineteen hundred and twenty-five shall not exceed two years. No period of service can be credited more than once towards the required accumulation herein prescribed. A teacher may elect toward which of the above travel expenses he desires to accumulate service. Not more than three months of leave without pay can be counted as a part of the said required period of service. The journey for which the travel expenses are claimed shall be made within six months after the date of the retirement. A teacher who retires under the provisions of Act Numbered Twenty-five hundred and eighty-nine, as amended, and Act Numbered Three thousand and fifty, as amended by Act Numbered Thirty-one hundred, and a teacher entitled to the privilege granted by the preceding paragraph, shall not be entitled to the travel expenses herein created.

SEC. 265. *Scale of salaries received by Government employees.*—As regards salaries, employees in the Philippine service shall be arranged in grades according to the following scale; and in this schedule compensation at a stated rate refers not only to compensation paid at such rate for the whole or any part of the year but also to a salary fixed at so much per annum:

*Grade 1.*—Persons receiving compensation at the rate of six thousand pesos or more per annum.

*Grade 2.*—Persons receiving compensation at the rate of five thousand five hundred pesos or more, but less than six thousand pesos per annum.

*Grade 3.*—Persons receiving compensation at the rate of five thousand pesos or more, but less than five thousand five hundred pesos per annum.

*Grade 4.*—Persons receiving compensation at the rate of four thousand five hundred pesos or more, but less than five thousand pesos per annum.

*Grade 5.*—Persons receiving compensation at the rate of four thousand pesos or more, but less than four thousand five hundred pesos per annum.

*Grade 6.*—Persons receiving compensation at the rate of three thousand six hundred pesos or more, but less than four thousand pesos per annum.

*Grade 7.*—Persons receiving compensation at the rate of three thousand two hundred pesos or more, but less than three thousand six hundred pesos per annum.

*Grade 8.*—Persons receiving compensation at the rate of two thousand eight hundred pesos or more, but less than three thousand two hundred pesos per annum.

*Grade 9.*—Persons receiving compensation at the rate of two thousand four hundred pesos or more, but less than two thousand eight hundred pesos per annum.

*Grade 10.*—Persons receiving compensation at the rate of two thousand pesos or more, but less than two thousand four hundred pesos per annum.

*Grade A.*—Persons receiving compensation at the rate of one thousand eight hundred pesos or more, but less than two thousand pesos per annum.

*Grade B.*—Persons receiving compensation at the rate of one thousand six hundred and eighty pesos or more, but less than one thousand eight hundred pesos per annum.

*Grade C.*—Persons receiving compensation at the rate of one thousand four hundred and forty pesos or more, but less than one thousand six hundred and eighty pesos per annum.

*Grade D.*—Persons receiving compensation at the rate of one thousand two hundred pesos or more, but less than one thousand four hundred and forty pesos per annum.

*Grade E.*—Persons receiving compensation at the rate of one thousand and eighty pesos or more, but less than one thousand two hundred pesos per annum.

*Grade F.*—Persons receiving compensation at the rate of nine hundred and sixty pesos or more, but less than one thousand and eighty pesos per annum.

*Grade G.*—Persons receiving compensation at the rate of eight hundred and forty pesos or more, but less than nine hundred and sixty pesos per annum.

*Grade H.*—Persons receiving compensation at the rate of seven hundred and twenty pesos or more, but less than eight hundred and forty pesos per annum.

*Grade I.*—Persons receiving compensation at the rate of six hundred pesos or more, but less than seven hundred and twenty pesos per annum.

*Grade J.*—Persons receiving compensation at the rate of four hundred and eighty pesos or more, but less than six hundred pesos per annum.

*Grade K.*—Persons receiving compensation at the rate of less than four hundred and eighty pesos per annum.

SEC. 266. *Minimum salary payable in absence of specific authority.*—A position designated in an Appropriation Act as belonging to a particular grade, without indication of any



specific salary, shall carry the minimum salary prescribed for persons of that grade.

SEC. 267. *Title of chapter.*—This chapter shall be known as the Leave Law.

SEC. 268. *Leave of absence of judges of Supreme Court.*—During vacation of the Supreme Court, the judges not assigned to vacation duty shall be upon vacation leave; and if no court vacation is declared for any year each of the judges shall become entitled to three months' leave in lieu of court vacation.

Each judge of the Supreme Court shall also be entitled to additional leave for a period equivalent to one-twelfth of the time of his service on the court.

When a person is appointed to the Supreme Court from any branch of the Philippine service to which leave is incident, any period of prior service in respect to which no leave has been enjoyed by him shall, for the purpose of determining his right to additional leave, be deemed to be time of service as a Supreme Court judge; but the additional leave acquired by virtue of such previous service shall in no case exceed two months.

SEC. 269. *Accumulation of leave.*—Additional leave and leave in lieu of court vacation, if not taken in whole or in part as the same accrue, shall be allowed to accumulate; but the total amount of leave to the credit of a judge at any one time shall not exceed one year, any excess being forfeited.

SEC. 270. *Approval of leave.*—The right of the judges of the Supreme Court to leave of absence may be exercised by them subject only to approval in such manner as the court by resolution may direct, provided all such leaves of absence shall be so arranged as never to deprive the court of a quorum during its regular sessions.

SEC. 271. *Leave of absence of judges of first instance.*—During the yearly court vacation the judges and auxiliary judges of first instance not specially assigned to vacation duty shall be upon vacation leave.

In every third year dating from the commencement of his service each judge and auxiliary judge of first instance may be granted extended leave for three months in addition to the court vacation to which he may be entitled during that year, making a total of five months' leave.

When a person is appointed to the position of judge or auxiliary judge of first instance from some other branch of the Philippine service to which leave is incident, any period of prior service in respect to which no leave has been enjoyed by him shall, for the purpose of determining when he may be allowed to go upon extended leave, be deemed to be time of judicial service.

SEC. 272. *How leave may be taken.*—The five months' extended leave of a judge or auxiliary judge of first instance

shall be assigned to him by the Department head, and with his consent, may be taken at any time during the year, without including the court vacation, provided the judge enjoying the same shall have been assigned for duty during the part or whole of the court vacation not included in the leave granted. Extended leave beginning in the latter part of any year may run to conclusion in the succeeding year, and the Department head may, in any case, postpone the extra three months from one year to the next, if this is required by the exigencies of the service.

If any judge should serve for five and one-half years or more without enjoying extended leave, he may be allowed leave for eight months if, in the opinion of the Department head, the exigencies of the service permit, but in such case the period of leave granted must embrace the full period of a regular court vacation.

Any officer appointed to a position carrying accrued leave from a position carrying judges' leave shall be allowed accrued leave for the period of actual service during which extended leave has not been enjoyed by him, subject to the same limitations as are applicable generally to accrued leave.

**SEC. 273. *Commutation of salary.***—When a judge of any court goes abroad upon extended leave taken under this chapter, the salary incident to the period of such leave may be paid before departure; but when a judge who has served more than two and less than three years is granted such leave, no payment for the time in excess of the ordinary court vacation shall be made until he returns to duty and completes three years of service. For the purposes hereof, the service of a judge appointed from the United States shall be deemed to begin thirty days before he arrives in the Islands ready for duty.

**SEC. 274. *Vacation and leave of teachers.***—Persons in the teaching service other than the classes designated in section two hundred seventy-nine hereof as not being entitled to accrued leave, and such as are designated for continuous duty shall be entitled to teachers' vacation; and upon the approval of the Secretary of Public Instruction such persons may, not oftener than once in three years, be granted extended leave on full pay during vacation period, with permission to spend a vacation period abroad.

**SEC. 275. *Persons in teaching service designated for continuous duty in vacation periods.***—For the good of the service the Director of Education, or in the case of employees of the University of the Philippines, the President of the University, may, with the approval of the Secretary of Public Instruction, designate persons in the teaching service for continuous duty. Teachers so designated shall be entitled to accrued leave instead of teachers' vacation leave, and shall render the same hours of service as other employees entitled to accrued leave.

SEC. 276.<sup>1</sup> *Persons entitled to accrued leave.*—After at least two years' continuous, faithful, and satisfactory service, the proper head of Department shall, subject to the requirements of the public service, grant each regularly and permanently appointed officer or employee in the Philippine Civil Service, except as hereinafter provided, twenty-four days' accrued leave of absence with full pay, inclusive of Sundays and holidays, for each year of satisfactory service in the Islands, or abroad, if specially detailed.

SEC. 277. *Computation of leave and pay earned under different salaries.*—In case of a change of salary, whether occasioned by transfer from one position to another or to an office newly created, or otherwise, leave and pay shall be so computed as to correspond with the salaries at which and periods during which such leave and pay were earned, and the same amount of pay shall be allowed as if leave had been taken while the officer or employee was receiving the salary at which it accrued.

SEC. 278. *Anticipation of leave to accrue during absence.*—Leave shall accrue during authorized absence on leave with pay, and leave so to accrue may be allowed by anticipation at the time leave is granted.

SEC. 279.<sup>2</sup> *Persons not entitled to accrued leave.*—The following persons shall not be entitled to accrued leave:

(a) Laborers, skilled and unskilled, whose rate of compensation is less than two thousand pesos per annum.

(b) Temporary and emergency employees, except detectives and secret agents.

(c) Persons whose compensations are authorized at other than a yearly rate, except officers detailed from the military, naval, or civil service of the United States.

(d) Persons enlisted for a term of years.

(e) Watchmen.

(f) Linemen.

(g) Persons who receive compensation for official duties not requiring all their time; and persons whose salary is wholly or partly paid by municipalities, except deputy provincial and municipal treasurers or deputy provincial and township treasurers.

(h) Persons guilty of conduct requiring separation from the service.

(i) Persons brought to the Islands on special contract.

(j) Any person or class of persons whose right to leave is governed by special provisions, in which case such special provisions shall obtain.

SEC. 280.<sup>3</sup> *Accumulation of accrued leave.*—If accrued leave is not taken, in whole or in part, as earned, the same

<sup>1</sup> As amended by Acts Nos. 2911 and 3087 approved on March 23, 1920, and March 16, 1923, respectively.

<sup>2</sup> As amended by Act No. 3087 approved March 16, 1923.

<sup>3</sup> As amended by Act No. 2990 approved on February 26, 1921.

shall accumulate for five years, after which the person entitled to leave may obtain accrued leave for five years' service; but if the requirements of the bureau or office do not permit of this, such person shall be entitled to collect annually the value of the additional leave not so accumulated.

SEC. 281. *Accrued leave for Legislative employees.*—Accrued leave shall not be enjoyed by Legislative employees who serve during legislative sessions only, but such privileges may be granted in the discretion of the President or Speaker to all permanent employees of the Senate or House, respectively, after not less than one year of continuous and satisfactory service.

SEC. 282. *Payment of equivalent of leave of deceased person.*—The salary equivalent of leave earned by a deceased person shall be paid to the person or persons entitled to receive his estate.

SEC. 283. *Time of application for persons resigning.*—In case of resignation no application for leave shall be considered if not presented within six months after separation from the service.

SEC. 284.<sup>1</sup> *Vacation leave in addition to accrued leave.*—After at least six months' continuous, faithful, and satisfactory service, the Governor-General or proper head of Department may, in his discretion, grant to each officer or employee entitled to accrued leave, in addition to such accrued leave, eighteen days' vacation leave of absence with full pay, inclusive of Sundays and holidays, for each calendar year of service.

SEC. 285.<sup>1</sup> *Vacation leave for craftsmen and classified apprentices of the Bureau of Printing.*—A craftsman or classified apprentice of the Bureau of Printing may be granted thirteen days' vacation leave, at the salary received by him upon taking such leave, after at least one year of continuous, faithful, and satisfactory service as craftsman or classified apprentice, in accordance with the civil service rules and such other rules as the Department of Finance may prescribe, and the head of said Department may suspend the vacation leave granted, or part thereof, if in his judgment the needs of the public service require it.

SEC. 286. *When vacation leave to be taken.*—Vacation leave must be taken within the calendar year in which it is earned. The vacation leave allowable for one year of service, and no more, may be allowed in connection with accrued leave granted. In cases of resignation, vacation leave shall not be allowed in addition to accrued leave.

SEC. 287.<sup>2</sup> *Leave to go abroad—Half pay and travel allowance.*—When an employee entitled to accrued leave has served in the Islands for three years or more and has accumulated to his credit the accrued leave allowed for two

<sup>1</sup> As amended by Act No. 3087 approved March 16, 1923.

<sup>2</sup> As amended by Act No. 3186 approved on November 27, 1924.

full years he may, in the discretion of the proper Department head, but not oftener than once in each period of three years, be granted permission to go abroad, with the half-pay and travel-expense allowances hereinbelow specified:

(a) If he is given permission to visit the United States, he shall be allowed, with half pay, in addition to the leave granted, sixty days for the time occupied by him in going to and returning from the United States if he is serving in Manila, and if serving in the provinces sixty days plus the actual and necessary time consumed from date of departure from station to date of departure from Manila, and on returning, from date of arrival at Manila to date of arrival at station, such half salary to be paid on return to duty; if he is granted permission to visit any other country he shall be allowed under the same conditions and in lieu of the sixty days' half pay above provided, actual and necessary travel time with half pay not exceeding sixty days.

(b) On the completion of two years of continuous, faithful, and satisfactory service, after returning to the Islands from such leave of absence to visit the United States, he shall be allowed his travel expense from his place of residence in the United States to Manila if he come by the route and steamer directed, and if returning from any other country or from the United States, not residing therein, he shall be allowed his travel expense to Manila from the port of embarkation in the United States or such other country not exceeding four hundred pesos.

Subject to the same qualifications, these privileges shall also be accorded to persons going abroad on teacher's leave under section two hundred and seventy-four hereof, and in addition, there shall be accorded to them and to principals, supervisors, and superintendents going on accrued leave, the travel expenses created in section two hundred and sixty-four hereof, subject to the same conditions prescribed therein.

SEC. 288.<sup>1</sup> *Commutation of salary for persons on leave.*—In favor of persons on accrued leave or teacher's leave, the proper Department head may, in his discretion, direct a commutation of the salary that would be received during the period of leave and in lieu of the payment of such salary in usual course authorize the payment, from the fund out of which the salary would have been paid, of an equivalent sum in gross on or before the beginning of such leave or vacation.

SEC. 289. *Commutation of salary in case of separation from service.*—The salary incident to leave may be in like manner commuted upon the death or separation from the service of any person entitled thereto.

SEC. 290. *Return to duty pending leave.*—No officer or employee whose salary has been commuted shall be per-

<sup>1</sup> As amended by Act No. 2990 approved on February 26, 1921.

mitted to return to duty before the expiration of the period covered by his leave, unless he first refunds to the Government the value of the unused portion of his leave; but the requirement as to the making of such refund may be waived, in the discretion of the Department head, in the case of an officer or employee separated from the service through lack of work or the abolishment of his position.

In case of voluntary service without pay rendered during leave granted, the time cannot be saved for future leave.

SEC. 291. *Absence of teachers from duty on account of illness.*—Absence from duty of teachers, due to illness, shall be charged against their vacations, and with the consent of the Secretary of Public Instruction they may remain on duty during vacations for a period equal to that so lost, in which case no deduction of pay shall be made on account of absence caused by illness.

SEC. 292. *Absence of other employees from duty.*—Absence on account of illness of other regularly and permanently appointed officers and employees in the Philippine Civil Service who are entitled to accrued leave shall be charged first against their vacation leave and then against accrued leave, until both are exhausted, when their further absence shall be without pay.

SEC. 293. *Withholding of salary incident to leave.*—Payment of salary to an officer or employee for any absence during his first six months of service properly chargeable to vacation leave, or during his first two years of service properly chargeable to accrued leave, shall be withheld until such leave may properly be taken under the provisions of this chapter; though in case of absence due to illness the Governor-General or proper head of Department may direct that payment for such absence be not withheld if not in excess of the vacation and accrued leave to his credit.

SEC. 294. *Application for leave—Action of office chief.*—Applications for accrued or vacation leave shall first be acted upon by the chief of the bureau or office to which the applicant pertains. It shall then be transmitted by such chief to the Director of Civil Service.

SEC. 295. *Final determination by Department head.*—The respective heads of Departments may authorize the Director of Civil Service to act finally upon the application in all cases in which he approves the recommendation of the chief of the bureau or office in regard to such leave. Otherwise the matter shall in all cases be determined finally by the Department head.

SEC. 296. *Title of chapter.*—This chapter shall be known as the Travel Expense Law.

SEC. 297. *Definition of "travel expense."*—"Travel expense" shall be held to include not only the actual and necessary expenses of transportation of one's person and essential baggage but also the actual and necessary expenses of subsistence and lodging while en route or absent from per-

manent station, together with such other items necessarily incidental thereto as shall, by regulation, be allowed by the Auditor with the approval of the Governor-General.

SEC. 298. *Travel expense of Insular employees.*—When traveling or when absent from their permanent stations on official business, officers and employees of the Insular Government shall be allowed their travel expenses, to be charged to the bureau or office for which the service is rendered.

SEC. 299.<sup>1</sup> *How to be paid.*—Travel expenses shall be allowed either in the form of payment of the travel expenses actually and necessarily incurred, or in the discretion of the chief of bureau or head of office, by the payment of per diems, or fractional per diems, in lieu of expenses other than transportation.

Per diems shall not be allowed to members of field parties or others for whom subsistence in kind is supplied or other special provisions made to cover travel expense.

When travel is done by water and subsistence is not included in the transportation the amount actually and necessarily expended for subsistence shall be paid, and no per diem shall be allowed in lieu thereof.

SEC. 300. *Schedule of per diems for Insular officers and employees.*—Per diems, when allowed, shall be in accordance with the following schedules:

(a) Officers and employees receiving a salary of less than one thousand two hundred pesos per annum, a per diem of one peso.

(b) Those receiving one thousand two hundred pesos or more per annum, but not exceeding one thousand eight hundred pesos per annum, a per diem of two pesos.

(c) Those receiving more than one thousand eight hundred pesos per annum, but not exceeding two thousand four hundred pesos per annum, a per diem of three pesos.

(d) Those receiving more than two thousand four hundred pesos per annum, but not exceeding six thousand pesos per annum, a per diem of four pesos.

(e) Those receiving more than six thousand pesos per annum, a per diem of five pesos.

Persons whose compensations are stated at rates other than per annum may be given the allowances authorized for employees at a corresponding per annum compensation.

SEC. 301. *Control of head of office over allowance of per diems.*—Chiefs of bureaus and heads of offices shall make such examination in passing upon per diems as may be necessary to satisfy their minds that the per diems allowed will not more than reimburse employees for necessary travel expenses and will not constitute an increase of salary.

SEC. 302. *Per diems of detailed Army and Navy officers.*—Officers of the United States Army or Navy detailed for duty with the Insular Government shall receive, when trav-

<sup>1</sup> As amended by Act No. 2857, approved on March 12, 1919, with retroactive effect since January 1, 1919.

eling on official business of this Government, the per diems corresponding to the salary of the position which the officers are filling under detailed, and subject to the same conditions as other officers; and, if no salary is fixed by law for such positions, the officers shall be considered as included in the class for which a per diem of five pesos is authorized.

SEC. 304. *Travel expense of provincial employees.*—Officers and employees of provincial governments when traveling, or when absent from their permanent stations on official business, shall be allowed travel expenses as follows, to be paid from the funds of their respective provinces:

(a) When traveling by water transportation, the actual travel expenses incurred.

(b) While in the city of Manila, a per diem of six pesos, which shall include transportation while in said city.

(c) When otherwise traveling or absent from station, the cost of transportation of person and essential baggage, together with a per diem to be fixed by the provincial board for expenses other than transportation, which per diem shall not exceed two pesos unless the Department head shall approve a greater allowance.

Officers and employees who are technically in the Insular service but whose salary or compensation is paid by the province in which their service is performed shall be on the same footing in regard to the allowance of travel expense as other provincial employees.

SEC. 305. *Travel expense of employee transferred to other branch of service.*—When a Government employee is transferred from one branch of the service in the Islands to another, he shall be entitled to receive from the branch of the service to which he is transferred reimbursement of the travel expense incurred in reaching his new permanent station or place where he is assigned to duty.

SEC. 306. *Travel expense of appointee going to station.*—When a resident of the Philippine Islands, not already in the Government service, is appointed to a position which necessitates a change of residence, he shall receive from the branch of the service to which he is appointed reimbursement of the travel expense incurred in going to his permanent station or place where he is assigned to duty.

SEC. 307. *Travel expenses of judges.*—A judge, who at the time of his appointment resides in the United States, shall, upon entering the service, be allowed the travel expense of himself and family from his place of residence to Manila; and if one has been employed as judge in the Philippine Islands for three years, he shall, if he so requests, upon his retirement from the service, be furnished with transportation for himself and family from Manila to his place of residence.

SEC. 308. *Refund to employee of travel expense paid by him.*—Except in the case of a judge, the travel expense of an appointee to the Philippine civil service, paid by him-



self, from his place of residence in the United States to Manila shall, if the journey be consummated by the route and steamer directed, be refunded to him at the expiration of two years' continuous, faithful, and satisfactory service, after his arrival in the Philippines, such refund to be made from the funds of the bureau, office, or province with which he is at that time connected.

SEC. 309. *Deduction from salary for travel expense advanced—Final refund to employee.*—When an employee is coming to Manila, the cost of his transportation, or any part thereof, may be advanced to him by the Government; and when this is done, the amount of such advance shall be made a charge against the bureau, office, or province to which he is assigned on his arrival, or return; and in such event ten per centum of his monthly salary shall be retained and paid into the Insular Treasury to the credit of a travel expense trust fund, until the amount so paid in is equal to the amount paid out by the Government. At the end of the period of two years of satisfactory service the amount so paid by the employee shall be returned to him from such fund.

SEC. 310. *Audit and certification of accounts for travel expenses.*—Accounts of employees for expenses of travel from the United States or foreign countries to Manila shall be filed with the Insular Auditor upon their arrival in Manila, for advance audit and subsequent certification to the proper bureau, office, or province, for payment when due.

SEC. 311. *Applications for transportation on commercial steamship.*—Where a commercial steamship company makes a concession from its regular rates for ocean transportation in favor of persons in the Government service, members of their families, fiancées, or other persons dependent upon them, official requests for such transportation and the necessary certificates showing the right of the applicants to such concession shall, when required, be supplied by or under the authority of the Governor-General.

SEC. 312. *Applications for transportation on Army transports.*—Applications for ocean transportation upon United States Army transports in behalf of persons in the Philippine service entitled to such transportation, together with any certificate, or certificates, required in connection therewith, shall also be transmitted by or under the authority of the Governor-General to the department quartermaster of the United States Army or other official having control of such transportation.

SEC. 418. *Disqualification of inspector.*—Any person appointed as inspector who accepts appointment and qualifies for the office may not be appointed to any other office unless one year shall have elapsed from the last election in which he acted as inspector and he shall have resigned the office prior to his appointment.

SEC. 449.<sup>1</sup> *Persons prohibited from influencing elections.*—No judge of first instance, justice of the peace, or treasurer, fiscal, or assessor of any province and no officer or employee of the Philippine Constabulary, or of any province or municipality, or of the Bureau of Education, or employee of the classified civil service, shall aid any candidate or exert influence in any manner in any election or take part therein otherwise than by exercising the right to vote.

All foreign persons shall be strictly prohibited from aiding any candidate, either directly or indirectly, and from taking part in or influencing any election in any manner.

SEC. 549. *Seal of bureau.*—The respective bureaus shall keep appropriate seals, with which shall be sealed all commissions, records, transcripts, and other documents requiring authentication.

SEC. 550. *Powers and duties of chiefs of bureaus.*—The director or other chief official in each bureau or office shall exercise the functions of chief executive and administrative officer thereof. It shall be his duty, under the immediate executive control, direction, and supervision of the proper Department head, to exercise general authority in all matters embraced within the jurisdiction of the bureau or relating to the operation thereof and to see to the enforcement of all laws and regulations pertaining to it.

For administrative purposes, a bureau chief may, consistently with law, distribute the work of his bureau among such permanent divisions and sections as may be deemed advisable; and he shall define the duties of his subordinates in so far as may be desirable for the efficiency of the service.

SEC. 551. *Authority to prescribe forms and make regulations.*—Every chief of bureau shall prescribe forms and make regulations or general orders, not inconsistent with law, to secure the harmonious and efficient administration of his branch of the service and to carry into full effect the laws relating to matters within the jurisdiction of his bureau; but penalties shall not be prescribed in any such regulations or orders for violation thereof except as expressly allowed by law.

Regulations and orders shall become effective only when approved by the Department head and published in the Official Gazette or otherwise publicly promulgated. Formal approval or publication shall not be necessary as regards circulars of information or instructions for the guidance of officers and employees in the internal administration of the affairs of the bureau.

All general orders issued by a bureau chief shall be serially numbered. Such orders shall be called administrative orders and they shall be so entitled.

SEC. 552. *Officials and subordinates of bureaus and offices in general.*—The officials and subordinates of each

<sup>1</sup> As amended by Act No. 3030, approved on March 9, 1922.

of the several Departments, bureaus, offices, and branches of the service shall consist of such as are specified in this Code and of such other assistants, clerks, employees, and agents as may, in each case, be essential to the proper accomplishment of the work required to be done and available within the limits of appropriated funds.

SEC. 553. *Authority of bureau chief to employ and discharge subordinates.*—Laborers receiving compensation at a rate of seven hundred and twenty pesos or less per annum and other employees receiving compensation at the rate of two hundred and forty pesos or less per annum shall be employed and discharged by the chief of bureau or office, subject only to the general control of the Department head.

Other subordinates and employees shall be employed and discharged by the chief of bureau or office and, except as otherwise specially provided, in conformity with the provisions of the Civil Service Law.

SEC. 554. *Duties of assistants and other subordinates.*—Assistant chiefs and other subordinates in every bureau, office, and branch of the service shall, respectively, perform therein such duties as may be required of them by law or regulation or as may be specified by the chief or head of the office or other person in lawful authority over them.

The circumstance that the duties of any subordinate officer or employee are specified by law shall not, in the absence of special restriction, be understood to prevent his being assigned to additional duties by proper authority, when not inconsistent with the performance of the duties imposed by law.

SEC. 555. *Acting chief of bureau.*—During the absence or disability of the chief of a bureau, the Department head may designate as acting chief the Under Secretary of the Department, who shall perform the duties of the office in addition to his duties as such Under Secretary, or any officer or employee of the bureau or other officer or employee in the Department.

SEC. 556. *Designation of acting head of office by Governor-General.*—During the temporary absence or disability of the head of any office or branch of the service, not in or subordinate to a bureau, the Governor-General may, in the absence of special provision, designate any officer or employee to fill his place.

SEC. 557. *Performance of duties of subordinate officers temporarily absent.*—In case of the temporary absence or disability of any subordinate officer or employee in any bureau or office, the chief of such bureau or office may, in the absence of special provision, designate any other subordinate officer or employee in his bureau or office temporarily to perform the duties of the person thus absent or disabled, or he may temporarily perform such duties himself.

SEC. 558. *Filling of vacancies.*—Vacancies caused by the death, resignation, or removal of any officer or subordinate

may be temporarily supplied in the same manner as in case of absence or disability. Such vacancies shall not be filled by permanent appointment until the expiration of any leave allowable to the predecessor, unless the Governor-General or proper head of Department is of the opinion that the exigencies of the service require that the appointment be made forthwith.

SEC. 559. *Filling of vacancy by appointment of person or persons in lower grade.*—With the prior approval of the Governor-General or proper head of Department, a vacancy in a position of any grade may be filled by the appointment of one person or more of a lower grade; but in such case the aggregate of salaries paid shall not be greater than the salary authorized by law for that position.

SEC. 560. *Bonds required of private persons—Duties of bureau chief in respect thereto.*—The chief of each bureau shall, consistently with law, prescribe the form and fix the amount of all bonds executed by private parties to the Government under the laws pertaining to his bureau and shall pass on the sufficiency of the security and retain possession of the bond.

When it appears that any such bond is risky or insufficient, such chief may require better security, and after notice to the party concerned, and upon his failure within a reasonable time to give better security, or additional security, may abrogate the privileges secured by the giving of the bond, but such action shall be without prejudice to the liability of any person or property already obligated.

SEC. 561. *Contract for transportation equipment belonging to employee—Loan for purchase of equipment.*—Subject to restriction and regulation by executive order the chiefs of bureaus may, in the absence of other adequate transportation equipment, enter into contracts with employees for the use by the latter, respectively, on official business, of transportation equipment owned by them, at a rental to be paid from the transportation-expense funds of the bureau in question; but no allowance hereunder shall be in excess of twenty pesos per month in the case of a horse, or thirty pesos per month in the case of motor vehicles or vessels. When the nature of the official duties of any such employee justifies the permanent assignment to him of transportation equipment for his official use, he may, in the absence of other suitable means of transportation and with the prior approval of the proper head of Department, be loaned from the same funds an amount sufficient to purchase the necessary means of transportation, not to exceed four hundred pesos for an American horse or motor vehicle and two hundred pesos for a native horse, such loan to be repaid to the Government in monthly installments of not less than ten per centum of the amount loaned.

SEC. 562. *Legal hours of labor—Minimum requirement.*—The chiefs of bureaus and offices in every branch of the

Government service shall require of all employees, of whatever grade or class, not less than the legal number of hours of labor.

Such hours, except for schools and courts, shall be as prescribed in the Civil Service Rules and as otherwise from time to time disposed in temporary executive orders, in the discretion of the Governor-General; but save on Saturday and during the heated season they shall not be less than six and one-half hours per day, not including time for lunch.

SEC. 563. *Government employees not required to work on holidays.*—Upon holidays the schools, courts, and the various Departments, bureaus, and offices pertaining to the administration of the Insular, provincial, and municipal governments shall be closed; and on such days attendance or labor shall not be required of employees, except as otherwise provided.

SEC. 564. *On Saturdays and during heated season.*—On Saturdays throughout the year and on all days during the heated season, from April first to June fifteenth, inclusive, the period of labor may be reduced to five continuous hours; but an executive order so disposing shall not oblige the head of any Department, bureau, or office so to reduce the hours of labor in his branch of work, but shall leave the same in his discretion subject to the requirements of the service.

SEC. 565. *Temporary suspension of labor for special reasons.*—The Governor-General may, for special reasons only, direct that any Department, bureau, or office be closed during any particular day, or for part of a day, as occasion requires.

SEC. 566. *Extension of hours and requirement of overtime work.*—When the interests of the public service so require, the head of any Department, bureau, or office may extend the daily hours of labor, in what manner soever fixed, for any or all of the employees under him, and may likewise require any or all of them to do overtime work not only on work days but also on holidays.

SEC. 579. *Inhibition against purchase of property at tax sale.*—Officials and employees of the Government of the Philippine Islands are prohibited from purchasing, directly or indirectly, from the Government, any property sold by the Government for the nonpayment of any public tax. Any such purchase by a public official or employee shall be void.

SEC. 580. *Powers incidental to taking of testimony.*—When authority to take testimony or evidence is conferred upon an administrative officer or upon any nonjudicial person, committee, or other body, such authority shall be understood to comprehend the right to administer oaths and summon witnesses and shall include authority to require the production of documents under a subpoena *duces tecum* or otherwise, subject in all respects to the same restrictions

and qualifications as applied in judicial proceedings of a similar character.

Any one who, without lawful excuse, fails to appear upon summons issued under the authority of the preceding paragraph or who, appearing before any individual or body exercising the power therein defined, refuses to make oath, give testimony, or produce documents for inspection, when thereunto lawfully required, shall be subject to discipline as in case of contempt of court and upon application of the individual or body exercising the power in question shall be dealt with by the judge of first instance having jurisdiction of the case in the manner provided by law.

SEC. 598.<sup>1</sup> *Clerks to and operating expenses of office of district auditors.*—The appointment and fixing of the number of clerks or assistants which the district auditor shall have for each province, city, or office of this district, shall be determined by the Insular Auditor. Such clerks shall be under the direction of the district auditor, and their number as well as their salaries shall be fixed by the Insular Auditor, with the approval of the provincial board or body concerned. The operating expenses of the district auditor's office and the salaries and travel expenses of the clerks thereof shall be paid by the province, city, or office concerned, and such province, city, or office shall make the necessary appropriation for said purpose. In case of disagreement between the Insular Auditor and the authorities of the province, city, or office concerned, as to the sufficiency of the number of clerks and the salaries of the same, as well as of the travel expenses and other operating expenses of the district auditor's office, the matter shall be submitted to the Governor-General, whose decision in the premises shall be final.

SEC. 659. *Title of chapter.*—This chapter shall be known as the Civil Service Law.

SEC. 660. *Chief officials of Bureau of Civil Service.*—The Bureau of Civil Service shall have one chief and one assistant chief, to be known, respectively, as the Director of Civil Service and the Assistant Director of Civil Service.

SEC. 661. *Duties of Director of Civil Service.*—It shall be among the powers and duties of the Director of Civil Service—

(a) To keep a record of all officers and employees in the permanent service of the different branches of the Philippine Government.

(b) To keep a record of the absences of all officers and employees entitled to leave of absence.

(c) To supervise the preparation and rating and have control of all civil-service examinations in the Philippine Islands.

<sup>1</sup> As amended by Act No. 3066, approved on March 16, 1923.

(d) To fix proper limits of age for applicants desiring to enter the service.

(e) To make investigations and special reports upon all matters relating to the enforcement of the Civil Service Law and civil-service rules.

(f) To prepare and certify to the Governor-General such rules as may be adapted to the more effectual carrying out of the provisions and purposes of the Civil Service Law and to the securing of an efficient administration of the Government within the scope of the Civil Service Law, such rules to be effective when approved by the Governor-General and promulgated in an executive order.

SEC. 662. *Matters to be prescribed in civil-service rules.*—The civil-service rules shall, among other things, prescribe the conditions which shall govern certifications from eligible registers, appointments to the service, separations therefrom, suspensions, deductions from pay, reductions, reinstatements, and transfers, and shall define the procedure to be followed in such matters. They shall also contain regulations concerning the hours of labor, the allowance of leaves of absence (including the withholding of salary for leave granted), and the allowance of travel expenses and half salary of persons entitled thereto—all in conformity with the provisions of this Code. The rules shall also prohibit or regulate the political activity of persons in the civil service.

SEC. 663. *Fundamental requirements as to civil-service rules.*—Any civil-service rules promulgated by the Governor-General upon the recommendation of the Director shall be consistent with the following fundamental requirements:

(a) So far as feasible open competitive entrance examinations shall always be required and given, though appointments to positions requiring technical, professional, or scientific knowledge may, in the discretion of the Director, be made upon either competitive or noncompetitive examinations.

(b) Promotion examinations, competitive or noncompetitive, shall be prescribed when practicable.

(c) A thorough physical examination by a competent physician shall be required of every applicant for examination in the United States, and in the discretion of the Director of Civil Service, the same may be required of applicants for examination in the Philippine Islands. Persons found to be physically disqualified for efficient service shall be rejected.

(d) A period of trial service shall be required before appointment or employment is made permanent.

SEC. 664. *Authority of officers and examiners to administer oaths and take testimony.*—Officers and examiners of the Bureau of Civil Service may administer such oaths as may be necessary in the transaction of official business, and the Director or other person conducting any investigation

authorized by him may administer oaths and take testimony in connection therewith.

SEC. 665. *Duty of officers to aid enforcement of law.*—All officers in the Philippine civil service shall aid in all proper ways in carrying the Civil Service Law and the civil-service rules into due effect.

SEC. 666. *Publication of Official Roster.*—From the records kept by the Director of Civil Service shall be published an official roster at intervals determined by the Governor-General.

SEC. 667. *Annual report of Director of Civil Service.*—The annual report of the Director of Civil Service to the Governor-General shall contain an account of the work performed by the Bureau, a statement of the rules certified to the Governor-General and promulgated by him and the practical effect thereof, to which shall be added suggestions and recommendations for the effectual maintenance of an efficient and honest civil service in all the administrative branches of the Government.

SEC. 668. *Persons embraced in Philippine civil service.*—The Philippine civil service includes every person employed by the Insular Government or any provincial government or by the government of the City of Manila or Baguio, or partly by one and partly by the other of these agencies, and serving for compensation either at a yearly, monthly or daily rate or otherwise; and consistently with other laws concerning appointments, tenure of office, and the conditions of employment in particular cases, such persons shall be appointed and employed in conformity with this law only and shall to the extent herein defined be entitled to its protection and privileges.

SEC. 669.<sup>1</sup> *Civil-service status of municipal treasurers.*—Municipal treasurers, though partly paid from municipal funds, shall nevertheless be deemed included in the definition given in the last preceding section, and as such shall be subject to the examination requirements and disciplinary provisions of this chapter and enjoy the same protection and privileges as the persons mentioned in said section.

SEC. 670. *Persons embraced in classified service.*—Persons in the Philippine civil service pertain either to the classified or unclassified service. The classified service embraces all not expressly declared to be in the unclassified service.

SEC. 671. *Persons embraced in unclassified service.*—The following officers and employees constitute the unclassified service:

- (a) Appointees of the President of the United States.
- (b) Appointees of the Secretary of War.
- (c) Elected officers.
- (d) Persons, other than provincial treasurers and district health officers, appointed by the Governor-General,

<sup>1</sup> As amended by Act No. 2741, effective February 18, 1918.



with the advice and consent of the Upper House of the Philippine Legislature, under the authority of provisions relating to particular offices.

(e) Officers and employees of the Houses of the Philippine Legislature.

(f) The Reporter of the Supreme Court, the Clerk of the Supreme Court, and private secretaries to the individual Justices of the Supreme Court.

(g) Members of the various faculties and other teaching force of the University of the Philippines.

(h) The Private Secretary to the Governor-General, the private secretaries and assistant private secretaries to the several heads of Departments.

(i) Persons in the military, naval, or civil service of the United States who may be detailed for the performance of civil duties.

(j) Members of the commissioned and enlisted service in the Philippine Constabulary.

(k) Detectives, secret agents, sheriffs, and deputy sheriffs.

(l) Postmasters at Army posts whose compensation does not exceed one thousand two hundred pesos per annum each; and operators and linemen in the Bureau of Posts.

(m) Postmasters and customs inspectors whose rates of compensation do not exceed six hundred pesos and three hundred and sixty pesos per annum, respectively, and who may lawfully perform the duties of postmaster or customs inspector in connection with other official duties or in connection with their private business, such duties of postmaster or inspector requiring only a portion of their time, and postmasters who are required to perform the duties of telegraph operators.

(n) Hospital internes.

(o) Laborers whose rate of compensation is seven hundred and twenty pesos or less per annum.

(p) All other employees whose rate of compensation is two hundred and forty pesos or less per annum.

SEC. 672. *Examination as prerequisite to appointment.*—In the absence of special provision, no person shall be appointed to or employed in any position in the classified service until he passes the examination provided therefor.

SEC. 673. *Positions in unclassified service not subject to examination requirements.*—The examination requirements of the Civil Service Law for entrance into the civil service or for promotion therein shall not apply to positions in the unclassified service, except as otherwise specially provided.

Postmasters mentioned in subsection (m) of section six hundred and seventy-one hereof may be subjected to examination in the discretion of the Director of Posts.

Persons appointed to the position of chief or assistant chief of a bureau or office or to the position of superintendent may be required to undergo a civil-service examination if the officer making the appointment shall so direct.

SEC. 674. *Examining committees and special examiners.*—The Director of Civil Service may, with the approval of the proper head of Department, appoint examining committees or special examiners from officers and employees in the service. Such persons shall be examiners of the Bureau of Civil Service, and shall perform such duties as the Director may require in connection with examinations, investigations, appointments, and promotions, and in the performance of such duties they shall be under his exclusive control. The duties so performed by them shall be deemed part of the duties of the office to which they pertain, and time shall be allowed for the performance of such duties during office hours.

SEC. 675. *Citizenship as qualification for admission to examination.*—No applicant shall be admitted to examination who is not a citizen of the Philippine Islands or of the United States or an honorably discharged soldier, sailor, or marine of the United States; but the requirement of citizenship may be waived by the Governor-General.

SEC. 676. *Director's authority to elicit information as to qualifications.*—The Director of Civil Service shall have power to elicit, under oath, from all applicants for examination and from persons in the service full information as to their citizenship, nativity, age, education, physical qualifications, and such other information as may reasonably be required affecting their fitness for the service.

SEC. 677. *Oath of applicant for examination.*—Before admission to a civil-service examination in the Philippine Islands, every applicant shall take and subscribe an oath, in such form as shall be prescribed in the civil-service rules, wherein the affiant shall declare that he recognizes and accepts the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that the obligation imposed by such oaths is assumed voluntarily, without mental reservation or purpose of evasion; and that the answers to the questions contained in his application for examination are true to the best of his knowledge and belief.

SEC. 678. *Use of public buildings for civil-service examinations.*—When examinations are held, either in Manila or in the provinces, the officers having custody of public buildings shall allow the reasonable use thereof for such purpose and shall provide for furnishing and lighting the same.

SEC. 679. *Appointment of chief, assistant chief, and superintendent.*—Appointments to the position of chief or assistant chief of a bureau or office and to the position of superintendent shall be made by the promotion of persons already in the civil service, if there be such who are com-

petent and available and who in the judgment of the appointing power possess the qualifications required.

SEC. 680. *Appointment to position in civil service.*—Other appointments to positions in the civil service shall be made by the chief of a bureau with the approval of the proper Department head.

SEC. 681. *Preference in selection from lists of eligibles.*—In making selections from lists of certified eligibles furnished by the Director, appointing officers shall, when other qualifications are equal, prefer:

First. Citizens of the Philippine Islands.

Secondly. Honorably discharged soldiers, sailors, and marines of the United States.

SEC. 682. *Temporary and emergency employees.*—When work of a temporary or emergency nature is to be performed the chief of the bureau or office concerned may employ any suitable person. Eligibles shall be preferred if available; and the prior approval of the Director of Civil Service shall always be obtained if practicable, and if such cannot be procured, the officer making the appointment shall in all cases without delay report such action to the Director and request his approval of the employment. The employment of a noneligible shall cease when the Director certifies an available eligible who will accept temporary or trial appointment.

SEC. 683. *Appointments and removals by Governor-General regardless of civil-service qualifications.*—For the good of the public service the Governor-General, with the consent of the Philippine Senate, may make appointments to and removals from positions in the classified service without regard to the requirements of this law.

SEC. 684. *Limitation on employment of persons in classified service.*—No person appointed to a position in the classified service shall, without the approval of the Director of Civil Service, be assigned to or employed in a position of a grade or character not contemplated by the examination from the results of which appointment was made, unless otherwise provided by law.

SEC. 685. *Limitation on employment of persons in unclassified service.*—A person appointed to a position in the unclassified service shall not be employed in any position in the classified service nor shall he be allowed to do clerical duties other than such as may pertain to the office to which he was appointed.

SEC. 686. *Office records of attendance.*—Each chief of a bureau or office shall cause to be kept on a proper form a daily record showing for each day any absence of any employee from duty, due to any cause, and the duration thereof. At the beginning of each month he shall make full report to the Director of Civil Service of the absences shown by such records for the preceding month. Persons serving

in the field or on the water need not be required to keep a daily record but all absences of such employees must be included in the monthly report of changes and absences. Falsification of time records shall render the offender liable to summary removal from the service and subject him to prosecution as provided by law.

SEC. 687. *Contributions to political fund prohibited.*—No person in the Philippine civil service shall be under obligation to contribute to a political fund or to render any political service, nor shall he be removed or otherwise prejudiced for refusing to contribute or render any such service; and no officer or employee in the Philippine civil service shall directly or indirectly solicit, collect, or receive from any other officer or employee, any money or other valuable thing to be applied to the promotion of any political object whatever.

Any person violating any provision hereof shall be removed from office or dismissed from the service and shall be subject also to prosecution as provided by law.

SEC. 688. *Making gifts to official superiors.*—It shall be improper for an officer or employee to make a donation or present any gift of substantial value to an official to whom he is subordinate or to solicit or receive a contribution from other officers or employees in the Government service for the making of such donation or gift. It shall likewise be improper for any official to accept any donation or gift as aforesaid offered or presented to him by any person or persons in the Government service subordinate to himself.

SEC. 689. *Political and religious affiliations to be ignored.*—No inquiry shall be made, and no consideration whatever shall be given to any information relative to the political or religious opinions or affiliations of persons examined, or to be examined, or of officers or employees in the matter of promotion, and no discrimination shall be exercised, threatened, or promised against, or in favor of, any person employed, examined, or to be examined, because of his political or religious opinions or affiliations; and in making removals or reductions, or in imposing other punishment, for delinquency or misconduct, action shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

SEC. 690. *Payment of salary of person in classified service.*—Payment of money on account of salary to any officer or employee in the classified service shall not be made prior to the receipt by the disbursing officer of notification from the chief of the bureau or office that the appointment or employment of such officer or employee has been duly authorized as provided by the Civil Service Law and rules.

SEC. 691. *Payment of person employed contrary to law—Liability of chief of office.*—No person employed in the classified service contrary to law or in violation of the civil-

service rules shall be entitled to receive pay from the Government; but the chief of the bureau or office responsible for such unlawful employment shall be personally liable for the pay that would have accrued had the employment been lawful, and the disbursing officer shall make payment to the employee of such amount from the salary of the officer so liable.

SEC. 692. *Liability of disbursing officer for pay of such person.*—When the Director of Civil Service finds that any person is holding a position in the classified service in violation of law, he shall certify such fact to the Insular Auditor and to the disbursing officer through whom the payment of salary or wages to such person is by law required to be made. If the Insular Auditor finds that a disbursing officer has paid or permitted to be paid salary or wages to any person illegally holding a classified position, the whole amount paid shall be disallowed and the disbursing officer shall not receive credit for the same unless the Insular Auditor shall find that the chief of the bureau or office is responsible, as above provided, for the payment of such person and that such payment is not due to the failure of the disbursing officer to obtain the evidence required in section six hundred and ninety hereof. In case the disbursing officer is not responsible for the illegal payment, he shall be directed to withhold from the salary of the chief of the bureau or office responsible for the illegal employment an amount equal to that disallowed by the Insular Auditor.

SEC. 693. *Opinion of Director of Civil Service on controverted questions related to service.*—A disbursing officer, the head of any Department, bureau, or office, or the Insular Auditor, may apply for, and the Director of Civil Service shall render, a decision upon any question as to whether a position is in the classified or in the unclassified civil service, or whether the appointment of any person to a classified position has been made in accordance with law, which decision, when rendered, shall be final unless reversed by the Governor-General on appeal.

SEC. 694. *Suspension of officer pending investigation.*—The Governor-General may suspend any chief or assistant chief of a bureau or office, and in the absence of special provision, any other officer appointed by him, pending an investigation of his bureau or office. The President exercises the same power in regard to his own appointees. The chief of a bureau or office may likewise suspend any subordinate or employee in his bureau or under his authority pending an investigation, if the charge against such subordinate or employee involves dishonesty, oppression, or grave misconduct or neglect in the performance of duty.

SEC. 695. *Administrative discipline of subordinate officers and employees.*—For neglect of duty or violation of reasonable office regulations or in the interest of the public service,

a chief of bureau or office may remove any subordinate officer or employee from the service, suspend him without pay for not more than two months, reduce his salary or compensation, or deduct therefrom any sum not exceeding one month's pay.

SEC. 696. *Person in classified service or entitled to leave.*—If the person temporarily suspended or from whose pay a deduction is made is in the classified service or being in the unclassified service is entitled to accrued leave, the discipline imposed shall not take effect until the order imposing the same receives the approval of the proper Department head, after having been submitted to the Director of Civil Service for recommendation.

SEC. 697. *Contract to be executed by appointee coming from United States.*—Any person residing in the United States who contemplates accepting an appointment in the Philippine civil service to any other position than that of a judgeship or a place filled by appointment of the President or Secretary of War, shall, before receiving such appointment, execute and deliver to the Chief of the Bureau of Insular Affairs, a contract, wherein he shall agree to remain in the service of the Government of the Philippine Islands for at least two years unless released by the Governor-General or proper head of Department.

Upon breach of such contract by the appointee or upon his removal for cause, he shall be liable for any sum still due to the Government for expenses in bringing him to the Islands, and all salary and travel expense then due or accruing to him shall be withheld as forfeited, and he shall be thereafter debarred from again entering any branch of the Philippine service.

SEC. 698. *Right of person dying or separated from position without fault.*—Where a regularly appointed employee of the permanent service dies or is separated from the service on account of disability, lack of work, or the abolishment of his position, and through no fault of his own, he or his estate shall be allowed such accrued leave as he may have earned for the time served and the travel expense and half pay to which he would have been entitled had he served two full years.

SEC. 699. *Allowances in case of injury, death, or sickness incurred in performance of duty.*—When a person in the Philippine civil service is so injured in the performance of duty as thereby to receive some actual physical hurt or wound, the proper head of Department may direct that absence during any period of disability thereby occasioned shall be on full pay, though not for more than six months, and in such case he may in his discretion also authorize the payment of the medical attendance, necessary transportation, subsistence, and hospital fees of the injured person.

Absence in the case contemplated shall be charged first against vacation leave, if any there be.

If a person in such service is killed or dies of injuries received in line of duty, the Department head may authorize the payment of reasonable burial expenses and of three months' salary or wages to the widow or dependent child or children of such deceased person, which shall be in accord with his efficiency and service to the Government.

In case sickness follows as a direct and immediate consequence of the performance of some act in the line of duty the Department head may in his discretion authorize the payment of the necessary hospital fees.

For employees of the City of Manila the time allowance and disbursements contemplated above shall not be granted except upon recommendation of the mayor of the city, with the prior approval of the Secretary of the Interior; and in the case of employees of a provincial government, upon the recommendation of the provincial board.

SEC. 700. *Priority of Government employee in admission to hospitals.*—A person entitled under the rules of any Government hospital to service in the free wards thereof, shall have a right of priority in admission to such free wards, being a Government employee, or the wife, or minor child of such.

SEC. 850. *Provisions of Civil Service Law not applicable to Constabulary service.*—The examination, appointment, promotion, and removal of members of the commissioned and enlisted service of the Philippine Constabulary, the filling of vacancies therein, and the general discipline of persons in said service shall not be governed by the Civil Service Law.

SEC. 1017. *Vacation leave for employees of sanitary divisions.*—Under such conditions as the provincial authorities and the district health officer may approve, presidents of sanitary divisions and other employees of divisions receiving an annual salary of less than two thousand pesos may be granted leave with pay not to exceed twenty-one days for each calendar year; and those receiving an annual salary of two thousand pesos or more may be granted leave with pay not to exceed twenty-eight days for each calendar year. All such leave shall be taken during the calendar year in which it accrues. During an epidemic no leave shall be granted without the approval of the Director of Health.

SEC. 1031. *Duty of medical officers of other bureaus to render medical service.*—Where a physician of the Philippine Health Service or other health officer is not available to perform medical service for a Government employee or other person entitled thereto, such service shall be rendered by any accessible medical officer of the Philippine Constabulary or other bureau.

SEC. 1032. *Medical attendance for Government employee sick at point remote from hospital.*—When an officer or employee of the Insular Government or of a provincial government is ill at a point remote from a hospital under the control of the Insular or of a provincial government, and it appears that medical attendance is necessary to preserve his life, the Director of Health at the direction of the Governor-General, shall order a medical officer or nurse to attend such ill person and, if necessary, conduct him to the nearest hospital for treatment.

SEC. 1033. *Payment of expenses.*—The actual and necessary travel expenses of such physician or nurse shall be a proper charge against the bureau or office with which the patient is connected, and, if the patient is an employee of a provincial government, such travel expenses may be made a proper charge against the provincial treasury.

In such case the travel expenses and subsistence of such ill employee to or from a hospital shall be a personal charge to be borne by himself.

SEC. 1674. *Deputy provincial fiscal.*—Where the provincial board shall authorize the appointment of a deputy provincial fiscal in the office of the provincial fiscal, the person appointed thereto shall be a lawyer who has been duly admitted to practice in the courts but he shall not be subject to the examination requirements of the Civil Service Law.

SEC. 1731. *Provincial governor as keeper of jail.*—The governor of the province shall be charged with the keeping of the provincial jail, and it shall be his duty to administer the same in accordance with law and the regulations prescribed for the government of provincial prisons. The immediate custody and supervision of the jail may be committed to the care of a jailer to be appointed by the provincial governor. The position of jailer shall be regarded as within the unclassified civil service but may be filled in the manner in which classified positions are filled, and if so filled, the appointee shall be entitled to all the benefits and privileges of classified employees, except that he shall hold office only during the term of office of the appointing governor and until a successor in the office of jailer is appointed and qualified, unless sooner separated.

SEC. 1898. *Employment of persons in Government service as Weather Bureau observers.*—At subordinate stations where other suitable persons are not procurable the Director of the Weather Bureau may appoint any suitable Government employee to act as observer for and during such time as the head of the Department to which the employee in question pertains shall approve.

Persons so appointed may receive salaries as Weather Bureau observers in addition to their other compensation as Government employees.



SEC. 1899. *Right of employees to engage in additional employment.*—Upon authorization by the head of the Department any third-class observer, rain observer, or assistant to a first-class observer, may engage in private business or accept employment from another branch of the Insular or Federal Government and receive compensation therefor; but additional Government employment shall be entered upon only after arrangement therefor shall have been mutually agreed upon between the head of the Department and the head of the other bureau or office concerned.

SEC. 2059. *Duties and functions of Bureau of Labor.*—The Bureau of Labor shall have the power, and it shall be its duty—

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(e) To organize in such towns in the Philippine Islands as it may deem necessary or advisable one or more free employment agencies. A fee in an amount to be fixed by the Director of Labor, with the approval of the Department head, may be collected by said Director from employers for services performed by an employment agency in securing servants and employees. An employment agent shall not be subject to the provisions of the Civil Service Law, unless his appointment shall so state.

SEC. 2077. *Compensation for person appointed to temporary service.*—When a person not in the Government service is appointed to fill temporarily the position of a provincial officer, the appointee shall receive during the period of his service compensation equal to that fixed by law for the permanent appointee, to be paid from the provincial treasury as other salaries.

In case of the temporary absence or disability of a provincial officer or in case of a vacancy in a provincial office, the Governor-General or officer having the power to fill such position may, in his discretion, order the payment of compensation, or additional compensation, to any Government officer or employee designated or appointed temporarily to fill the place; but the total compensation paid shall not exceed the salary authorized by law for the position filled.

SEC. 2078. *Suspension and removal of provincial officer by Governor-General.*—Should the Governor-General have reason to believe that any provincial officer or any lieutenant governor of a subprovince is guilty of disloyalty, dishonesty, oppression, or misconduct in office, he may suspend him from the discharge of the duties of his office, and, after due notice to the suspended officer, shall investigate the cause of suspension and either remove him from office, or reinstate him, as the circumstances may require.

SEC. 2079. *Payment of salary accruing pending suspension.*—When a provincial officer is suspended he shall receive no salary from and after the date of his suspension, unless so provided in the order of suspension; but upon subsequent

reinstatement of the suspended person or upon his exoneration, if death should render reinstatement impossible, any salary so withheld may be paid in whole or in part upon order of the Department head approved by the Governor-General.

SEC. 2081. *Employment of subordinates.*—Subject to regulation by the Chief of the Executive Bureau, the provincial board shall fix the number of assistants, deputies, clerks, and other employees for the various branches of the provincial government and the rates of salary or wage they shall receive.

After their number and compensation shall have been thus determined, the provincial governor, treasurer, fiscal, or other provincial official, shall appoint the personnel under their respective control, and except as otherwise specially provided, in conformity with the provisions of the Civil Service Law.

SEC. 2093. *Application of Civil Service Law to assessor and deputy assessor.*—The positions of assessor and deputy assessor shall not be primarily subject to the provisions of the Civil Service Law; but if any civil service employee should be transferred to such position or the duties thereof should be imposed upon any such employee, his civil service status and privileges shall not be thereby suspended or impaired.

A Government employee appointed to the position of deputy assessor may be allowed additional compensation for his services in such capacity.

SEC. 2098. *Secretary of the provincial board.*—There shall be a secretary of the provincial board, whose duty it shall be to attend the meetings of the board and act as its recording officer and secretary.

The secretary of the provincial board shall be the keeper of the seal of the province and he shall attest therewith the official acts of the provincial governor and shall record all those of the governor's acts which are required by law to be recorded. He shall receive from the provincial governor and file in his office all reports to the provincial governor required by law, and shall index the same, and he shall generally act as custodian of all provincial records and documents. He shall, on demand, furnish certified copies of all public records and documents, for which he shall charge ten centavos for each hundred words, including the certificate, all the proceeds whereof shall be paid into the provincial treasury.

The position of secretary shall be regarded as within the unclassified civil service but may be filled in the manner in which classified positions are filled, and if so filled, the appointee shall be entitled to all the benefits and privileges of classified employees, except that he shall hold office only during the term of office of the appointing governor and until

a successor in the office of secretary is appointed and qualified, unless sooner separated.

SEC. 2175. *Persons ineligible to municipal office.*—In no case shall there be elected or appointed to a municipal office ecclesiastics, soldiers in active service, persons receiving salaries or compensation from provincial or Insular funds, or contractors for public works of the municipality.

SEC. 2192. *Salary of officer pending suspension.*—A municipal officer suspended from duty pending an investigation of charges against him shall receive no pay during such suspension; but upon subsequent exoneration or reinstatement, the Department head may order the payment of the whole or part of the salary accruing during such suspension.

SEC. 2205. *Appointment and removal of treasurer.*—The municipal treasurer shall be appointed by the provincial treasurer, subject to the provisions of the Civil Service Law.

The municipal treasurer may be removed from office by the provincial board for cause.

SEC. 2447.<sup>1</sup> *Appointment and removal of officials and employees.*—With the consent of the Philippine Senate, the Governor-General shall appoint the fiscal of the city and his assistants, the judge and the clerk of the municipal court and, in case of a temporary vacancy on such court, an acting judge therefor, the justice and auxiliary justice of the peace, the city engineer and his assistants, the chief of police and his assistant, the chief of the fire department, the city treasurer, the city assessor, and the city superintendent of schools. Subject to the provisions of the Civil Service Law, the mayor shall appoint all other officers and employees of the city whose appointment is not otherwise provided for by law. The mayor may suspend, and remove, any appointive city officer or employee not appointed by the Governor-General, and may recommend to the Governor-General the suspension or removal of any city officer or employee appointed by him. Any such suspension or removal by the mayor shall be appealable to the Department head, whose determination of the matter shall be final.

SEC. 2673. *Solicitation of political contribution or political service.*—Any officer or employee in the Philippine civil service who shall directly or indirectly solicit, collect, or receive from any other officer or employee in such service any money or other valuable thing to be applied to the promotion of any political object or purpose or shall solicit or require him to render political service of any sort, and any officer who shall remove any other officer or employee in such service or otherwise injuriously affect or prejudice him in his official position on account of his failure or refusal so to contribute or render political service, shall be punished

<sup>1</sup> As amended by Act No. 2991 approved on February 26, 1921.

by a fine not exceeding one thousand pesos or by imprisonment not exceeding six months, or both.

SEC. 2674. *Sundry frauds.*—Any person who shall by himself or in coöperation with another defeat, deceive, or obstruct any person in the matter of his right of examination by the Bureau of Civil Service, or who shall falsely rate, grade, estimate, or report upon the examination or standing of any person examined by the Bureau of Civil Service, or shall aid in so doing, or shall make any false representations relative thereto or concerning the person or persons examined or who shall use or furnish any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or to be examined, of being certified, employed, appointed, or promoted, shall for each such offense be punished by a fine not exceeding two thousand pesos, or by imprisonment for a period not exceeding one year, or both.

Any person who shall knowingly make any material false statement in his application for examination, or who shall connive at any false statement made in any certificate which may accompany his application, or who shall make any material false statement in any certificate to accompany the application for examination of any other person, or who shall personate any other person or permit or aid in any manner any other person to personate him in connection with any examination or application for examination, or who shall falsely make or forge any certificate or present any falsely made or forged certificate in connection with his application for examination, or who shall commit or attempt to commit any fraud contrary to the Civil Service Law or Civil Service Rules, or aid in so doing, shall be subject to the same penalty as in the preceding paragraph provided.

EXTRACTS FROM OTHER LAWS OF THE PHILIPPINE  
LEGISLATURE RELATING TO THE  
CIVIL SERVICE

Act No. 2613 enacted on February 4, 1916

SEC. 3. The Director of Agriculture is hereby authorized to appoint in any tobacco province the necessary inspectors to carry out the purposes of this Act. Said inspectors need not necessarily be residents of the province where they are to serve; but must be graduates of agricultural schools recognized by the Government, preference to be given to eligibles under the Civil Service rules who have specialized in tobacco-growing in an experimental farm or have at least one year's practical experience. In the absence of eligibles under the Civil Service rules, temporary employees may be appointed. Their salaries shall be fixed in their appointments and shall be subject to the Civil Service rules. Said tobacco inspectors shall receive a per diem not greater than two pesos when they are performing inspections outside of the municipality of their official station, together with actual and necessary traveling expenses.

As amended by  
Act No. 3179.

Act No. 2870 approved on August 2, 1919

SEC. 1. Any provision of existing law to the contrary notwithstanding, the commutation of the accrued leave earned by Government officers and employees detailed for service in the United States or in some foreign country, or sent to such countries as Government students, is hereby authorized, and said leave shall be paid in cash on the date of their departure from the Philippine Islands, in addition to any other compensation or allowances which either may be entitled to receive outside of the Philippine Islands: *Provided*, That in case the person to whom accrued leave has been paid under the provisions of this Act returns to the Islands before the expiration of the leave granted, the same shall be required to return the money value of the leave not made use of outside of the Islands.

Act No. 2573 as amended by Act No. 2903 approved on March 22,  
1920

SEC. 2. \* \* \*

The animal insurance agents of the insurance division shall be appointed by the Department head, upon recom-

mendation of the Insurance Board, and shall not necessarily be subject to civil service rules.

Act No. 2935 to take effect January 1, 1921, and approved on January 15, 1921.

SEC. 11. Whenever a vacancy shall occur in any position not mentioned in Act Numbered Twenty-six hundred and sixty-eight, for which a salary of three thousand pesos per annum or more has been appropriated, such position shall be filled at a salary not to exceed three thousand pesos per annum, unless the Council of State, after due investigation of the needs of the service, shall determine otherwise; but such salary shall in no case be greater than authorized by law.

SEC. 12. Subject to the approval of the proper Department head, the appropriations authorized in the General Appropriation Act shall be available for advancing the cost of the instruction of those employees who, having rendered at least two years of continuous, faithful and satisfactory service to the Government, shall take a course in matters related with the activities of the office in which they serve in any correspondence school or other school or college, and a monthly deduction of not less than ten per cent shall be made of their salaries until the sum advanced shall be completely paid.

SEC. 17. Employees engaged in any authorized work in places where ordinary medical attendance is not available shall be entitled to the necessary expenses of transportation, medicine, and medical attendance, as authorized by the Department Secretary, in cases of illness contracted in the line of duty.

SEC. 18. The following rules are hereby established regarding the appropriations for the Legislature and the Departments, bureaus, offices or dependencies of the Insular Government, and shall not be understood to be repealed by any other law unless expressly repealed:

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10. The subordinate employees of the Department Secretaries shall not be necessarily subject to the provisions of the Civil Service Act and rules.

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12. The "scholarships in the United States or in some foreign country" shall be granted subject to such rules as may be established by the Council of State, and only to persons selected by said Council, on nomination by one of its members, from among private citizens or Government officer designated to assume and discharge temporarily special training in any branch of knowledge, or because the studies already made by them need to be supplemented or perfected, require to complete their professional or vocational training or to do further work of investigation or

study, for the benefit of any branch of the public service or of any matter of interest for the Government of the Philippine Islands, and the appropriations made for such scholarships by the Legislature shall be available only in accordance with said rules: *Provided*, That upon the recommendation of the department head concerned, and subject to the approval of the Council of State, any employee or officer designated to assume and discharged temporarily the responsibilities and duties of another, appointed to a government scholarship, may, during the absence of the latter as such, receive additional compensation in a sum not greater than the scholarship allowance granted to such absentee; but the total of the salary and increase shall not be in excess of the compensation paid to the employee who has been granted a government scholarship. The additional compensation may be made effective upon the date of the assumption by the employee temporarily occupying the position, of the duties and responsibilities of the employee appointed to a government scholarship.

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39. With the exception of surgeons on duty in the Culion Leper Colony, no assistant surgeon or temporary physician shall be appointed at or promoted to a salary of more than twenty-four hundred pesos per annum.

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41. No officer of the Philippine Health Service regularly appointed and receiving a salary of four thousand pesos or more, shall be allowed to engage in the private practice of his profession, for compensation.

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51. The employees appointed to the positions of division chief and legislative investigators in the legislative reference division shall not necessarily be subject to the provisions of the Civil Service Act and rules.

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77. The provisions of section six of Act Numbered Twenty-seven hundred and twenty-eight to the contrary notwithstanding, any commercial agents hereafter appointed shall be appointed subject to the Civil Service Act and rules.

Act No. 3316 approved on December 4, 1926.

SEC. 5. Section ten of Act Numbered Thirty-one hundred and eight, as amended by section three of Act Numbered Thirty-one hundred and ninety-two, is hereby amended to read as follows:

SEC. 10. The Commission shall have its office in the City of Manila at such place as may be designated, and any of the Commissioners may hold hearings on any proceedings at such times and places, within the Philippine Islands,

as it may provide by order in writing: *Provided*, That during the months of May and June of each year, only one of the Commissioners shall be on duty and the other two shall be on vacation, in such manner that each Commissioner shall be on duty during the vacation months once every three years: *Provided, further*, That nothing hereinbefore provided shall prevent any of the Commissioners from rendering service and remaining on duty during the vacation months when the interest of the public service requires it: *Provided, finally*, That notwithstanding the foregoing provisions, the Commissioners shall be entitled to accrued leave privileges in the manner prescribed for judges of Courts of First Instance.

No. 2589.—An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes.

*By authority of the United States, be it enacted by the Philippine Legislature, that:*

As amended  
by Act No. 3304,  
approved December,  
1926.

SECTION 1. Whenever a regularly and permanently appointed officer or employee in the Philippine civil service who is actually in the service and who has rendered continuous, faithful, and satisfactory service for at least six years applies to the Governor-General for retirement from said service and the Governor-General shall find, after receiving the recommendation of the Director of Civil Service and the chief of the bureau or office concerned, that such officer or employee making the application has in every way been efficient up to and including the date of retirement, and the retirement applied for will not prejudice or obstruct the regular and efficient operation of the bureau affected, the Governor-General, in his discretion, may grant such retirement, and, in consideration of the services rendered, an annual gratuity for three consecutive years according to the following schedule: An officer or employee who at the time of retirement shall have rendered at least ten years of continuous service may receive an annual gratuity of thirty-three and one-third per centum of the salary last received; thirty per centum of such salary when nine but less than ten years of continuous service have been rendered; twenty-six and two-thirds per centum of such salary when eight but less than nine years of continuous service have been rendered; twenty-three and one-third per centum of such salary when seven but less than eight years of continuous service have been rendered; twenty per centum of such salary when six but less than seven years of continuous service have been rendered. The gratuities herein provided for may be paid in the Philippines or in the United States, as the retired official or employee may desire, in monthly installments, and in the event of death shall be payable to



his estate: *Provided, however,* That any officer or employee entitled to the benefits of this Act, and who is entitled to any benefits from any pension fund created by authority of the Philippine Legislature, shall be required to designate which of such benefits he desires to take advantage of, and in such case he shall be entitled only to the benefits so chosen: *And provided, further,* That if he elects the benefits of this Act he shall have refunded to him amounts deducted from his salary for the benefit of any other retirement fund: *And provided further,* That the following officers and employees shall not be entitled to the benefits of this Act: Officers and employees whose full time is not given to the Government service; professional officers or employees who practice their profession for profit; officers and employees detailed from the Army and Navy or civil service of the United States; and persons now receiving a pension or retirement pay from the Government of the United States: *And provided, further,* That in the case of the Chief Justice or one of the Associate Justices of the Supreme Court or a Judge of First Instance, the same shall be paid for six consecutive years an annual gratuity equal to thirty-three and one third per centum of the last salary received, provided he has filed on or before June thirtieth, nineteen hundred and twenty-seven the proper application stating his desire to retire from the service, and such application has been acted upon favorably prior to said date or he has been retired from the service on account of having reached the age limit established by law.

SEC. 2. Vacancies occurring in the service, as a result of retirements according to the provisions of the next preceding section, shall not be filled, and the positions corresponding thereto shall be considered abolished *ipso facto*, except when such position is that of Chief Justice or Associate Justice of the Supreme Court or a judge of First Instance, chief or assistant chief of bureau, chief clerk, or chief of division: *Provided, however,* That upon the request of the chief of a Bureau or office affected, based on the exigencies of the service and favorably recommended by the proper head of Department, the Governor-General may authorize, in his discretion, after hearing by the Emergency Board created by section two of Act Numbered Twenty-five hundred and forty, in lieu of the position or positions abolished, such position or positions as may be deemed necessary but the aggregate of the salaries thus assigned to such positions shall not exceed two-thirds of the salary authorized by law for the positions abolished by reason of retirement. The vacancies of Chief Justice or Associate Justice of the Supreme Court or judge of First Instance, chief or assistant chief of bureau, chief clerk, or chief of division, occasioned by retirement, may again be filled, but, unless the law provides otherwise, the salary of the new officers or employees shall be understood to have been reduced to two-thirds of the salary received by the

officer or employee retired at the time of his retirement, but in the case of the Chief Justice or Associate Justice of the Supreme Court or of a judge of First Instance the salary of the vacant position shall not be reduced because of the operation of this Act: *Provided, however,* That in no case shall the salary assigned to a director, assistant director, chief clerk, or chief of division be less than that appropriated for the assistant director, chief clerk, assistant chief clerk, or assistant chief of division, respectively, but in such case the chief of bureau shall make such reductions in the expenses of the bureau as may be necessary to carry into effect the provisions of this proviso without the necessity of an additional appropriation.

SEC. 3. Future reductions in salaries of officers and employees of the Government of the Philippine Islands, if such reductions are agreed upon, as well as any provision of law abolishing the positions of officers or employees, or reducing or abolishing accrued leave, shall in no manner affect officers or employees who have retired or are entitled to such retirement under section six of this Act, who shall continue, during the time provided in section one of this Act, to receive their gratuities the same as if their positions had not been reduced in salary or abolished, in addition to the accrued leave authorized at the time of their application for retirement: *Provided, however,* That excepting by reason of legislative action reducing his salary or accrued leave allowances, if any officer or employee entitled to retirement under the provisions of this Act shall apply therefor and, after being advised that his services are necessary, insist upon the acceptance of his resignation, he shall not in such case be entitled to the retirement gratuity herein provided.

SEC. 4. Such sums as may be necessary to carry into effect the provisions of this Act are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated: *Provided, however,* That no fund shall be set up in the books of the Auditor by virtue of this Act until the sum necessary for the current year shall have been determined.

<sup>1</sup> SEC. 5. No person retired under the provisions of this Act shall be reappointed or reemployed under the Government of the Philippine Islands, until he shall have first refunded the entire amount of his retirement gratuities, and in case of reappointment or reemployment under this condition, his salary for a period of at least three years thereafter shall not exceed the salary at the time of retirement; *Provided, however,* That in the computation of the amount of annual gratuity to be paid the person so reappointed, the number of years of service rendered by him shall be counted from the date of his original appointment in the

<sup>1</sup> As amended by Act No. 3233 approved on November 27, 1925.

service, and not from the date of his reappointment or re-employment.

SEC. 6. This Act shall take effect immediately and the provisions hereof shall apply only to such officials and employees as may request retirement on or before the thirtieth day of June, nineteen hundred and sixteen: *Provided, however,* That, should an application for retirement be presented to the Governor-General prior to July first, nineteen hundred and sixteen, and such application not be granted on account of exigencies of the service, the retirement applied for may be granted by the Governor-General at such future date as in his opinion the requirements of the service may warrant, and for this purpose he may make such administrative orders with reference to the appropriation for the position to be vacated as may be necessary to accomplish the purposes of this Act.

Enacted, February 4, 1916.

No. 2796.—An Act designating a new time limit for the filing of applications for retirement under Act Numbered Twenty-five hundred and eighty-nine, commonly known as the Retirement Law for public officers and employees, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. For the benefit of the officers or employees at present in the service of the Government of the Philippine Islands, the time limit for the filing of applications for retirement gratuities under Act Numbered Twenty-five hundred and eighty-nine, entitled "An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes," is hereby extended until June thirtieth, nineteen hundred and nineteen. The years of continuous, faithful, and satisfactory service rendered by the applicant, as provided by said Act Numbered Twenty-five hundred and eighty-nine, shall, for the purposes of this Act, be computed until the date on which the applicant files his application within the new time limit, or until said June thirtieth, nineteen hundred and nineteen, but not thereafter.

SEC. 2. For the proper construction of this Act as well as of Act Numbered Twenty-five hundred and eighty-nine, it is hereby established that leave without pay taken by any officer or employee for reasons beyond his control shall not be deemed excluded from the computation of the period of continuous, faithful, and satisfactory service required by said Act Numbered Twenty-five hundred and eighty-nine.

SEC. 3. This Act shall take effect on its approval.

Approved, February 20, 1919.

No. 2891.—An Act to amend section one of Act Numbered Twenty-seven hundred and ninety-six, designating a new time limit for the filing of applications for retirement, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. Section one of Act Numbered Twenty-seven hundred and ninety-six is hereby amended to read as follows:

“SECTION 1. For the benefit of the officers or employees at present in the service of the Government of the Philippine Islands, the time limit for the filing of applications for retirement gratuities under Act Numbered Twenty-five hundred and eighty-nine, entitled ‘An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes,’ is hereby extended until June thirtieth, nineteen hundred and twenty. The years of continuous, faithful, and satisfactory service rendered by the applicant, as provided by said Act Numbered Twenty-five hundred and eighty-nine shall for the purposes of this Act, be computed until the date on which the applicant files his application within the new time limit, or until said June thirtieth, nineteen hundred and twenty, but not thereafter.”

SEC. 2. This Act shall take effect on its approval.

Approved, February 24, 1920.

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No. 3189.—An Act to amend section one of Act Numbered Twenty-eight hundred and ninety-one, designating a new time limit for the filing of applications for retirement, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. Section one of Act Numbered Twenty-eight hundred and ninety-one is hereby amended to read as follows:

“SECTION 1. For the benefit of the officers or employees at present in the service of the Government of the Philippine Islands, the time limit for the filing of applications for retirement gratuities under Act Numbered Twenty-five hundred and eighty-nine, entitled ‘An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes,’ is hereby extended until June thirtieth, nineteen hundred and twenty-five. The years of continuous, faithful, and satisfactory service rendered by the applicant, as provided by said Act Numbered Twenty-five hundred and eighty-nine shall, for the purposes of this Act, be computed

until the date on which the applicant files his application within the new time limit, or until said June thirtieth, nineteen hundred and twenty-five but not thereafter."

SEC. 2. This Act shall take effect on its approval.

Approved, November 29, 1924.

No. 2668.—An Act fixing the salaries of certain officers and employees of the Government of the Philippine Islands.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. The salaries of the officers and employees of the Philippine Government mentioned in this Act shall hereafter be as follows:

(a) The President of the Senate, twelve thousand pesos per annum. Each Senator, except the President, shall receive compensation at the rate of four thousand pesos per annum, which may be drawn during the corresponding regular session of the Legislature. The Secretary of the Senate, three thousand pesos for each regular session of the Legislature: *Provided, however,* That in case the Senate shall direct him to render service outside of such session, it may grant him additional compensation.

(b) The Speaker of the House of Representatives, twelve thousand pesos per annum. Each representative, except the Speaker, shall receive compensation at the rate of three thousand pesos per annum, which may be drawn during the corresponding regular session of the Legislature. The Secretary of the House of Representatives, three thousand pesos for each regular session of the Legislature: *Provided, however,* That in case the House of Representatives shall direct him to render service outside of such session, it may grant him additional compensation.

(c) Each Department Secretary, except the Secretary of Public Instruction, twelve thousand pesos per annum. Each Department Under Secretary, seven thousand five hundred pesos per annum.

(d) The Secretary of the Governor-General, who shall hereafter be known as the Private Secretary for the Governor-General, seven thousand five hundred pesos per annum.

(e) The Director of Civil Service, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(f) The Director of the Bureau of Non-Christian Tribes, six thousand pesos per annum.

(g) The Chief of the Executive Bureau, seven thousand two hundred pesos per annum. The Assistant Chief, six thousand pesos per annum.

(h) The Chief of the Philippine Constabulary, seven thousand two hundred pesos per annum. Each colonel, six

thousand pesos per annum. Each lieutenant-colonel, four thousand eight hundred pesos per annum. Each major, three thousand six hundred pesos per annum. Each captain, three thousand pesos per annum. Each first lieutenant, two thousand four hundred pesos per annum. Each second lieutenant, two thousand pesos per annum. Each third lieutenant, eighteen hundred pesos per annum.

(i) The Director of Education, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(j) The Director of Health, seven thousand two hundred pesos per annum. Each chief of division, six thousand pesos per annum. The salaries of the other surgeons in the Health Service shall be as follows: Each chief medical inspector, not chief of a division, not more than four thousand pesos per annum. Each medical inspector, not more than three thousand pesos per annum. Each senior surgeon, not more than two thousand four hundred pesos per annum. And each surgeon, not more than one thousand eight hundred pesos per annum.

(k) The Insular Collector of Customs, seven thousand two hundred pesos per annum. The Insular Deputy Collector of Customs, six thousand pesos per annum. The collector of customs of Iloilo, six thousand pesos per annum. The collector of customs of Cebu, six thousand pesos per annum. The collector of customs of Zamboanga, five thousand pesos per annum. The collector of customs of Jolo, five thousand pesos per annum.

(l) The Collector of Internal Revenue, seven thousand two hundred pesos per annum. The Deputy Collector of Internal Revenue, six thousand pesos per annum.

(m) The Treasurer of the Philippine Islands, seven thousand two hundred pesos per annum. The Assistant Treasurer of the Philippine Islands, six thousand pesos per annum.

(n) The Director of Printing, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(o) The Solicitor-General, seven thousand two hundred pesos per annum.

Amended by  
Act No. 8107. (p) Each judge of a Court of First Instance, except the judges of the First, Second, Eighth, Tenth, Sixteenth, Eighteenth, and Twenty-fourth Districts, and the auxiliary judges, eight thousand pesos per annum. The judges of the First, Second, Eighth, Tenth, Sixteenth, Eighteenth, and Twenty-fourth Districts, and the auxiliary judges, seven thousand pesos per annum each. The clerk of the Supreme Court, five thousand pesos per annum.

(q) The Director of the Library and Museum, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(r) The Director of Prisons, five thousand pesos per annum, with quarters and laundry. The Assistant Director, four thousand pesos per annum, with quarters and laundry.

(s) The Director of Agriculture, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(t) The Director of Forestry, six thousand pesos per annum.

(u) The Director of Lands, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(v) The Director of the Bureau of Science, six thousand pesos per annum.

(x) The Director of the Weather Bureau, five thousand pesos per annum.

(y) The Director of Public Works, seven thousand two hundred pesos per annum. The chief constructing engineer, six thousand pesos per annum. The chief designing engineer, six thousand pesos per annum. The consulting architect, six thousand pesos per annum.

(z) The Director of Posts, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(aa) The Purchasing Agent, seven thousand two hundred pesos per annum. The Assistant Purchasing Agent, six thousand pesos per annum.

(bb) The Director of Labor, five thousand pesos per annum. The Assistant Director, four thousand pesos per annum.

(cc) The Director of Coast Survey, ten pesos per diem.

SEC. 2. Officers and employees whose salaries are reduced hereunder and who, having taken advantage of the benefits of Act Numbered Twenty-five hundred and eighty-nine, entitled "An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes," have obtained or may hereafter obtain a favorable action upon their application, shall be retired with the salary received by them on December thirty-first, nineteen hundred and sixteen, and the vacancies left by them shall be filled in accordance with the provisions of this Act.

SEC. 3. The provisions of this Act shall not be construed to prohibit the Governor-General or the Secretary of the Department concerned from contracting, for a limited period, for the services of such technical personnel as may be actually and strictly necessary, at salaries which may exceed those authorized in this Act for chiefs of bureaus and which shall have been previously specifically fixed by the appropriation acts.

SEC. 4. The first two paragraphs of section seven hundred and seventy-five, the entire section seven hundred and seventy-six, and the first paragraph of section one thousand and sixty-one of the Administrative Code, and all Acts or parts of Acts inconsistent with this Act, are hereby repealed.

SEC. 5. This Act shall take effect on January first, nineteen hundred and seventeen; but the provisions relative to the members of the two Houses of the Legislature and to the Department Secretaries and Under Secretaries shall take effect beginning with the day of their election or appointment, as the case may be: *Provided, however,* That save in the case of vacancies, the Department Secretaries, acting jointly, are hereby authorized to postpone until a date not later than December thirty-first, nineteen hundred and eighteen, any provision of this Act affecting any position or employment in the bureaus and offices under their authority and control, provided such action is really required by the interest of the service; and in such case said Department Secretaries, acting jointly, shall take the necessary steps for the purpose of effecting a gradual and slow reduction of the salaries, distributing the difference between the present salaries and the salaries fixed by this Act over one or more items, as said Secretaries shall deem most advisable.

Approved, December 14, 1916.

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No. 3050.—An Act to provide annual pensions for teachers employed in the Philippine public schools; to appropriate money and regulate the disbursement thereof.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. Beginning on the first day of April next following the date of the approval of this Act, all teachers, principals, supervisors, inspectors, superintendents, and other persons employed in supervising and directing the school work of teachers in the public school service of municipalities, provinces, and the Insular government of the Philippine Islands, whose positions are not classified as purely clerical, without regard as to status in the classified civil service of the Philippine Islands, who have on that day, or who shall have on any date thereafter, rendered at least twenty years of service as computed in section seven of this Act, shall be eligible for retirement on an annuity as provided in section two hereof: *Provided,* That lecturers and other special instructors who rendered provisional service shall not be eligible for pension nor shall such services be counted as teaching service in computing the length of service of a teacher: *Provided, further,* That the provisions of this Act



shall not include persons who are not citizens of the Philippine Islands or of the United States of America.

SEC. 2. For the purpose of determining the amount of annuity which a retired employee shall receive the following classification and rates shall be established upon the basis of the annuity consisting of a fractional part of the average pay, salary or compensation, for the three years of service rendered prior to the granting of the pension with maximum average pay, salary or compensation in no case exceeding four thousand pesos per annum. The annual annuity as computed under this Act shall be four-tenths of the average salary for twenty years of service; five-tenths of the average salary for twenty-three years of service; six-tenths of the average salary for twenty-six years of service; seven-tenths of the average salary for twenty-nine years of service; eight-tenths of the average salary for thirty-two or more years of service.

SEC. 3. All eligible persons shall be automatically insured and shall upon their own volition apply for the pension status under the provisions of this Act, advising the Director of Education of their intention to retire with pension at least three months prior to the effective date, and shall render service until the close of a school year unless retired at the expiration of such accrued leave of absence with pay as entitled to, or for reasons of unfitness for service: *Provided*, That the Director of Education may require continued service until the retiring employee can be relieved by a competent person, making the effective date of retirement not later than six months after the date requested.

SEC. 4. An employee to whom this Act applies who has rendered not less than fifteen years of service as computed in this Act, and who becomes totally disabled for useful and efficient service regardless of the age of the employee upon his own application approved by the Director of Education or upon the request of the Director of Education, may be retired for unfitness for service due to total physical or mental disability, on an annuity of two-tenths of his computed average salary under the provisions of this Act if the disability has not been due to vicious habits, intemperance or wilful misconduct of the employee: *Provided*, That the unfitness shall be certified to by both the Director of Education and a government health officer, and the person so retired shall present himself personally during the months of January and July of each calendar year to a public health officer during the period he receives a pension for unfitness for service to determine his fitness to return to the service and to cease receiving the pension benefit. Pension for unfitness for service shall not be granted for a longer period than ten years and shall cease when the employee returns to the service or neglects to return to the

service when requested to do so, or engages in another gainful occupation with compensation equal to the amount of pension. In all cases where the annuity is discontinued by causes other than death or the return of the employee to the service before the annuitant has received a sum equal to the total amount of his or her contributions with accrued interest, the difference shall be paid to the retired employee, upon application therefor in such form and manner as the "Pension and Investment Board" may direct.

SEC. 5. Upon death of employee entitled to the provisions of this Act who is rendering service at time of death or who is retired on pension, he shall have fifty per cent of the pension to which the employee would be entitled if alive, paid to surviving acknowledged children of his or her issue for a period of not to exceed ten years, or to the surviving lawful husband or wife if there are no children eligible under the provisions of this Act to receive the same: *Provided*, That pension funds shall not be paid to children over eighteen years of age or to married children, or to a remarried surviving wife or husband.

SEC. 6. All employees eligible for the provisions of this Act shall receive full credit for service rendered in the Philippine public school system prior to the date this Act shall become operative, and the date of the first day of service shall be the date when such service first began and continuity of service shall not be required in computing the length of service except for the last three years prior to the granting of the pension.

SEC. 7. In computing the length of service for the purposes of this Act all periods of separation from the service and so much of any leave as is without pay, except regular school vacation periods for classroom teachers with temporary civil service status, shall be excluded.

SEC. 8. Beginning on the first day of the fiscal year following the approval on this Act and annually thereafter there shall be included in the total sums appropriated for pay or compensation of employees to whom this Act applies a sum equal to three per centum of the total sum for pay or compensation made by Insular, provincial, or municipal legislation, and the said sum shall be transferred on the books of the Insular Treasurer to the credit of a special fund to be known as the "Teachers' Retirement and Disability Fund," and said fund is hereby appropriated for the payment of annuities, allowances, and expenses as provided in this Act, and for investment by the "Pension and Investment Board" created in section twelve of this Act. The "Pension and Investment Board" is hereby directed to invest from time to time in interest-bearing securities of the government of the Philippine Islands or of the United States of America

such portion of the fund as cannot be immediately required for the payment of annuities and other expenses incident to carrying on the provisions of this Act.

SEC. 9. The Insular Treasurer is hereby authorized and empowered in carrying out the provisions of this Act to supplement the direct government contribution with moneys resulting from fines, leaves of absence without pay, unfilled positions, and other salary savings for positions the holders of which are or will be entitled to the provisions of this Act, and with donations, gifts, legacies, or bequeathes of individuals, corporations, or organizations.

SEC. 10. Beginning on the first day of the third month next following the approval of this Act and monthly thereafter there shall be deducted and withheld from each monthly basic salary, pay or compensation of each employee to whom this Act applies a sum equal to three per centum of such employee's monthly basic salary, pay or compensation. The Insular Treasurer shall cause the said deductions to be withheld from all specific appropriations for the particular salaries or compensations from which the deductions are made and from all allotments out of lump sum appropriations for payment of such salaries or compensations for each fiscal year, and said sums shall be transferred on the books of the Insular Treasurer to the credit of the "Teachers' Pension and Disability Fund" created in this Act.

SEC. 11. In the case of an employee to whom this Act applies becoming absolutely separated from the service by death or otherwise before becoming eligible for retirement on an annuity the total amount of deductions of salary, pay, or compensation, with accrued interest computed at four per cent per annum, and compounded on June thirtieth of each fiscal year, shall, upon application, be returned to such employee or his heirs in one lump sum: *Provided*, That in case of death, if there has been no demand upon the Director of Education or the Insular Treasurer by a duly appointed executor or administrator, the payment shall be made after the expiration of three months from date of death, to such person or persons as may appear to be entitled to the proceeds of the estate and such payment may be a bar to recovery by another person.

SEC. 12. There is hereby constituted for the enforcement of this Act a "Pension and Investment Board," composed of the Secretary of Public Instruction, who shall be chairman, ex-officio, the Director of Education, the Insular Treasurer, the Insular Auditor, and three persons appointed by the Governor-General, two of whom shall be persons entitled to the benefits of this Act. The "Pension and Investment Board" shall during the month of July of each fiscal year submit to the Governor-General a report of operations un-

der the provisions of this Act and shall recommend to the Governor-General for including in the Insular budget for the fiscal year to follow, a sum sufficient to pay the retirement allowances and other expenses for that fiscal year whenever the funds made available by the operation of sections eight, nine, and ten of this Act are insufficient.

SEC. 13. All pensions shall be paid in quarterly instalments on January first, April first, July first, and October first of every fiscal year by government warrant or other means which will guarantee safe delivery with no reduction in the pension for exchange or for transmitting the same.

Persons receiving lifelong annual pensions from the Philippine Government or from any branch of the United States Federal Government shall have the amount of the same deducted from the pension they receive through the operation of this Act. Persons reemployed in the Government service and receiving salary, pay or compensation for services rendered as an employee of any branch of the Government of these Islands, including municipalities and provinces in the Philippines shall have the pension discontinued for such periods of employment in each case where the pay, salary or compensation is equal to or greater than fifty per centum of the pension received under the provisions of this Act.

All records of manipulations of the "Teachers' Pension and Disability Fund" and disbursements from the same and all accounts of payments made out of said fund shall be kept and made by the Director of Education, under the supervision of the "Pension and Investment Board."

The term "basic salary, pay or compensation" whenever used in this Act shall be so construed as to exclude from the operation of this Act the provisions of Act Numbered Twenty-five hundred and eighty-nine, all bonus, allowances, overtime pay, or other compensation given in addition to the basic pay or other compensation of the position as fixed by law or regulation.

SEC. 14. All eligibles who have attained the age of sixty-five years or who shall attain that age, and who have rendered eighteen years or more of service as computed under the provisions of this Act shall have the retirement made compulsory at the age of sixty-five except when the teacher requests to remain in the service and the Director of Education specifically recommends favorable action.

SEC. 15. All acts and parts of acts inconsistent with this Act are hereby repealed.

SEC. 16. This Act shall take effect on its approval.

Approved, March 10, 1922.

No. 3100.—An Act to amend certain sections of Act Numbered Three thousand and fifty, entitled “An Act to provide annual pensions for teachers employed in the Philippine public schools; to appropriate money and regulate the disbursement thereof.”

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. Section one of Act Numbered Three thousand and fifty is hereby amended to read as follows:

“SECTION 1. Beginning on the first day of April next following the date of the approval of this Act, all teachers, principals, supervisors, inspectors, superintendents, and other persons employed in supervising and directing the school work of teachers in the public school service of municipalities, provinces, and the Insular Government of the Philippine Islands, whose positions are not classified as purely clerical, without regard as to status in the classified civil service of the Philippine Islands, who have on that day, or who shall have on any date thereafter, rendered at least twenty years of service as computed in section seven of this Act, and who have not been removed from the service for cause, shall be eligible for retirement on an annuity as provided in section two hereof: *Provided*, That teachers, principals, supervisors, inspectors, and superintendents detailed or serving in the Department of Public Instruction and engaged principally in the inspection and supervision of private schools, in accordance with Act Numbered Twenty-seven hundred and six, shall also be entitled to a pension under the terms and conditions herein established: *Provided*, *further*, That lecturers and other special instructors who render provisional service shall not be eligible for pension nor shall such services be counted as teaching service in computing the length of service of a teacher: *And provided*, *finally*, That the provisions of this Act shall not include persons who are not citizens of the Philippine Islands or of the United States of America.”

SEC. 2. Section five of Act Numbered Three thousand and fifty is hereby amended to read as follows:

“SEC. 5. Upon death of an employee entitled to the provision of this Act who is rendering service at time of death or who is retired on pension, he shall have fifty per cent of the pension to which the employee would be entitled if alive, paid to surviving acknowledged children of his or her issue for a period of not to exceed ten years, or to the surviving lawful husband or wife if there are no children eligible under the provisions of this Act to receive the

same, or to his or her surviving parents, father or mother, if there are no children or lawful husband or wife eligible under the provisions of this Act to receive the benefits thereof: *Provided*, That pension funds shall not be paid to children over eighteen years of age or to married children, or to a remarried surviving wife or husband, nor to parents under the age of sixty years."

SEC. 3. Section eight of Act Numbered Three thousand and fifty is hereby amended to read as follows:

"SEC. 8. Beginning on the first day of the fiscal year following the approval of this Act and annually thereafter there shall be included in the total sums appropriated for pay or compensation of employees to whom this Act applies a sum equal to three per centum of the total sum for pay or compensation made by Insular, provincial, or municipal legislation, and the said sum shall be transferred on the books of the Insular Treasurer to the credit of a special fund to be known as the 'Teachers' Retirement and Disability Fund,' and said fund is hereby appropriated for the payment of annuities, allowances, and expenses as provided in this Act, and for investment by the 'Pension and Investment Board' created in section twelve of this Act. The 'Pension and Investment Board' is hereby directed to invest from time to time such portions of the 'Teachers' Pension and Disability Fund' as shall not be required to meet the current payments, in the form of annuities or otherwise, and expenses, incident to the carrying on of the provisions of this Act, in any or all of the following ways and in no others:

"(a) In interest-bearing bonds or securities of the Government of the United States or of the Philippine Islands, or bonds or securities of said countries for the payment of the interest and principal of which the faith and credit of said countries is pledged.

"(b) In interest-bearing deposits, under security approved by the Board, in any bank doing business in the United States or in the Philippine Islands having an unimpaired paid-up capital and surplus equivalent to one million five hundred thousand pesos or over: *Provided*, That said bank shall first have been designated as a depository for this purpose by the Governor-General, upon the recommendation of the Insular Treasurer.

"(c) In first liens upon improved, productive, and unencumbered real estate in the City of Manila with a title duly registered under Act Numbered Four hundred and ninety-six, as amended: *Provided*, That no loan shall be made upon the security of real estate in excess of fifty per centum of the fair appraised value thereof, to be determined in such manner as the Board shall prescribe, subject to the rule that the durable income from such real estate shall constitute the main factor in the determination of value:

And provided, further, That no loan shall be made for a period exceeding three years, and that not more than thirty per centum of the total investments made by the Board shall be on the security of real estate.

"The Board shall have the right to foreclose any loan in the event of any material depreciation of the value of the security or if the terms of the loan contract are not complied with. It shall also make proper provision for the insurance of all property, subject to damage by fire, which shall be held by it as security. The Board shall also have the right to hold, for a period not exceeding five years, such real estate as may come into its possession on account of money loaned.

"(d) In commuting installment payments due from the Government of the Philippine Islands to individuals upon the proper assignment of the individual's claim to the Board.

"(e) No loan shall be made by the Board from the 'Teachers' Pension and Disability Fund,' directly or indirectly, to any member of said Board, and any member of said Board receiving such a loan or authorizing or making any such loan shall be guilty of a felony and be punished by imprisonment for not less than five years or by a fine of not less than two thousand nor more than twenty thousand pesos, or both, in the discretion of the Court.

"(f) Whenever the current surplus of the 'Teachers' Pension and Disability Fund' shall fall below the amount of fifty thousand pesos, no new real-estate loan shall be made by the Board.

"(g) The Board is authorized, in making investments pursuant to this section, to fix the terms thereof in such a way as shall preserve the funds from any loss due to depression in the medium of payment and to take any other precautions which in its judgment are deemed necessary for the adequate conservation of said Pension Fund."

SEC. 4. Section twelve of Act Numbered Three thousand and fifty is hereby amended to read as follows:

"SEC. 12. There is hereby constituted for the enforcement of this Act a 'Pension and Investment Board' composed of the Secretary of Public Instruction, who shall be chairman, ex-officio, the Director of Education, the Insular Treasurer, the Insular Auditor, and the Director of Civil Service, none of whom shall receive additional compensation, and of three other persons appointed by the Governor-General, with the advice and consent of the Senate. Said three persons shall not receive any compensation. The 'Pension and Investment Board' shall during the month of July of each fiscal year submit to the Governor-General a report of operations under the provisions of this Act and shall recommend to the Governor-General for including in the Insular budget for the fiscal year to follow, a sum sufficient to pay the retire-

ment allowances and other expenses for that fiscal year whenever the funds made available by the operation of sections eight, nine, and ten of this Act are insufficient."

SEC. 5. This Act shall take effect on its approval.

Approved, March 16, 1923.

No. 3173.—An Act providing for the maintenance in the Insular Treasury of a special fund to be known as Pension and Retirement Fund for certain officers of the Philippine Health Service, and prescribing ways and means for its creation and application, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. *Pension and retirement fund of the Philippine Health Service.*—There shall be maintained in the Insular Treasury a special fund to be known as the pension and retirement fund of the Philippine Health Service. Moneys accruing to this fund shall be deposited with the Insular Treasury and shall be used for no other purposes than those hereinafter specified.

SEC. 2. *Sources of the pension and retirement fund.*—To this fund shall accrue all funds and forfeitures resulting from administrative investigations and also all sums to be deducted and retained from the monthly pay of the officers and employees of the Philippine Health Service as specified in section three, subsection (a) of this Act, including the Director, Assistant Director, and chiefs of divisions, on the basis of three per centum of their respective monthly salaries.

All such fines, forfeitures, deductions, and retentions shall be noted on the pay-roll by the disbursing officer paying the salary of any officer of the Philippine Health Service, and before making the payment of salary of any such officer or employee of the Philippine Health Service, such disbursing officer shall verify the exact amount to be deducted in each case and shall, upon making payment, deduct such amount from the salary due said officer or employee.

All amounts so deducted shall be deposited with the Insular Treasury by the disbursing officer who makes the deductions.

SEC. 3. *Application of Pension and Retirement Fund.*—The money pertaining to the pension and retirement fund may, upon recommendation of the Pension and Retirement Board, appoint under section five of this Act, and with the approval of the Department Head, be expended or applied as follows:

(a) *Compensation upon retirement.*—When (a) a medical officer of the Philippine Health Service, including the



Director of Health, Assistant Director, chiefs of divisions, chiefs of office and district inspectors and any other medical officers, commissioned or noncommissioned; (b) any pharmacist, dentist, sanitary engineer or assistant sanitary engineer, nurse, sanitary inspector or assistant sanitary inspector, disinfector or assistant disinfector with civil service appointment, belonging to the Philippine Health Service, shall have had twenty or more years of actual service, not having been meanwhile separated from the service for cause, he or she may, upon making application therefor, be retired from active service by the Department Head; and when so retired shall receive until his or her death from the retirement fund above specified an annual compensation equal to two and one-half per cent, for each year's active service heretofore rendered by such officer, of the salary, properly speaking, exclusive of additional pay and other emoluments such as commutation of quarters, subsistence, and laundry, received by such officer at the time he or she is retired; but in no case shall this retirement pay exceed seventy-five per cent of such total salary: *Provided*, That in computing the length of an officer's term of service the years served in any capacity as hereinbefore specified under the various succeeding health organizations antedating the Philippine Health Service, shall be duly credited to such term of service; *Provided, further*, That whenever any person is readmitted to the Philippine Health Service after the approval of this Act, no period of his services rendered prior to his separation therefrom shall be credited to him for the purposes of this Act.

(b) *Pension for lawful heirs of officers entitled to retirement pay.*—Upon the death of an officer or employee with twenty or more years service and thereupon entitled to retirement pay, fifty per cent of such retirement pay may be transmitted or originally granted, as the case may be, to his or her lawful heirs, the period of the retirement pay so transmitted or originally granted not to exceed ten years: *Provided*, That the expression "lawful heirs" shall be made to include, in the order and precedence herein given, (1) legitimate or recognized children, or in want thereof (2) the surviving lawful wife or husband, or in case none of the two preceding groups of heirs exists, (3) the surviving parents, father or mother, if actually dependent for support upon the deceased, and that the application therefor shall not be made later than one year from the time of the officer's death: *And provided, further*, That no amount of the pension funds shall be paid to children over eighteen years of age or to married children, or to a remarried wife or husband.

(c) *Pension for invalid officers.*—Any officer of the Philippine Health Service who becomes incapacitated to gain a livelihood by reason of accident or other cause incident

to the service and in line of duty may be pensioned and retired from active service and, when so pensioned and retired, shall receive until his death from the pension and retirement fund a compensation equal to the full retirement pay to which he is entitled if of twenty or more years service, or to fifty per cent of his current salary if of less than twenty years service: *Provided*, That upon the death of an officer under these circumstances, or when an officer or employee dies in consequence of an accident or from any other cause in connection with the performance of his official duties, his lawful heirs may receive the benefits of this Act, under the provisions and in the order specified in subsection (b) of section three of this Act, for a period not to exceed ten years.

SEC. 4. *Ten years' deduction in salary requisite for granting of pension or retirement pay.*—No claim for pension or retirement pay shall be granted to any officer or employee of the Philippine Health Service or his or her legal heirs who fails to have completed ten full years deduction in salary prior to the application therefor: *Provided, however*, That in this and similar cases the pension or retirement pay otherwise legally recognized may be granted on condition that the officer or employee concerned or his or her legal heirs agrees upon the deduction to be made on his or her pension or retirement pay, in one or more such installments as to fully cover the unpaid deductions in salaries corresponding to ten full years: *And provided, further*, That in no case shall the deduction thus made be less than the monthly deduction corresponding to the officer's or employee's salary under the provisions of section two of this Act.

SEC. 5. *Appointment of a Pension and Retirement Board.*—The proper Department Secretary shall appoint a Board to be composed of the Director of Health or the Assistant Director of Health as chairman, of one chief of division, of one senior medical inspector of the Philippine Health Service, as members, and any commissioned officer thereof of whatever grade as secretary, the Board to pass and make recommendations on all applications for pension or retirement pay. The resolution adopted in each case shall be forwarded to the proper Department Secretary for approval.

The members and secretary of the Board shall hold office for a term of one year, and may be reappointed or replaced at the discretion of the Department Secretary: *Provided*, That the Director of Health or the Assistant Director of Health shall be ex-officio chairman of the board.

SEC. 6. *Tenure of any salaried Government position by retired or pensioned officer under certain circumstances, illegal.*—Officer of whatever rank or designation or other persons drawing pension or retirement pay under the pro-

visions of this Act are hereby declared ineligible and shall not qualify, except by popular election, to an Insular, provincial, or municipal position carrying any compensation, salary pay, gratuities or per diems of whatever character, in the Insular, provincial, or municipal government of the Philippine Islands, or in any semi-governmental institution, corporation, or company, unless prior to the qualification and induction into the new office of such retired or pensioned officers, they waive and agree to forfeit, in a written statement, any right or claim to the benefits of this Act during the period of their incumbency in the new position: *Provided*, That in case of necessity, officers of the Philippine Health Service drawing retirement pay and residing in the Philippine Islands may at any time, and upon recommendation of the Board of Pensions and Retirement, be called by the proper Department Secretary for active emergency service, during the period of which service they shall be entitled to receive the full pay of the rank in which they were retired; *Provided, further*, That unwarranted refusal on the part of any officer or employee to perform such emergency duty shall terminate his or her right to further participation in the benefits of this Act: *Provided, however*, That the officer so detailed must be declared physically fit for service: *And provided, finally*, That during such emergency duty, no pay by reason of retirement or pension shall be drawn by the officer concerned.

SEC. 7. *Authority to deposit funds in Banks Depository of the Government to earn interest.*—With the approval of the proper Department Secretary, the Board of Pensions and Retirement is hereby authorized to deposit in a bank depository of the Government, to earn interest at current or legal rates, such part of the pension and retirement fund of the Philippine Health Service as may not be required to pay existing or future authorized obligations.

SEC. 8. This Act shall take effect on its approval.

Approved, November 24, 1924.

## CIVIL SERVICE RULES

### THE GOVERNMENT OF THE PHILIPPINE ISLANDS EXECUTIVE BUREAU

MANILA, P. I., *January 9, 1909*

EXECUTIVE ORDER }  
No. 5 }

**Promulgating order.** In the exercise of power conferred by the Act of Congress of July first, nineteen hundred and two, known as the "Philippine Bill," and by Act Numbered Sixteen hundred and ninety-eight of the Philippine Commission, known as the "Revised Civil Service Act," the Governor-General hereby approves and promulgates the following Civil Service Rules prepared and certified by the Director of Civil Service, in lieu of the Civil Service Rules promulgated September first, nineteen hundred and four, and amendments thereof:

#### RULE I.—*General provisions and definition of terms*

- Regulations.** 1. The Director of Civil Service shall have authority to prescribe such regulations in pursuance of and in execution of these rules as are not inconsistent therewith, and shall
- Forms.** prescribe blank forms for all applications, examinations, certifications, reports, records, and returns received under these rules and the regulations made in pursuance thereof.
- Application of rules.** 2. Except as provided therein, the first twelve rules apply to the classified service only; the remaining rules have a general application to both the classified and the unclassified service.
- Definition of terms.** 3. The several terms hereinafter mentioned, wherever used in these rules, shall be construed as follows:
- (a) The term "Director" refers to the Director of Civil Service.
  - (b) The term "grade" refers to a number of positions or employees arranged in a group upon the basis of the duties performed, without regard to the salaries received.
  - (c) The term "class" refers to a number of positions or employees arranged in a group upon the basis of the salaries received, without regard to the duties performed.
  - (d) Whenever the term "officers" is used it shall be understood to refer to civil officers employed in, or military officers detailed to, the Philippine civil service.
  - (e) The term "classified service" includes all positions in the Philippine civil service not exempted from examination requirements by the Revised Civil Service Act.

(f) All printed "forms" mentioned in these rules refer to forms of the Bureau of Civil Service.

RULE II.—*Applications for examination*

1. No applicant shall be admitted to examination who has not taken the oath of allegiance to the United States and who is not a citizen of the United States, a native of the Philippine Islands, an honorably discharged soldier, sailor, or marine of the United States, or a person who has under and by virtue of the treaty of Paris acquired the political rights of natives of the Islands, except that the requirement of citizenship may be waived by the Governor-General as provided by law. Citizenship.
2. All applicants for examination and persons now in the service must furnish full information as to their citizenship, nativity, age, education, physical qualifications, and such other information as may reasonably be required affecting their fitness for the service. Information to be furnished.
3. No applicant shall be admitted to examination or be appointed in the United States to this service originally, by reinstatement, or by transfer, until he has been thoroughly examined by a competent physician and found to be physically qualified for efficient service in the Philippine Islands. A physical examination may, in the discretion of the Director, be required of applicants for examination in the Philippine Islands. Physical examination.
4. No applicant shall be admitted to examination in the Philippine Islands until he has furnished evidence satisfactory to the Director of his loyalty to the supreme authority of the United States of America in these Islands. Loyalty.
5. No application for examination shall be accepted from any person serving in the Army, the Navy, or the Marine Corps of the United States unless written consent of the proper authority under whom such person is serving is filed with his application. Enlisted men.
6. No application for examination for entrance into the classified service shall be accepted from any applicant who is under eighteen or over forty years of age: *Provided*, That in the interest of good administration, the Director, with the concurrence of the Governor-General or proper head of Department, may by regulation determine the age limitations within the maximum and minimum limits herein specified, and confine competition for such positions to persons who meet the requirements as to age: *And provided further*, That whenever in the discretion of the Director the needs of the service require it, the age limitations named herein may be extended for any particular kind of examination. Age limits.
7. The Director may, in his discretion, refuse to examine an applicant, or to certify or attest an appointment of an eligible, who is physically unfitted for the performance of the duties of the position to which he seeks appointment; or who has been guilty of a crime, or of infamous, notoriously disgraceful, or immoral conduct, drunkenness, or dishonesty; Disqualifications and debarment.

or who has been dismissed from the service for other delinquency or misconduct; or who has intentionally made a false statement in any material fact, or practiced or attempted to practice any deception or fraud in securing his examination, registration, or appointment. Any of the foregoing disqualifications shall be good cause for the removal of the person from the service after his appointment.

RULE III.—*Examinations*

Character of examinations.

1. Examinations of a suitable and practical character, absolutely impartial, and involving such subjects and tests, including experience, as the Director may determine, shall be held to ascertain the relative capacity and fitness of applicants for the positions to which they seek to be appointed.

Examinations in English and Spanish.

2. Whenever the Director shall find, after consultation with the head of the proper department, bureau, or office, that a knowledge of both the Spanish and the English languages is essential to an efficient discharge of the duties of a position to be filled, he shall test English-speaking applicants as to their knowledge of the Spanish language, and Spanish-speaking applicants as to their knowledge of the English language.

Examination prerequisite to appointment.

3. No person shall be appointed to, or employed in, any classified position unless he shall have passed the examination provided therefor, or unless he is specially exempt from such examination by the provisions of the Revised Civil Service Act and rules.

Noncompetitive examinations.

4. No noncompetitive examination shall be held except:  
 (a) When applicants fail to compete after due notice has been given of an open competitive examination, or when in the opinion of the Director the announcing of a competitive examination would not result in securing competitors.  
 (b) To test fitness for promotion, reinstatement, or transfer.

Places of examination.

5. Examinations in the Philippine Islands shall be held in Manila and in the provinces upon such dates as the Director may deem best for the interests of the service and the convenience of applicants, and examinations in the United States will be held under the auspices of the United States Civil Service Commission at the request of the Director:

Preference for residents of the Islands (amendment contained in Executive Order No. 21, dated February 18, 1914).

*Provided*, That when there are names on the proper eligible register of the Bureau of Civil Service no appointment shall be made to a position in the classified civil service of a person residing outside the Philippine Islands unless after comment by the appointing officer and the Director the Governor-General shall decide that the eligibles do not possess the technical knowledge and training or other qualifications or requirements necessary for the position sought to be filled or that the best interests of the service require the appointment of a nonresident.

Examining committees and special examiners.

6. The Director may appoint with the approval of the Governor-General or proper head of Department such examining committees or special examiners as he may deem

necessary from officers and employees in the Philippine civil service. The members of examining committees and special examiners so appointed are examiners of the Bureau of Civil Service, and shall perform such duties as the Director may require in connection with examinations, investigations, appointments, and promotions, and in the performance of such duties they shall be under his direct and sole control and authority. The duties performed by members of examining committees and special examiners shall be considered part of the duties of the office in which they are serving, and time shall be allowed for the performance of such duties during the office hours of said office.

7. All officers of the Philippine civil service shall facilitate the holding of civil-service examinations, and officers having the custody of public buildings at places where such examinations are to be held shall, for this purpose, permit and arrange for the use of suitable rooms under their charge and for furnishing and lighting the same when required.

#### RULE IV.—*Rating of papers and eligibility*

1. Examination papers shall be rated according to their excellence on a scale of one hundred and the subjects of each examination shall be given such relative weights as the Director shall prescribe. After a competitor's papers have been rated he shall be duly notified of the result thereof by the Director or by the head of his bureau or office at the request of the Director.

2. Every competitor who attains a general rating of seventy or over shall be eligible to appointment, subject to the provisions of these rules, to the position for which he was examined, and the names of eligibles shall be entered in the order of their general ratings, without regard to the date of examination, on the proper register of eligibles.

3. The period of eligibility shall be one year from the date on which the name of the eligible is entered on the register, but this period may be extended for a particular kind of examination if, in the discretion of the Director, the needs of the service warrant it: *Provided*, That in case an eligible shall be mustered into the military or naval service of the United States at a time when the United States is engaged in war or in suppressing an insurrection, his period of eligibility shall, under such conditions as the Director may prescribe, be considered as suspended during the time he is serving in the Army or Navy of the United States: *And provided further*, That the eligibility to appointment of any person resulting from examinations held only in the Philippine Islands shall be suspended during the absence of such person from the Philippine Islands.

#### RULE V.—*Certifications*

A vacancy in a classified position, if not filled by promotion, reduction, transfer, or reinstatement, or through non-

Use of public buildings.

Rating of examination papers.

Eligibility for appointment.

Period of eligibility.

Filling of vacancies.

competitive examination, shall be filled under the following provisions:

Requisition for certification (form 9).

1. The appointing officer shall make requisition upon the proper form, for the names of eligibles for the position vacant, specifying the duties of the position, and the Director shall certify to said officer from the proper register the three names at the head thereof which have not been three times certified to the Bureau or Office in which the vacancy exists: *Provided*, That certification for temporary appointment shall not be counted as one of the three certifications to which an eligible is entitled: *And provided further*, That whenever the request for certification, or any law, rule, or regulation shall call for persons of one sex, those of that sex shall be certified; otherwise sex shall be disregarded in certification.

Selections.

2. The appointing officer shall select one of the three names certified, and if at the time of selection there are more vacancies than one, he may select more than one name: *Provided*, That if an appointing officer shall object to an eligible certified, stating that because of disloyalty, physical defect, mental unsoundness, or moral or other disqualification particularly specified in section seven of Rule II, such eligible would be unsuitable for the position to be filled, and if said officer shall support such objections with evidence satisfactory to the Director, certification shall be made of the eligible on the register whose rating is next below those already certified in place of the one to whom objection is made and sustained.

Preference in selection.

3. In making selections from certifications of eligibles by the Director, appointing officers shall, when other qualifications are equal, prefer:

First. Natives of the Philippine Islands.

Second. Honorably discharged soldiers, sailors, and mariners of the United States.

Examination papers with certifications.

4. The Director, whenever practicable, shall forward to the appointing officer in connection with each certification the applications and examination papers of the persons certified, and said officer may summon personally before him the eligibles certified and make such inquiries of them as he may think proper. The papers forwarded by the Director to the appointing officer for his information shall be returned to the Director with notice of selection on the proper form.

Notice of selection (form 18).

5. <sup>1</sup>Whenever a person residing in the Philippine Islands or in the United States is selected for appointment to the classified civil service, the appointing officer shall notify the Director and the Director shall notify the appointee. Upon his reporting for duty, the appointing officer shall immediately forward to the Director probationary appointment on Form Numbered Thirty-Three; such appointment is not to

Notification of selection for appointment.

<sup>1</sup> As amended by Executive Order No. 15 dated April 10, 1922.



be made effective prior to the date upon which the appointee actually enters upon the performance of his duties. If the eligible was provisionally appointed in the United States, his probational appointment will be effective the day following the date of his actual landing in the Philippine Islands, provided he reports immediately at the office of the Bureau of Civil Service, and leave shall not accrue prior to the date of such probational appointment. At the expiration of the probationary period of six months, if his conduct and capacity are satisfactory to the appointing officer, his retention in the service shall be equivalent to his absolute appointment; but if his conduct and capacity be not satisfactory, he may at any time during or at the expiration of his probationary period be notified by the appointing officer that he will not receive absolute appointment because of such unsatisfactory conduct or want of capacity, and such notification, without other formality, shall discharge him from the service. *In the case of teachers it is provided, that the Director may, for cause shown in certain specific instances and at the request of the Director of Education, extend the probationary period for an additional four months.* Full report of the cause of the discharge shall be made to the Director. A probationer may be reduced in class or grade at any time during or at the expiration of his probationary period by a notification of reduction from the appointing officer without other formality; in such case the appointing officer shall immediately forward to the Director new appointment on the prescribed form accompanied by a full statement of the cause of the reduction. The name of a probationer who has been separated from the service without delinquency or misconduct may be restored to the register of eligibles, in the discretion of the Director, for the remainder of his period of eligibility.

Effective date  
of appointments.

Probationary  
period.

Discharge or  
reduction of proba-  
tioner.

Eligibility of  
probationer, if se-  
parated.

6. For reasons satisfactory to the Director an eligible may waive certification or decline appointment without losing his position on a register. Should any eligible decline appointment without the approval of the Director, his name shall be dropped from the register. Waiver of certification or declination of appointment shall not be approved more than twice from the same register.

Waiver of cer-  
tification or ap-  
pointment.

7. Certification for original appointment shall, whenever practicable, be made to the lowest class in a grade, but a vacancy in a position in any class requiring the exercise of special, technical, or professional knowledge may be filled by original appointment.

Appointments to  
lowest class.

8. When two or more eligibles have the same rating, precedence in certification shall be determined in accordance with section three of this rule, if applicable; otherwise, by the order in which their applications were filed.

Eligibles with  
equal ratings.

9. All appointments to the classified civil service shall be made through the Bureau of Civil Service in strict accord

Correspondence  
with prospective  
appointees.

with the civil service rules and regulations. Official correspondence by cable or letter with or relating to prospective appointees residing in the United States must be transmitted through the Director for appropriate action.

RULE VI.—*Temporary service*

Temporary employment of eligibles.

1. Whenever there are fewer than three eligibles upon a register, the appointing officer may appoint probationally the one eligible, or one of the two eligibles, certified, in the same manner as if three eligibles had been certified; but if he elects not to make probationary appointment from such certification, he shall select for temporary appointment the one eligible, or one of the two eligibles, if either will accept such temporary appointment. Temporary appointment made from an eligible register as provided in this section may continue until such temporary appointee is given probationary appointment or until the Director certifies three eligibles, when probationary appointment must be made.

Temporary employment of others.

2. Whenever there are no names of eligibles upon a register for any grade in which a vacancy exists, and the public interests require that it shall be filled before eligibles can be provided, such vacancy may, subject to the approval of the Director, be filled by the employment without examination of a person for such time as will enable the Director to provide one or more eligibles. Such temporary employment shall expire when the Director shall certify an eligible who accepts either temporary or probationary appointment.

Work temporary in character.

3. Whenever the work to be done is, in the judgment of the Director, temporary in character, he may authorize temporary employment, giving preference to eligibles if available, which employment may continue until the completion of the work.

RULE VII.—*Reinstatements*

Reinstatement.

Any person who has been regularly appointed to a position in the classified civil service and who has through no delinquency or misconduct been separated therefrom may, if no good reason to the contrary appears, upon the requisition of the proper officer and the certificate of the Director, be reinstated to a vacant position of a class not higher than that from which he was separated, under the conditions named below: *Provided*, That in the discretion of the Director he may be reinstated to a vacant position of a higher class. The last two sections of this rule apply to the unclassified as well as to the classified service.

Examination when required.

1. If the person had regularly entered the classified service without examination, a noncompetitive examination may be required, in the discretion of the Director, prior to reinstatement.

2. If for original entrance to the position proposed to be filled by reinstatement there is required, in the opinion of the

Director, an examination essentially higher than, or different from, the examination for original entrance to the position previously held by the person whose reinstatement is proposed, a noncompetitive examination may be required prior to reinstatement.

3. A person who has served six months or less in the Philippine civil service may be reinstated as a probationer within a period of six months following his separation from the service under the former appointment; a person who has served more than six months but less than two years, and who has received absolute appointment, may be reinstated within one year; a person who has served two years, but less than three years, may be reinstated within two years; a person who has served three years, but less than four years, may be reinstated within three years; a person who has served four years, but less than five years, may be reinstated within four years; and a person who has served five years or more may be reinstated within five years from the date of his separation from the service.

Period of eligibility for reinstatement.

4. Subject to the other conditions of these rules, any person whose separation from the civil service is caused by his enlistment or acceptance of a commission in the active military or naval forces of the United States and who is honorably discharged or released therefrom shall be preferred in appointment to any vacant position in the civil service which he is qualified to fill, and shall be eligible for reinstatement without regard to the time elapsed since his separation from such service.

Enlistment. (Amendment contained in Executive Order No. 58, dated July 17, 1917.)

5. A person in the United States who resigns from the Philippine classified or unclassified civil service before having rendered three years' service in the Philippine Islands, and who is reinstated in either of said services, shall not be entitled to the half salary and traveling expenses provided by law for persons residing in the United States who are appointed to the Philippine civil service: *Provided, however,* That a person originally appointed in the United States who did not receive half salary and traveling expenses en route to the Islands and accrued leave of absence under his original appointment because of the fact that he left the service prior to the rendition of two years' service, shall be entitled to such half salary and traveling expenses on reinstatement.

Half salary and traveling expenses.

6. No person separated from the Philippine classified or unclassified civil service before having served the full period prescribed by law or contract shall be allowed to reënter either of said services until he shall have made good all loss caused by such separation and shall have refunded to the Government such proportion of the total expenses, if any, incurred by it by reason of his appointment, including salary and traveling expenses prior to the date he actually entered upon the duties of his position, as the time he failed to serve is to the time required by said law or contract, and then only

Violation of contract.

on the approval of the head of the Department from which he was separated. Applications of such persons for reëntrance to the service should be made through the Director.

RULE VIII.—*Transfers*

- Transfer within a Bureau.** 1. A person in any bureau or office may be transferred within the same bureau or office upon any test of fitness, not disapproved by the Director, which may be determined upon by the appointing officer, subject to the limitations of the proviso of section two of this rule.
- Transfer from one Bureau to another (form 7).** 2. A person who has received absolute appointment may, upon the completion of the proper form by the chiefs of the bureaus or offices interested, and the certificate of the Director, be transferred from a position in one bureau or office to a position in another bureau or office: *Provided*, Examination. That transfer shall not be made without examination to a position if for original entrance to such position there is required under these rules an examination essentially higher than, or different from, the examination required for original entrance to the position from which transfer is proposed.
- Transfer from unclassified to classified service.** 3. No transfer shall be made of a person from any position in the unclassified service to a position in the classified service: *Provided*, That a person who has by promotion or transfer from the classified service entered the unclassified service, and has served continuously therein from the date of said promotion or transfer, may be retransferred to the classified position from which he was transferred or to any position to which transfer could be made therefrom: *Provided, however*, That if service is not continuous reëntrance into the service may be had in accordance with Rule VII.
- Retransfer.** 4. Any person who has been transferred from one classified position to another classified position may be retransferred to the position in which he was formerly employed, or to any position to which transfer could be made therefrom, without regard to the limitations of these rules.
- Transfer from the United States civil service.** 5. A person in the classified service of the Federal Government of the United States may be transferred to any position in the Philippine classified service, subject to the conditions of these rules with respect to age limitations and examinations, and when an examination is required previous to such transfer the Director may accept such tests of fitness as may be made upon his request by the United States Civil Service Commission.
- Transfer to the United States civil service.** 6. An officer or employee occupying a competitive position in the Philippine classified civil service who has rendered three or more years of satisfactory service therein may be certified for transfer to the Federal classified civil service, subject to the provisions of the United States civil service rules.
- Permission to seek transfer required.** 7. No chief of a bureau or office of the Government of the Philippine Islands, or any subordinate officer or employee thereof, shall directly or indirectly, invite, solicit, or even

discuss with a subordinate officer or employee, classified or unclassified, permanent or temporary, of another bureau or office, or of the Army or the Navy of the United States in these Islands, his appointment or transfer to the bureau or office of such chief or subordinate, until the consent in writing is first obtained of the chief of the bureau or office in which the desired officer or employee is a subordinate, or of the Governor-General or proper head of Department, or of the officer of the Army or the Navy under whom he may be employed or serving.

RULE IX.—*Promotions*

1. No vacancy in any position shall be filled by original appointment whenever there is in the bureau or office in which the vacancy exists any person in a position in a lower class or grade who is competent and qualified and is willing to be promoted to the existing vacancy. Vacancies to be filled by promotion.

2. In providing regulations and competitive examinations for promotion the Director shall give due weight to the previous experience and efficiency of officers and employees, and shall introduce such tests of fitness as he may deem proper after consultation with the chiefs of the different bureaus or offices, for which promotion examinations may be held, for the purpose of determining the relative capacity and efficiency of officers and employees. Promotion regulations.

3. In each Department, bureau, or office the Director may, subject to the provisions of section six of Rule III, designate a promotion examining committee of not less than three persons. The members of the committee shall perform such duties with respect to promotions and promotion examinations as the Director may require, in the performance of which duties they shall be under the sole control and authority of the Director. Examining committees.

4. There shall be kept in each office, on forms prescribed by the Director for that purpose, a comparative record from which the relative efficiency of employees may be determined. Among the elements of efficiency to be considered are quantity of work or the amount performed, quality of work or the degree of its excellence, physical condition, habits, character, conduct, aptitude and adaptability, punctuality, and attendance. This record shall be at all times open to the inspection of the Director. A report shall be made to the Director semiannually on the proper form, on the first days of January and July, giving the comparative term and corresponding efficiency rating applicable to each person according to the following scheme: Efficiency record (form 52).  
  
Semiannual report (form 54).

Excellent: Indicating a superior degree of efficiency or excellence....	90 to 100
Good: Indicating a high degree of efficiency.....	80 to 89
Fair: Indicating an ordinary degree of efficiency.....	70 to 79
Poor: Indicating inefficiency .....	Below 70

5. No recommendation of any person for promotion, whether verbal or in writing, shall be received or considered Recommendations for promotion.

unless it be made by the officer or officers under whose supervision he is or has been employed, and the presentation of any other recommendation shall be considered an unwarrantable interference with the public service; and such a recommendation made at the solicitation or with the knowledge or consent of the employee shall be sufficient cause for debarring him from the promotion proposed, and a repetition of the offense shall be sufficient cause for removing him from the service.

Examinations for promotion.

6. Until the promotion regulations herein authorized have been promulgated by the Director for any Department, bureau, or office and the Director has notified such Department, bureau, or office, that he is prepared to conduct the promotion examinations authorized under the Revised Civil Service Act and rules, promotions therein may be made upon any tests of fitness not disapproved by the Director which may be determined upon by the appointing officer: *Provided*, That pending the adoption of such regulations, in case of proposed promotion from one class or grade to another class or grade of an employee who has not entered the service through the examination prescribed for the class or grade to which promotion is proposed, such employee shall be required to obtain an eligible rating in such prescribed examination taken noncompetitively, and the appointment by promotion thus made shall not become effective prior to the date of taking the examination in which an eligible rating is obtained.

Frequency of promotion.

7. Save in exceptional cases, promotion or increase of salary shall not be made during the first six months after the appointment of an officer or employee, nor more frequently than once in twelve months thereafter, nor more than one class (or one-half of Classes C and D) at a time. The question of whether a case is or is not an exceptional one shall be submitted for determination to the Governor-General or proper head of Department, through the Bureau of Civil Service.

Suspension of action on proposed promotion.

8. When a promotion is proposed by the chief of a bureau or office and the report of changes and absences or the efficiency report of that bureau or office is overdue, action on such proposed promotion may be suspended pending the receipt of said report in proper form.

#### RULE X.—*Appointment and employment*

Procedure in making appointments. (Modified by Executive Order No. 68 [1917].)

1. All appointments to classified positions, except temporary appointments and appointments made by the Governor-General by and with the advice and consent of the Philippine Commission, whether original, by promotion, reduction, transfer, or reinstatement, must be made in accordance with the provisions of the Revised Civil Service Act, on form numbered thirty-three, and transmitted to the Director. If the appointments are allowable under the Revised Civil Service Act and rules, they shall be either

approved by the Director and returned to the appointing officer or, where some question requires determination and in other cases where it seems advisable, forwarded to the Governor-General or proper head of Department for direction. A monthly report shall be made by the Director to the Governor-General and heads of Departments of appointments approved under the authorization given in this section; appointments thus reported which are not revoked within ten days after the receipt of such monthly report shall be held to have been approved in accordance with the provisions of the Revised Civil Service Act. In case such appointments are revoked they shall be considered as having been effective until the date of revocation.

2. The payment of any money on account of salary to any officer or employee in the classified service is not warranted prior to the receipt by the disbursing officer of notification from the chief of the bureau or office that the appointment or employment of such officer or employee has been duly authorized as provided by the Revised Civil Service Act and rules.

Salary not to be paid until employment authorized.

RULE XI.—*Examination requirements relating to appointment and promotion*

1. Probational appointment or promotion as a result of eligibility in the third-grade examination shall not be made to positions the salary or compensation of which is above the minimum of Class H.

Salary limitations [amendment contained in Executive Order No. 34, dated April 2, 1914].

2. Probational appointment or promotion as a result of eligibility in the second grade Spanish, junior typewriter, assistant computer or junior draftsman examination shall not be made to positions the salary or compensation of which is above the minimum of Class D.

3. Probational appointment as a result of eligibility in the second-grade English, first-grade Spanish, junior translator, or junior stenographer examination shall not be made to positions the salary or compensation of which is above the minimum of Class D; promotion as a result of eligibility in any of these examinations shall not be made to positions the salary or compensation of which is above the minimum of Class A.

4. Probational appointment or promotion as a result of eligibility in the typewriter examination shall not be made to positions the salary or compensation of which is above Class A.

5. Probational appointment or promotion as a result of eligibility in the interpreter examination shall not be made to positions the salary or compensation of which is above Class A, or as a result of eligibility in the junior interpreter examination to positions the salary or compensation of which is above the minimum of Class D. Eligibility in these examinations qualifies for appointment and promotion to positions of interpreter only, and not to positions whose duties are clerical.

6. The maximum salaries allowable by probational appointment or by promotion as a result of eligibility in examinations not named above may be fixed by the Director of Civil Service with the approval of the Governor-General.<sup>1</sup>

7. A person who has heretofore<sup>2</sup> qualified in a Spanish examination may be promoted to a position with a salary not in excess of that allowable as a result of the same examination in English if the appointing officer certifies that the principal duties of the position require a knowledge of Spanish or that the employee has a sufficient knowledge of English to perform the duties of the position to which the promotion is proposed.

RULE XII.—*Procedure in reductions, separations, and suspensions*

Reductions,  
fines, and suspen-  
sions.

1. When the chief of a bureau or office deems it necessary to recommend the reduction in salary or compensation, deduction from pay, or suspension from duty without pay under the provisions of section sixteen of Act Numbered Sixteen hundred and ninety-eight, of a regularly and permanently appointed subordinate officer or employee in the classified civil service, or the deduction from pay or suspension from duty without pay of a subordinate officer or employee in the unclassified service who is entitled to the accrued leave provided by law, he shall in writing notify the person affected of the proposed action and the grounds upon which such action is premised, and shall prescribe a reasonable period, which shall not be less than twenty-four hours, within which a written reply may be submitted if desired, together with any written evidence the officer or employee may desire to submit. Upon receipt of the reply or after the expiration of the period within which such reply should have been submitted, the chief of the bureau or office shall forward to the Director a certified copy of the letter of

<sup>1</sup> In accordance with this provision entrance and maximum salaries have been fixed for the following examinations as indicated below:

Examination	Entrance salary	Maximum salary allowable by promotion
Bookkeeper, junior....	Not above ₱1,200 per annum.	Not above ₱1,800 per annum.
Civil engineer, assistant.	Not above ₱3,000 per annum.	Not above ₱3,000 per annum.
First grade English...	Not above ₱840 per annum. <sup>a</sup>	
Law clerk.....	Not above ₱1,200 per annum. <sup>a</sup>	
Rangers.....	} Not above ₱1,200.	Not above ₱1,800.
Scientific assistant....		Not above ₱2,400.
Teacher, junior.....	Not above ₱1,200.	Not above ₱1,800.
Technical, junior.....	Not above ₱1,200.	Not above ₱1,800.

<sup>a</sup> Provided that in cases where the eligible has extended experience and has been or is employed at a higher salary, probational appointment may be made at a salary higher than those fixed, but it shall not be greater than the highest salary received by the eligible; and that entrance salaries higher than those fixed may be allowed in remote localities or under other exceptional circumstances, with the specific approval of the Governor-General in each case.

<sup>2</sup> Before April 2, 1914.



notification and the reply and evidence, if any shall have been received. These papers shall be promptly forwarded to the Governor-General or proper head of Department by the Director, together with his recommendation in the case, for final action.

2. In case of proceedings to remove a regularly and permanently appointed subordinate officer or employee in the classified civil service for cause, the chief of the bureau or office may suspend such person at once, if he deem that course necessary, and, in any event, shall in writing notify the person in interest that his removal for cause is to be recommended, and of the ground upon which such recommendation is based, at the same time prescribing a reasonable period within which a written answer, supported by such written evidence as he desires to present, shall be submitted, such period to be not less than twenty-four hours after the actual receipt of the notification by the person recommended for removal. In the event of no response being received within the period prescribed, evidence of the receipt of the written notification, together with a certified copy of the same, shall be forwarded to the Director. If reply has been received, it shall be similarly forwarded with a certified copy of the notification mentioned, together with any other evidence or papers in the case. The Director shall promptly forward, with such comment as he may deem proper, all the papers in the case for final action. If such action be approval of the recommendation to remove for cause, the person affected shall be dropped from the rolls of the office as discharged on the day he was suspended, if suspension was made; otherwise his discharge shall be effective on the date of receipt by the chief of the bureau or office in interest of the notification of approval by the Governor-General or proper head of Department. Except by the specific approval of the Governor-General or proper head of Department, had in each specific instance, no officer or employee shall so construe the provisions of any law now in force as to authorize or require the official publication of the cause of removal of any person from the Philippine civil service in more specific terms than "for the good of the service."

**Removals.**

3. In every instance of a tender of resignation by a regularly and permanently appointed subordinate officer or employee in the classified civil service, it shall be the duty of the officer authorized to act thereon to accept or decline to accept the same in writing, and if the resignation be accepted, to give him a letter stating clearly the character of the services rendered and whether or not, in the light of present information, a possible future application for reinstatement in the same bureau or office would be favorably considered. In the event of a statement to the effect that such application would not be favorably considered, reasons therefor shall be stated and the person in interest

**Resignations.**

informed that he may, should he so desire, submit a written reply and such other written evidence as he may elect. When completed, certified copies or the originals of all the papers in the case shall be forwarded to the Director; in case of objection to reinstatement, the papers will be forwarded by the Director with such comment as he may deem proper, to the Governor-General or proper head of Department, for review and final action. For obvious reasons no officer or employee should be continued in his position who could not be recommended for reinstatement were he to resign.

Translation of papers.

4. If any of the papers in the proceedings under this rule are written in Spanish, the chief of the bureau or office shall furnish translations in English, whenever practicable, as well as the originals or certified copies thereof. All papers relating to the removal or resignation of subordinate officers or employees in the classified civil service shall be filed in the office of the Director.

Reports of removal or reduction of unclassified employees.

5. In all cases of removal or reduction of officers or employees in the unclassified service above the grade of semi-skilled laborer, the chief of the bureau or office shall furnish the Director with a full statement of the cause of the removal or reduction. In cases of resignation when an application for reinstatement would not be favorably considered, the Director shall be furnished with a full statement of the character of the services rendered and the reasons why application for reinstatement would not be favorably considered.

#### RULE XIII.—*Prohibitions and penalties*

Political coercion.

1. No person in the Philippine civil service shall use his official authority or official influence to coerce the political action of any other person or body.

Political tributions.

2. No officer or employee in the Philippine civil service shall discharge or promote or degrade or in any manner change the official grade or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding, or neglecting to make, any contribution of money or other valuable thing for any political purpose whatever.

Politics and religion.

3. No inquiry shall be made, and no consideration whatever shall be given to any information relative to the political or religious opinions or affiliations of persons examined, or to be examined, or of officers or employees in the matter of promotion, and no discrimination shall be exercised, threatened, or promised against, or in favor of, any person employed, examined, or to be examined because of his political or religious opinions or affiliations.

4. No recommendation of an applicant, competitor, or eligible involving any disclosure of his political or religious opinions or affiliations shall be considered by the Director, by any examining committee or special examiner, or by any nominating or appointing officer.

5. No officer or employee shall engage in any private business, vocation, or profession, or be connected with any commercial undertaking, or lend money on real or personal property, without written permission from the chief of the bureau or office in which he is serving, and of the Governor-General or proper head of Department. As a general rule, in any enterprise which involves the taking of time, this prohibition will be absolute in the case of those officers and employees whose remuneration is fixed in the assumption that their entire time is at the disposal of the Government; if granted permission to engage in a business requiring time of applicant, copies must be furnished the Director.<sup>1</sup>

6. Discourtesy to private individuals or to Government officers or employees, drunkenness, gambling, dishonesty, repeated or flagrant violation or neglect of duty, notoriously disgraceful or immoral conduct, physical incapacity due to immoral or vicious habits, incompetency, inefficiency, borrowing money by superior officers from subordinates or lending money by subordinate to superior officers, lending money at exorbitant rates of interest, willful failure to pay just debts, contracting loans of money or other property from merchants or other persons with whom the bureau of the borrower is in business relations, pecuniary embarrassment arising from reprehensible conduct, the pursuit of private business, vocation, or profession without permission in writing from the chief of the bureau or office in which employed and of the Governor-General or proper head of Department, disreputable or dishonest conduct committed prior to entering the service, insubordination, pernicious political activity, offensive political partisanship or conduct prejudicial to the best interest of the service, or the willful violation by any person in the Philippine civil service of any of the provisions of the Revised Civil Service Act or rules, may be considered reasons demanding proceedings to remove for cause, to reduce in class or grade, or to inflict other punishment as provided by law in the discretion of the Governor-General or proper head of Department. No chief of a bureau or office shall knowingly continue in the public service any subordinate officer or employee who is inefficient or who is guilty of any of the above-named derelictions, without submitting the facts through the Director to the Governor-General or proper head of Department.

7. In making removals or reductions, or in imposing other punishment, for delinquency or misconduct, penalties like in character shall be imposed for like offenses, and action thereon shall be taken irrespective of the political or religious opinions or affiliations of the offenders.

8. No person in the Philippine civil service, classified or unclassified, permanent or temporary, shall take any active part in political management or in political campaigns: *Pro-*

Private business.

Causes for removal, reduction, or other punishment.

Information as to delinquencies and misconduct to be forwarded.

Like punishment for like offenses.

Political activity prohibited. (Executive Order No. 76, dated October 12, 1917.)

<sup>1</sup> See also Executive Order No. 103, series of 1913.

*vided*, That this section shall not apply to elective officers, officers and employees of either House of the Legislature, and Secretaries of Departments. Political activity shall consist, among other things, in candidacy for elective office, being a delegate to any political convention or a member of any political committee or directorate or an officer of any political club or other similar political organization, making speeches, canvassing or soliciting votes or political support in the interests of any party or candidate, soliciting or receiving contributions for political purposes, either directly or indirectly, or becoming prominently identified with the success or failure of any candidate or candidates for election to public office. The prohibitions herein contained apply to political activity with respect to the political parties of the United States as well as of the Philippine Islands. Violation of this section shall be considered cause for removal from the service.

Officers or employees of the court. (Executive Order No. 7, dated February 16, 1918.)  
—purchases at judicial sales.  
—service as commissioner.

9. No officer or employee of any court of the Philippine Islands shall purchase or attempt to purchase, directly or indirectly, any property sold under the orders of the courts. Any such purchase or attempt to purchase shall be sufficient ground for removal from the service. No officer or employee of any court of the Philippine Islands shall serve as a commissioner, referee, or in any other capacity in cases pending before such court, except when he shall act as such under the direct supervision of the court and without any additional compensation.

#### RULE XIV.—*Official record of officers and employees*

Record of employees.

The Director shall keep an official record of all regularly and permanently appointed officers and employees in the civil service of the Philippine Islands above the grade of semiskilled laborer, and for the purpose of this record each chief of a bureau or office shall furnish to the Director:

Information to be furnished.

1. The necessary information in such form and manner as he may prescribe with the approval of the Governor-General.

Monthly report (form 3).

2. A statement on the proper form, on the first day of each month, of all changes, and the dates thereof, in the service under the control and authority of the chief of the bureau or office, setting forth, among other things, the following: The name of every person appointed, reinstated, promoted, reduced, transferred, or separated from the service; the position to which an appointment or reinstatement is made; the position from which and the position to which a promotion or transfer is made; the position from which a separation is made, whether by removal, resignation, or death, and the compensation of every position from which or to which a change is made.

#### RULE XV.—*Government office hours*

Hours of labor.

"1. It shall be the duty of all chiefs of Bureaus and offices in the Philippine Civil Service to require of all subordi-

<sup>1</sup> As amended by Executive Order No. 26 dated August 4, 1926.

nate employees, except teachers, of whatever grade or class, not less than seven hours of work each day, exclusive of Sundays and public holidays, except that from April first to June fifteenth of each year, and on Saturdays throughout the year, the office hours may be reduced to five hours, from seven o'clock and thirty minutes in the morning to twelve o'clock and thirty minutes in the afternoon: *Provided*, That except during the hot season the office hours of all Bureaus and Offices in the City of Manila shall be from eight o'clock in the morning to twelve o'clock noon and from one o'clock to four o'clock in the afternoon on all working days except Saturdays. Where called for, however, by the nature of the work of a particular Bureau or office, the employees of such Bureau or Office may be grouped by the Director, with the approval of the Department Secretary, into shifts for the convenience of the public. Not less than five hours of labor on each school day shall be required of all persons in the teaching service."

Teachers.

2. When the nature of the duties to be performed or the interests of the public service require it, the head of any Department, bureau, or office may extend the daily hours of labor herein specified for any or all of the employees under him, and in case of such extension it shall be without additional compensation unless otherwise provided by law. Officers and employees may be required by the head of the bureau or office to work on Sundays and public holidays also, without additional compensation unless otherwise specifically authorized by law.

Extension of hours of labor

3. Each chief of a bureau or office shall require a daily record of attendance of all the officers and employees under him entitled to leave of absence or vacation (including teachers) to be kept on the proper form and also a systematic office record showing for each day all absences from duty from any cause whatever. At the beginning of each month he shall report to the Director on the proper form all absences from any cause whatever, including the exact amount of undertime of each person for each day. Officers or employees serving in the field or on the water need not be required to keep a daily record, but all absences of such employees must be included in the monthly report of changes and absences. Falsification of time records will render the offending officer or employee liable to summary removal from the service and criminal prosecution.

Record of attendance (form 48).

Monthly report (form 3).

Falsification.

RULE XVI.—*Leave of absence*

1. (a) Applications for accrued leave of absence shall be made on the form provided for that purpose two weeks in advance, wherever possible, of the date on which it is desired that the leave shall become effective, and must be submitted to the proper chief of bureau or office for recommendation. Such chief of bureau or office shall transmit this form to the Director with recommendation and the data

Application for accrued leave (form 39)

Information to be furnished. contemplated by the first indorsement on said form, together with any other information which may have a bearing on the allowance or disallowance of leave.

Death. (b) In case of the death of an officer or employee the chief of his bureau or office shall transmit to the Director application for accrued leave due, and application supported

Medical certificate (form 41). by medical certificate on the form provided for that purpose, for vacation leave covering absence on account of illness immediately preceding death.

Separations. (c) When an officer or employee is separated from the civil service without prejudice, by resignation, death, or other cause, the money value of accrued leave granted, estimated in accordance with the provisions of Act Numbered Sixteen hundred and ninety-eight, may become immediately due and payable if the state of the appropriation from which his salary is payable warrants immediate payment. If the leave granted is commuted, payment therefor shall be made as provided by law; if the leave granted is not commuted, payment shall be made from the unexpended balance for salaries and wages, and the position shall remain vacant for a period equal to the accrued leave granted.

Leave accrued at different compensations. (d) An officer or employee who applies for accrued leave which was earned at different rates of compensation shall be granted leave with pay at the salary he is last receiving for a period equaling in money value the period of accrued leave estimated in accordance with the provisions of Act Numbered Sixteen hundred and ninety-eight, and he may be granted, if he so desires, such additional leave, without pay, as will give him the aggregate length of time on leave, with and without pay, as provided in the aforesaid Act.

Commutation of leave. (e) Except on resignation, commutation of leave shall not be made to an officer or employee who remains in the Islands during the period of the leave granted. If he obtains commutation of leave and does not leave the Islands without delay or if he returns to the Islands more than three weeks prior to the expiration of the period of leave commuted and fails to make immediate refund of the money value of unused leave commuted, his action shall be considered cause for forfeiture of vacation leave and for such other disciplinary action by the Governor-General or proper head of Department as may be deemed necessary.

Penalties for improperly obtaining commutation.

Application for vacation leave (form 55). 2. (a) All applications for vacation leave of absence for a period of one full day or more must be made on the form provided therefor five days in advance, wherever possible, and transmitted to the Director immediately: *Provided*, That applications on this form for two days or less may be retained by the chief of any bureau or office, if so preferred by him, and forwarded to the Director on the first day of the following month as inclosures to the monthly report; when so forwarded the first indorsement need not be completed. Applications for less than one day should not be forwarded. All absences, including fractions of a day, must

be recorded on the daily time record and reported to the Director monthly. In case of illness or unavoidable absence from other cause notice must be immediately sent to the chief of the bureau or office, and the application, containing a brief explanation of the cause of delay in filing, forwarded later.

(b) The vacation leave of an employee whose salaries during a calendar year embrace the two rates of vacation leave provided in the schedule of section 24 of Act Numbered Sixteen hundred and ninety-eight shall be computed by allowing credit for the two rates in proportion to the part of the year served at each rate.

Vacation leave when salary changes during the year.

(c) When vacation leave is requested by any officer or employee (except a teacher) during his first six months of service from the date of original appointment the Director shall state on the application the date on which payment for such leave may properly be made under the provisions of Act Numbered Sixteen hundred and ninety-eight, and, unless the Governor-General or proper head of Department directs otherwise, on account of illness of the officer or employee, the chief of the bureau or office shall require that payment for such leave be withheld until that date.

Vacation leave during first six months' service.

(d) The application for vacation leave shall be used by teachers for all absences during school terms on account of illness or other cause, and the Director of Education shall require payment for such absences to be withheld until they have performed duty during vacation for a period equal to their absences from duty on account of illness, as required by Act Numbered Sixteen hundred and ninety-eight: *Provided*, That if the absences were due to illness, the withholding of salary may be postponed to the beginning of the next summer vacation. Teachers in applying for permission to visit the United States shall use the same application.

Absences of teachers during school sessions (form 55).

(e) Applications of officers and employees for leave of absence on account of wounds or injuries incurred in the performance of duty, extending beyond the allowable vacation leave (paragraph (d), section twenty-five, Act Numbered Sixteen hundred and ninety-eight), must be made on the form used in making application for vacation leave, supported by medical certificate on the prescribed form and evidence showing that the wounds or injuries were incurred in the performance of duty.

Wounds or injuries.

3. When an officer or employee is granted vacation leave in excess of the accrued leave allowable, or when he is granted vacation and accrued leave and the vacation leave is in excess of the accrued leave allowable at the expiration of the total vacation and accrued leave granted, payment for such excess leave shall be withheld until five days after return to duty. In the event that it shall appear during the first five days after return to duty from leave that it is not the intention of the officer or employee to continue in the performance of his duties any longer than to draw all

Withholding pay for leave granted.

back salary which may be due him, payment shall be withheld and full report thereof forwarded by the chief of the bureau or office, through the Director, to the Governor-General or proper head of Department for action. If he fails to return to duty no payment for the leave withheld shall be made, unless the failure to return is due to illness and payment is authorized by the Governor-General or proper head of Department.

Absence due to illness.

4. All absences of an officer or employee in excess of the vacation or accrued leave allowable shall be without pay, unless the Governor-General or proper head of Department directs that payment for such absence be made, in accordance with paragraph (c), section twenty-five of Act Numbered Sixteen hundred and ninety-eight, on account of the absence being due to illness of the officer or employee. At the expiration of the first two years of service the officer or employee may make written application covering the period for which pay was withheld. This application shall be forwarded by the head of the bureau or office with his recommendation, through the Director, to the Governor-General or proper head of Department, who may direct that payment be made, if funds are available, and that the absence be charged against accrued leave.

Excess vacation leave charged to salary or accrued leave on separation.

5. If an officer or employee is separated from the service by resignation or otherwise except by death after having taken vacation leave in excess of that proportion due for the part of the calendar year served by him, such excess vacation leave shall be charged against his salary or accrued leave: *Provided*, That if the vacation leave was allowed on account of illness of the officer or employee, the Governor-General or proper head of Department may direct that no deduction be made from his salary or accrued leave for such excess vacation leave previously allowed.

Leave not allowable on separation prior to completion of two years' service.

6. <sup>1</sup> An officer or employee other than teacher appointed under the provisions of chapter twenty-seven of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code, who is separated from the service by resignation or otherwise before having served two full years, shall not be allowed any leave on separation.

Vacation of teachers.

7. (a) <sup>1</sup> The resignation of a teacher may be accepted at the end of a school year and he may be allowed the vacation current: *Provided*, That the total vacation enjoyed by him shall not exceed twelve weeks for every forty weeks actually taught.

Resignation or leave during school year.

(b) <sup>1</sup> As a rule, the resignation of a teacher will not be accepted prior to the termination of the school year: *Provided*, That if for illness or urgent necessity the resignation of a teacher who has served more than one year is accepted without prejudice or permission to visit the United States is granted by the Secretary of Public Instruction prior to

<sup>1</sup> As amended by Executive Order No. 31 dated September 11, 1926.



the termination of the school year he may be allowed salary for one week's vacation for every month actually taught by him since the preceding summer vacation. Vacation may be allowed to the estate of a teacher who dies or to the teacher who resigns because of completion of contract on the same basis as to a teacher whose resignation is accepted on account of illness.

8. In every case where action by the Governor-General or head of Department is contingent upon illness of an officer or employee evidence of illness must be submitted on the prescribed form except where a teacher applies for permission to make up, during vacation, time lost from duty on account of illness; if the illness was due to immoral or vicious habits, favorable action will not be taken.

Illness, evidence required (form 41).

9. When an application for leave is received by the Director and the monthly report is overdue, action on such application may be suspended pending the receipt of such report in proper form, but such suspension and the reason therefor shall be communicated immediately, in writing, by the Director, to the proper chief of bureau or office.

Suspension of action of applications for leave.

10. Absence on Saturday shall be counted as absence for one full day. A Sunday or a holiday occurring at the beginning or at the end of a period of accrued or vacation leave shall not be considered as a day chargeable to leave unless the duties of the position demand the rendering of service on such day. Leave of absence for any reason other than serious illness must be contingent upon the necessities of the service.

Absence on Saturday.

11. Officers or employees on leave of absence shall report to the chiefs of their respective bureaus or offices at the end of each month by registered mail their post-office addresses for the ensuing month, and shall promptly report in a similar manner and in sufficient detail every unexpected and unavoidable delay which may have occurred during the period contemplated by their leave of absence. Absence from duty at station in the Philippine Islands after the expiration of the leave due shall be without pay.

Leave contingent on needs of the service.

Employees on leave to report addresses.

12. No officer or employee in the Philippine civil service shall be dropped from the rolls of his office for unexplained absence in the United States until at least forty days after the expiration of the period of absence contemplated by the leave granted, and then only with the approval of the Governor-General or proper head of Department.

Unexplained absence.

13. (a) All officers and employees who are granted leave of absence for the purpose of visiting the United States and who contemplate returning to duty upon the expiration of such leave of absence shall, before leaving the Islands, make application to the Executive Secretary for transportation returning to Manila. In each application the date of the expiration of leave of absence and the post-office address of the applicant while in the United States must be stated.

Return transportation from the United States.

Where the employee has served more than three years in the Islands such return transportation will be advanced upon request, provided the employee agree to reimburse the Government in installments and to remain in the service until such reimbursement is made.

Correspondence  
regarding return  
transportation.

(b) If transportation is not advanced as provided in the next preceding section, immediately upon reaching the United States remittance covering cost of return transportation must be made to the Chief of the Bureau of Insular Affairs, War Department, Washington, District of Columbia, with a statement of the date on which the applicant desires to leave the United States. All subsequent communications regarding return transportation and prompt report of any changes occurring in the applicant's post-office address must also be directed to the Chief of the Bureau of Insular Affairs, and a duplicate copy of each such communication mailed at the same time to the chief of the bureau or office interested.

Expense ac-  
count.

(c) An officer or employee entitled to traveling expenses from his place of residence in the United States to Manila under the provisions of section twenty-three or twenty-nine of Act Numbered Sixteen hundred and ninety-eight, or from foreign countries under the provisions of section twenty-three of Act Numbered Sixteen hundred and ninety-eight, shall file with the Insular Auditor his expense account within thirty days, if possible, after arrival at Manila.

JAMES F. SMITH, *Governor-General*

## EXECUTIVE ORDERS

### THE GOVERNMENT OF THE PHILIPPINE ISLANDS EXECUTIVE BUREAU

MANILA, *December 1, 1913*

EXECUTIVE ORDER }  
No. 103 }

For the future, the executive authority given by the law to permit, in certain cases, Government employees to engage in private business outside of their official duties, will not be favorably exercised except under most exceptional circumstances. It is not intended by this that all employees of the Government who have engaged in private business under executive permission conferred in accordance with the law should sever their connection with such business enterprises; and such cases would be considered for revocation of the permission already extended only where such business activities impair the efficiency of the Government employee during his official work, tend to influence improperly his official actions, secure to him any unfair advantage in connection with his official position, or otherwise bring discredit upon the Government. On the other hand, it should be understood that for the future such business employment outside of official life is considered to affect unfavorably the capacity of the employee to perform the Government services for which he is drawing his salary; his entire time and strength is due to the Government even though he may be called upon to give such time and strength outside of office hours.

No employee will be allowed to take any part in the management of any business or engage in outside clerical or sedentary employment or any profession or employment which would bring him into competition with professional or business men, and permission to accept employment will as a rule be limited to that involving outdoor labor which would better the physical condition of the employee and to teaching engineering, stenography, and such other branches as would be of benefit to the Government or the community, the time to be devoted to this teaching not to exceed that prescribed for the Government night schools (one and one half hours daily).

Permission for all investments made in the Philippine Islands must be obtained from the Governor-General or proper Secretary of Department. No request will be approved to make any investment which might bring the employee's pri-

vate interests into real or apparent conflict with his public duties or in any way influence him in the discharge of his duties, or to make any investment which might interest the employee in an undertaking with which his public duty is connected or which might cause criticism of the Government or the employee. Employees shall not obtain concessions from the Government or own stock in companies holding concessions.

Loans from subordinates to superiors and loans on personal security are absolutely prohibited. Loans on real estate with interest at 10 per cent per annum or less will usually be approved under proper conditions.

Any violation of the provisions of this order or acceptance of employment or making investments or loans without the required permission will be sufficient cause for removal from the service.

FRANCIS BURTON HARRISON  
*Governor-General*

*September 23, 1926*

DEPARTMENT ORDER }  
No. 2, s. 1926 }

To supplement the provisions of Executive Order No. 103, dated December 1, 1913, relating to prohibition of Government officers and employees from engaging in private business, the following specific regulations are made for the government of the conduct of officers and employees of the Bureau of Education and the Bureau of Health, respectively:

#### BUREAU OF EDUCATION

Teachers, principals, superintendents of schools or other insular, provincial or municipal employees responsible for the selecting, requisitioning or recommending of books, school stationary, magazines, periodicals, athletic goods or other school supplies are hereby prohibited to own, directly or indirectly, shares of stock in any firm, company, corporation or business establishment dealing in these goods, or to loan, directly or indirectly, funds to any of these entities or to the individual members or officers thereof, or to have any interest, direct or indirect, in any business enterprises from which the Bureau of Education acquires supplies and materials either by direct purchase or through some Government bureau or agency.

It is evident that in the purchase of books or school supplies, the best interest of the school should be the only consideration. Supplies or goods should be purchased where the prices are most advantageous to the schools, irrespective of the company or companies concerned, but above all the good name of the Bureau of Education must be safeguarded

and school officials saved from embarrassing situations, annoyances, and malicious insinuations.

BUREAU OF HEALTH

Officers and employees of the Bureau of Health responsible for the selecting, requisitioning, or recommending of supplies and materials are hereby prohibited to own, directly or indirectly, shares of stock in any firm, company or corporation having business relations with the Bureau of Health, or to loan, directly or indirectly, funds to those entities or to the individual members or officers thereof, or to have any interest, direct or indirect, in business enterprises from which the Bureau of Health acquires supplies and materials either by direct purchase or through some Government bureau or agency.

Violations of the provisions of this order will be sufficient ground for dismissal from the service.

(Sgd.) E. A. GILMORE  
*Secretary of Public Instruction*

OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, August 3, 1917

EXECUTIVE ORDER }  
No. 63 }

For the purpose of determining the relations that should obtain between the various branches of the Executive as a result of the recent reorganization of the Insular Government, the following instructions are hereby published for the information and guidance of all concerned:

1. The executive power is vested in the Governor-General and the Secretaries of Departments. The Governor-General, *by the terms of the Philippine Organic Act, is the supreme executive authority and has general supervision and control of all of the Departments and Bureaus of the Government;* the Departments exist for the proper distribution of the work of the Executive, the performance of such functions as may be specifically conferred upon them by law, and in order that there may be a head of each branch of the administration responsible for the conduct and policy thereof. The several Department Secretaries are therefore expected to assume the burden and responsibility for all Government activities under their control and supervision.

2. Executive orders, regulations, decrees and proclamations relating to matters under the supervision or control of a Department the promulgation whereof is expressly conferred by law upon the Governor-General will, as a general rule, be issued upon the recommendation of the corresponding secretary of department.

3. The present practice of the Secretaries of Departments of constituting themselves into a Cabinet of the Governor-General is hereby confirmed, approved and continued. The Cabinet shall hold regular meetings weekly and such special meetings as may be called by the Governor-General. All controversies between two or more Departments and all matters involving the determination of a general policy, even when they come under the jurisdiction of a single Department, shall be discussed in the Cabinet.

4. The Bureaus and Offices in each Department are units or agencies of government constituting a correlated organization with the Department Secretary as its responsible head. All dealings with and between Bureaus and Offices shall therefore be conducted by the proper Secretary of Department unless otherwise authorized.

5. The Secretary of each Department shall from time to time promulgate such rules, regulations, orders or instructions not inconsistent with law as may be necessary for the proper government of his department, to secure the harmonious and efficient administration of the Bureaus and Offices under his control and supervision, and to carry into full effect the laws relating to matters within his jurisdiction. Rules, regulations, orders or instructions of a general and permanent character and application promulgated in pursuance hereof shall be issued in the form of Department orders consecutively numbered for each year and duly published.

6. The chiefs of Bureaus and Offices shall continue to exercise their own judgment and discretion in the disposition of all matters arising within their jurisdiction, subject to the direction and control of their Department Head, who may, except as otherwise specifically provided by law, reverse or modify their decisions.

7. Papers requiring action by the Bureaus of Audits and Civil Service shall be forwarded to the Secretary concerned through the Insular Auditor and the Director of Civil Service, respectively. All proposed appointments by chiefs of Bureaus and Offices in the Philippine Civil Service, whether original, by promotion, reduction, transfer or reinstatement shall be transmitted to the Director of Civil Service who shall forward them to the Governor-General or proper Head of Department for approval, in case he finds them allowable under the Civil Service Law and Rules. Commissions of unclassified officers of the various departments shall be signed by the Governor-General and countersigned by the corresponding Secretary of Department. So much of section one of Civil Service Rule X as is inconsistent with the provisions of this section, is hereby revoked.

FRANCIS BURTON HARRISON

*Governor-General*

OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, *March 22, 1921*

EXECUTIVE ORDER }  
No. 12 }

In connection with the enactment of Act Numbered Two thousand nine hundred ninety with regard to the commutation under certain conditions of accrued leave in excess of the leave for five years of service and which would otherwise be forfeited, the following procedure should be followed by the persons concerned: In order that a person who has to his credit the accrued leave for five years of service may establish his right to the commutation allowed by the law referred to above, he shall forward an application for accrued leave, on the usual form and in the usual way, covering the period of time which he desires to enjoy. This application should be acted upon by the chief of the bureau or office as contemplated by the printed first indorsement thereon. Favorable action should always be taken unless the services of the applicant are practically indispensable, which would very rarely be the case, because denial of the request exposes the Government to a considerable expense, and the new law is susceptible to much abuse if it be administered with a view to granting a certain class of employees additional compensation rather than a view to the real exigencies of the Government service. A uniform policy by all chiefs of offices of taking favorable action will be advantageous to all the parties concerned. The employee will thereby be benefited because he needs rest and recuperation of impaired health due to long and continuous service to which he has been subjected. The Government on the other hand will share the benefit thus derived by the employee because when he returns to duty he will embark upon his work with new vigor and energy. If the application for leave is denied, the officer doing so shall state in detail the reasons therefor, which must be sufficient to make it appear that the Government would suffer a greater loss by sparing the applicant's services for the period of leave applied for than the money value of the accrued leave in excess of that pertaining to five years' service. He shall also make specific statement as to the earliest probable date on which the applicant might be granted the leave applied for or a portion thereof.

If the application is disapproved on account of the real exigencies of the service, the applicant will thereby become eligible to the benefits conferred by Act No. 2990. At the expiration of one year from the effective date of the leave applied for, when the right to commutation herein mentioned is perfected, the applicant may request commutation of the

accrued leave which is then in excess of that pertaining to five years of service. It should be understood that as the law has no retroactive effect commutation of any accrued leave forfeited on or before the enactment of the law aforementioned cannot be entertained.

CHARLES E. YEATER  
*Acting Governor-General*

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OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, *March 8, 1922*

EXECUTIVE ORDER }  
No. 12 }

It having been brought to my attention that the provisions of Memorandum Order, this office, dated January 23, 1918, are not being complied with and that bureaus are bidding against each other for desirable men by offering increases of salary, which practice is demoralizing and it is directed that each head of Department or chief of bureau or office take the necessary steps to prevent the transfer of any of his employees, either classified or unclassified, as a result of such procedure and that no action be taken which tends to encourage the practice of one bureau or Department bidding against another for the services of an individual.

LEONARD WOOD  
*Governor-General*

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OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, *November 20, 1924*

EXECUTIVE ORDER }  
No. 58 }

*To all Chiefs of Bureaus and Offices:*

Occasions are continually arising calling for the gathering of voluntary contributions to various causes. In such cases the practice of authorizing disbursing officers to withhold such contributions from the salaries or any other payments which may be due officers and employees is deemed prejudicial to public interest and should be discontinued. The collection of such contributions through disbursing officers is bound to be construed by many as lending the weight of the authority of the Government to the cause in view, and to this extent takes away the purely voluntary nature of the contribution and undoubtedly leads to employees making larger contributions than they really feel justified in making; in other words it amounts to a means for compulsion.

It is, therefore, directed that disbursing officers refrain from making any deduction from the amount due to any



officer or employee for the purpose of applying the same to so-called voluntary contributions. This action should not be construed as discouraging in any way any officer or employee from contributing personally to worthy causes.

LEONARD WOOD  
*Governor-General*

OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, *February 14, 1925*

EXECUTIVE ORDER }  
No. 8 }

It has come to the knowledge of this office that a great number of Government employees has resorted to the pernicious practice of lobbying in legislative halls and offices for the purpose of influencing the members of legislative bodies to grant them increases in their compensation. It is understood that in many such cases the increases in salary are not recommended by the chief or by the Department head, and that the employees approach and influence members of the Legislature on their own initiative and responsibility. This practice is certainly destructive of the merit system upon which the Civil Service Law and Regulations are based and is highly unbecoming of public servants. The chief of a bureau or the head of a Department is the proper official to judge whether or not an employee is deserving of an increase in salary. Furthermore, the practice of lobbying tends to keep before the minds of employees thoughts of their own personal advantage in connection with their official duties, instead of the public interest.

It is therefore ordered that hereafter no employee, whether in the classified or the unclassified service of the Philippine Government, shall lobby for his promotion in salary. Persons guilty of violation of this order shall be proceeded against in accordance with the Civil Service Law and Regulations and shall be subject to removal or such other disciplinary action as the facts may warrant.

All officials of the Government of whatever class, are enjoined from countenancing, encouraging, or participating either directly or indirectly in the lobbying to which reference is herein made.

LEONARD WOOD  
*Governor-General*

## MEMORANDUM ORDERS

### OFFICE OF THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS

#### Memorandum order

*To all Chiefs of Bureaus and Offices:*

Coursing of correspondence regarding appointments and leave through Bureau of Civil Service.

"It is hereby directed that all correspondence with reference to cablegrams regarding appointments in the United States, return transportation from the United States, extensions of leave of absence without pay, and similar matters affecting the status or privileges of officers and employees of the Philippine civil service where action by the Governor-General or the Executive Secretary is required, be addressed to these officials through the office of the Director of Civil Service and the proper head of Department.

"In connection with the memorandum order of the Governor-General of the ninth instant, with reference to new appointments and special case promotions, it is directed that all requests for permissions to make such appointments or promotions be transmitted to the Governor-General through the Bureau of Civil Service and proper head of Department, accompanied by a statement of the appointing officer, in each separate case, explaining the necessity for making the new appointment or special case promotion.

"Any other matters not specifically mentioned in this order should be sent through the Bureau of Civil Service if it is at all likely that the recommendation or action of that Bureau is necessary.

"The procedure prescribed in this order is for the purpose of expediting the handling of matters in which the recommendation or other action of the Bureau of Civil Service is desired.

FRANCIS BURTON HARRISON

*"Governor-General"*

IGNACIO VILLAMOR

*Executive Secretary*

MANILA, January 22, 1915

### OFFICE OF THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS

#### Memorandum order

*To all Chiefs of Bureaus and Offices:*

Restricting temporary employment of noneligibles.

My attention has been called to the extensive system of temporary employment which has prevailed for years in this

Government. Some of this temporary employment is justified by the fact that a sufficient number of persons eligible for regular appointment are not available for the work in hand, this being particularly true in the teaching service. There are many other positions which, on account of their temporary nature and the constantly changing demands, should properly be considered as temporary, such positions being mainly in connection with road and building construction and other outdoor employment.

I am convinced, however, that appointing officers have frequently abused the privilege of temporary employment in connection with clerical positions, and that the time has come when clerical positions throughout the service, save in a very few remote localities, can be filled from the regular registers of eligibles not only without detriment to the service, but with positive benefit. In order to prevent any extension of the temporary employment system, it is hereby directed that all clerical or semiclerical positions (clerks, bookkeepers, typewriters, translators, law clerks, chiefs of divisions, etc.), be filled hereafter by promotion, transfer, or reinstatement of eligibles, or by selection from the regular registers of eligibles. No further increases in salary will be authorized for noneligibles now employed in such positions, nor will temporary employment of eligibles be authorized with higher rates of compensation than those to which their examination status entitles them. Appointing officers will be expected to anticipate the needs of the service for which they are responsible and to provide in advance for the necessary special training of new clerks when vacancies occur in positions requiring knowledge of special duties.

Requests for authority for temporary employment of non-eligibles in clerical or semiclerical positions based on knowledge of typewriting, languages, law, etc., will not be entertained. Exceptions may be made only in remote provinces where no eligibles are available and possible in certain cases where a knowledge of stenography is an absolute requirement, but in every case they shall bear the specific approval of the Governor-General, after a complete statement of the necessity for making the employment is made by the appointing officer and the recommendation of the Director of Civil Service is obtained.

All persons whose temporary employment in clerical or semi-clerical positions has already been authorized and who are not now eligible for regular appointment, are directed to make special effort to qualify for regular appointment by entering an appropriate examination. Employees stationed in Manila should consult the Bureau of Civil Service and enter an examination on the earliest possible date. Employees stationed in the provinces should be directed to enter an appropriate examination when the general examinations are held in provincial capitals on September 18-19, 1915. Applications for the required examinations should be transmitted

to the Bureau of Civil Service immediately by all employees affected by this order.

In order to secure effective compliance, all chiefs of bureaus and offices are directed to report to the Bureau of Civil Service, not later than January 1, 1916, and each six months thereafter, the action taken in this matter, the number of persons who have failed to qualify for regular appointment who are still employed in clerical positions, and the necessity, if any, for retaining them in the service beyond that date.

FRANCIS BURTON HARRISON

*Governor-General*

MANILA, July 9, 1915

OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

Memorandum Order

*To all Chiefs of Bureaus and Offices:*

Suspension of  
subordinate offi-  
cers or employees. Attention is invited to section 260 of the Administrative Code which reads in part as follows:

"When the chief of bureau or office suspends a subordinate officer or employee from duty, the person suspended shall not receive pay during suspension unless the Department head shall so order; but upon subsequent reinstatement of the suspended person or upon his exoneration, if death should render reinstatement impossible, any salary so withheld shall be paid, but without prejudice to the application of the disciplinary provisions of section seven hundred and thirty (should be six hundred and ninety-five) hereof.

"\* \* \* \* \*

Section 695 of the Administrative Code provides that for neglect of duty or violation of office regulations, or in the interest of the public service, a chief of bureau or office may remove any subordinate officer or employee from the service, suspend him without pay for not more than two months, reduce his salary or compensation, or deduct therefrom any sum not exceeding one month's pay.

It will thus be seen that upon subsequent reinstatement of a suspended official or employee the heaviest administrative punishment that may be imposed under existing law would be suspension without pay for two months, reduction in salary, or deduction of one month's pay. Therefore, if the official or employee has been suspended for a period in excess of two months, he would be entitled to receive pay for the balance of his suspension, in excess of that period (assuming that the heaviest punishment is imposed), irrespective of whether or not seemingly good reasons existed for his suspension at the time his suspension was ordered. In the case

of positions which can not be left unfilled without detriment to the public service, the suspension of the incumbent is therefore liable to result in the payment of two salaries, one to the suspended official or employee and the other to the official or employee who temporarily replaced the person suspended. In any event it may be necessary to pay an employee's salary during a period in which no service was rendered and for which consequently the Government gets nothing in return.

It is therefore directed that the utmost caution be exercised by all chiefs of bureaus and offices in the suspension of subordinate officers and employees to the end that payment of salaries to persons who have actually rendered no service may be avoided. It should be borne in mind that under section 2 of Civil Service Rule XII suspension of an employee pending proceedings for removal *may* be ordered but suspension need not necessarily be made coincident with such removal proceedings and is contingent upon such course being deemed necessary in the interest of the public service. It should also be borne in mind that section 6 of Civil Service Rule XIII contemplates that action looking to the removal of an employee should be taken only when there are strong reasons to believe that the respondent is guilty of charges which, if established, would warrant his removal from the service, and no suspension pending removal should be made unless the charges are such as to warrant removal.

The mere filing before the courts of criminal charges against an employee should not be considered as necessarily requiring the suspension from office of the accused. As a rule, especially where the criminal act with which the officer or employee is charged has no relation with the accused's official duties as a public servant, proceedings for the removal of the accused employee should not be instituted until after verdict shall have been rendered by the courts. Generally a conviction by the lower court would be sufficient to warrant the institution of administrative proceedings for the removal of the employee and his immediate suspension, even though appeal from the sentence is taken before a higher court. There may, however, be cases of employees charged with criminal offenses whose continuance in the service may result in further loss to the Government or be in some other way prejudicial to its interests or to the best interests of the public service; as, for example, in the cases of officers having custody of public funds who are charged with malversation of public funds, of officers or employees the nature of whose duties gives opportunity for graft and who are charged with grafting, of officers vested with police powers who are charged with abuse of such powers and who are likely to make further use of their authority to oppress, intimidate, or coerce prospective witnesses against them, etc. In such cases the accused official or employee may be immediately suspended from office and

proceedings looking to his removal forthwith instituted without the necessity of awaiting the termination of the criminal proceedings.

It is hereby directed that hereafter no suspensions be ordered by chiefs of bureaus and offices without first submitting as complete as possible a statement of the facts and circumstances of the case to and securing prior approval of the head of the proper Department or of the authority empowered to take final action in the administrative case, save only in those cases where it is in the opinion of the chief of bureau or office imperatively necessary that the employee be suspended to avoid repetition of the acts with which he is charged.

FRANCIS BURTON HARRISON  
*Governor-General*

MANILA, *November 7, 1917*

OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, *July 23, 1918*

**Memorandum Order**

*To all Chiefs of Bureaus and Offices:*

The Memorandum order of the Governor-General dated April 1, 1918, is hereby amended to read as follows:

Promotions.

With the concurrence of all the Secretaries of Departments it is announced that the promotion restrictions heretofore in effect have been revoked, and that until action is taken by the Legislature in the matter of standardization of salaries, the following provision of section 7 of Rule IX will govern in promotions:

Save in exceptional cases, promotion or increase of salaries shall not be made during the first six months after the appointment of an officer or employee, nor more frequently than once in twelve months thereafter, nor more than one class (or one-half of Classes C and D) at a time. The question of whether a case is or is not an exceptional one shall be submitted for determination to the Governor-General or proper head of Department, through the Bureau of Civil Service.

In order that a uniform policy may be adopted as to exceptional cases under this rule, the Secretaries of Departments have decided to consider no case exceptional unless there are increased responsibilities. If exceptions are proposed they should be accompanied by a full and complete statement of the grounds therefor, showing wherein there have been increased responsibilities.

In accordance with the practice heretofore, promotions of employees to the entrance salary of the highest grade examination in which they have qualified may be made at any

time without constituting exceptions to the promotion rule, such promotions being permissible as original appointments.

The memorandum order of January 9, 1915, requiring authority of the Governor-General or Secretary of Department for the filling of vacancies, is also hereby revoked.

FRANCIS BURTON HARRISON,  
*Governor-General*

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OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

**Memorandum order**

*To all Chiefs of Bureaus and Offices:*

Section 674 of the Administrative Code reads as follows:

*“Examining committees and special examiners.*—The Director of Civil Service may, with the approval of the proper head of Department, appoint examining committees or special examiners from officers and employees in the service. Such persons shall be examiners of the Bureau of Civil Service, and shall perform such duties as the Director may require in connection with examinations, investigations, appointments, and promotions, and in the performance of such duties they shall be under his exclusive control. The duties so performed by them shall be deemed part of the duties of the office to which they pertain, and time shall be allowed for the performance of such duties during office hours.”

The attention of officers and employees appointed upon examining committees or designated as special examiners under the foregoing provision of law is invited to the necessity of rendering prompt and efficient service when called upon to do so. Provincial treasurers and division superintendents of schools, unless especially relieved, are members of examining committees and should, together with the regularly appointed committee members, make every effort to be present during the whole of every examination. Failure on the part of special examiners to discharge their duties properly as such will, on recommendation of the Director of Civil Service, be considered a sufficient cause for administrative action by this office.

FRANCIS BURTON HARRISON  
*Governor-General*

MANILA, *March 6, 1920*

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OFFICE OF THE GOVERNOR-GENERAL OF THE  
PHILIPPINE ISLANDS

MANILA, *December 22, 1923*

**Memorandum Order**

*To all Chiefs of Bureaus and Offices:*

The Civil Service Law provides that there shall be a probation for trial service before appointment or employ-

ment is made absolute. The rules fix this period at six months, except in the case of teachers where the Director of Civil Service may, for cause shown in certain specific instances and at the request of the Director of Education, extend the probationary period for an additional period of four months.

The probational period is part of the examination system. The examination establishes a probability of fitness, but it does not cover the qualities of punctuality, industry, loyalty, dependability, and others necessary for success as a member of the government organization. It is necessary therefore that there should be the actual test which is provided by the period of probation.

It is believed that a more thorough and effective use should be made of the probationary period, and this office desires to impress upon the various departments and bureaus the fact that no probationary appointment should be allowed to become absolute unless the character of the service and the conduct of the probationer had been entirely satisfactory, and the chief of the bureau can certify unconditionally that his retention is believed to be in the interest of the service.

Report will therefore hereafter be made to the Bureau of Civil Service, under Civil Service Rule XIV, of each absolute appointment made, with a certificate of the chief of the bureau to the effect that the character of the service and conduct of the person during probation were entirely satisfactory.

LEONARD WOOD  
*Governor-General*

OFFICE OF THE GOVERNOR GENERAL OF THE  
PHILIPPINE ISLANDS

Memorandum order

*To all Chiefs of Bureaus and Offices:*

Attention is called to the following provisions of law and civil service rules touching political activities of persons in the Government service:

"ADMINISTRATIVE CODE

"SEC. 449. *Persons prohibited from influencing elections.*—No judge of first instance, justice of the peace, or treasurer, fiscal or assessor of any province and no officer or employee of the Philippine Constabulary, or of any province or municipality, or of the Bureau of Education, or employee of the classified civil service, shall aid any candidate or exert influence in any manner in any election or take part therein otherwise than by exercising the right to vote.



"SEC. 687. *Contributions to political fund prohibited.*—No person in the Philippine civil service shall be under obligation to contribute to a political fund or to render any political service, nor shall he be removed or otherwise prejudiced for refusing to contribute or render any such service; and no officer or employee in the Philippine civil service shall directly or indirectly solicit, collect, or receive from any other officer or employee, any money or other valuable thing to be applied to the promotion of any political object whatever.

"Any person violating any provision hereof shall be removed from office or dismissed from the service and shall be subject also to prosecution as provided by law. (Penalty provided in Sec. 2673 of the Administrative Code is a fine not exceeding one thousand pesos or imprisonment not exceeding six months, or both.)

#### "CIVIL SERVICE RULES

"SEC. 1, Rule XIII.—No person in the Philippine civil service shall use his official authority or official influence to coerce the political action of any other person or body.

"SEC. 6, Rule XIII.—\* \* \* pernicious political activity, offensive political partisanship or conduct prejudicial to the best interest of the service \* \* \* may be considered reasons demanding proceedings to remove for cause, to reduce in class or grade, or to inflict other punishment as provided by law in the discretion of the Governor-General or proper head of Department. No Chief of a Bureau or Office shall knowingly continue in the public service any subordinate officer or employee \* \* \* who is guilty of any of the above-named derelictions, without submitting the facts through the Director of Civil Service to the Governor-General or proper head of Department.

"SEC. 8, Rule XIII.—No person in the Philippine civil service, classified or unclassified, permanent or temporary, shall take any active part in political management or in political campaign; *Provided*, That this section shall not apply to elective officers, officers and employees of either House of the Legislature, and Secretaries of Departments. Political activity shall consist, among other things, in candidacy for elective office, being a delegate to any political convention or a member of any political committee or directorate or an officer of any political club or other similar political organizations, making speeches, canvassing or soliciting votes or political support in the interest of any party or candidate, soliciting or receiving contributions for political purposes, either directly or indirectly, or becoming prominently identified with the success or failure of any candidate or candidates for election to public office. The prohibitions herein contained apply

to political activity with respect to the political parties of the United States as well as of the Philippine Islands. Violation of this section shall be considered cause for removal from the service."

The resignation of any officer or employee in the Government service to whom section eight of Civil Service Rule XIII above quoted applies, who desires to present his candidacy for office, should be submitted to the proper authorities before he publicly and actually engages in furthering his election interests, in any case not less than one month before the date of the election.

It is desired that this order be brought to the notice of all officers and employees under your jurisdiction, classified or unclassified, permanent or temporary. Strict compliance with its provisions is enjoined.

LEONARD WOOD  
*Governor-General*

Manila, January 12, 1925.

THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE  
[CIRCULAR No. 74]

MANILA, *January 29, 1919*

*To all Chiefs of Bureaus and Offices:*

GENTLEMEN: Recent developments would seem to make it advisable to call the attention of Government officials and employees to the necessity and manner of keeping daily time records and of reporting undertime and absences to this Bureau.

Under the provisions of the law and rules it is the duty of chiefs of bureaus and offices to require of all subordinate employees, except teachers, of whatever grade or class, not less than seven hours of labor each day, exclusive of Sundays and holidays. On Saturdays and during the hot season from April 1st to June 15th the hours may be reduced to five.

Teachers are required to devote, during the school year, not less than five hours per day to school work for five days in the week, exclusive of holidays. Where teachers are placed on the accrued leave basis their hours of labor will, of course, be those specified in the foregoing paragraph.

The matter of keeping accurate records of attendance of leave-earning employees of the Government is one of supreme importance. Civil Service Rule 15, section 3, provides:

Each chief of a bureau or office shall require a daily record of attendance of all the officers and employees under him entitled to leave of absence or vacation (including teachers) to be kept on the proper form and also a systematic office record showing for each day all absences from duty from any cause whatever. At the beginning of each month he shall report to the Director (of Civil Service) on the proper form all absences from any cause whatever, including the exact amount of undertime of each person for each day. Officers or employees serving in the field or on the water need not be required to keep a daily record, but all absences of such employees must be included in the monthly report of changes and absences. Falsification of time records will render the offending officer or employee liable to summary removal from the service and criminal prosecution.

The form referred to as the one on which the daily record of attendance must be kept is Bureau of Civil Service Form No. 48, which, when filled out, serves as the office record required by the rule. For obvious reasons entries thereon should not

be made by the individual employees concerned, but by a clerk detailed for the purpose, who, in those offices where a time clock is used, should transfer the daily record from the clock ribbon to Form 48. At the end of the month the record thus prepared should serve as the basis for reporting undertime and absences to this Bureau on Form 3. It is not sufficient, as is sometimes done, to prepare the latter report from applications for leave filed by the employees.

Chiefs of bureaus, and officers who rank higher than they in the three branches of the Government, are not, under decisions, required to keep daily time records, but the time of arrival and departure of all subordinate officers and employees must be recorded in the manner outlined. Tardiness in arrival cannot be made up by overtime unless by special authority of the chief of the bureau, and practice has shown that where disciplinary measures are instituted against an employee who is late more than twice or thrice during the month the effect is to secure punctuality in attendance on the part of all others.

Attention is invited to another important consideration—"only those employees are entitled to leave whose office hours are so fixed that the employees or officer is in his office or on duty each the number of hours required by law" (Opin. Atty.-Gen.). Furthermore, nonobservance of office hours brings any officer under the provisions of paragraph (f) section 2 of Act No. 1040 (now 279-h of the Administrative Code) and deprives him of the regular leave privileges of the same Act" (Res. Phil. Com. of March 11, 1907). That interpretation is strictly adhered to by this Office, and where the time records of an employee are not kept, he is considered as having failed to keep office hours and denial of leave is recommended accordingly.

Very respectfully,

(Sgd.) P. R. ANGELL  
*Director of Civil Service*

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THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 1]

MANILA, *January 2, 1920*

*To the Chiefs of Bureaus and Offices:*

I have the honor to request that in all cases where leave granted has been commuted under section 288 of the Administrative

Code, the following information be furnished to this office by officers and employees on returning from leave of absence granted to visit the United States or foreign countries. The letter containing this information should be signed by the officer or employee concerned, and sent through the proper chief of bureau or office, who should certify to its correctness so far as the last day of service before taking the leave and the first day of service after return are concerned. This information should be furnished as soon as possible after the employee returns to duty.

#### 1. OFFICERS AND EMPLOYEES STATIONED IN MANILA

- (a) The name of the country visited.
- (b) Whether or not it is desired to claim return traveling expenses in connection with this leave.
- (c) The last day of service in Manila.
- (d) The date of departure from Manila, and the name of the vessel upon which the officer or employee left.
- (e) The names of any other vessels upon which transportation was had between Manila and the country visited, if any change in vessels was made, and the date of arrival in the country visited. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom, and a statement as to the cause of the stop-over.
- (f) The date of departure from the country visited.
- (g) The name of the port of embarkation in such country, and the name of the vessel upon which the employee embarked.
- (h) The names of any other vessels upon which transportation was had between such port of embarkation and Manila, if any change in vessels was made. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom, and the cause of the stop-over.
- (i) The date of arrival in Manila.
- (j) The first day of service after arrival in Manila.
- (k) Whether or not it is desired to relinquish a part of the half pay allowable, provided the officer or employee has not used all the vacation and accrued leave with full pay allowable.

#### 2. OFFICERS AND EMPLOYEES STATIONED OUTSIDE OF MANILA

- (a) The name of the country visited.
- (b) Whether or not it is desired to claim return traveling expenses in connection with this leave.
- (c) The name of the city or town in which stationed prior to taking leave.
- (d) The last day of service at station.
- (e) The date of departure from station for Manila; if water transportation was used, the name of the boat should be stated.
- (f) The date of arrival in Manila.

(g) The inclusive dates of official duty performed in Manila prior to departure therefrom, if any official duty was performed; the chief of bureau or office under whose authority such duty was rendered should certify to its performance and state the character thereof.

(h) The date of departure from Manila and the name of the vessel upon which the officer or employee left.

(i) The names of any other vessels upon which transportation was had between Manila and the country visited, if any change in vessels was made, and the date of arrival in the country visited. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom and the cause of the stop-over.

(j) The date of departure from the country visited.

(k) The name of the port of embarkation in such country and the name of the vessel upon which the officer or employee embarked.

(l) The names of any other vessels upon which transportation was had between the country visited and Manila, if any change in vessels was made. In case the employee stopped over at any port, give the name of the port, dates of arrival and departure therefrom, and the cause of the stop-over.

(m) The date of arrival in Manila.

(n) The inclusive dates of official duty performed in Manila prior to returning to station, if any official duty was performed; the chief of bureau or office should certify to the performance of such duty in accordance with (f) above.

(o) The date of departure from Manila for station; if water transportation was used the name of the boat should be stated.

(p) The date of arrival at station and the name of the station.

(q) The first day of service after arrival at station.

(r) Whether or not the first transportation for the United States or foreign country after arrival in Manila from station, or the first transportation for station after return to Manila, was used; if not, a full statement of the causes of delay should be made.

(s) Whether or not it is desired to relinquish a part of the half pay allowable, provided the officer or employee has not used all the vacation and accrued leave with full pay allowable.

If, on returning from leave of absence, an officer or employee whose station is in the provinces is temporarily assigned to duty in Manila pending permanent assignment to duty in the provinces, this office, upon request, will advise the Insular Auditor of the partial adjustment of his leave in order that payment may be made for the allowances (vacation leave and half pay) withheld until return to the Islands. The request for such partial adjustment should show the first day of service in Manila and the necessary data indicated above. When the officer or employee proceeds to his permanent station a supplemental statement should be furnished showing the last day of service in Manila and the remaining data indicated above.

This office will then advise the Insular Auditor of the final adjustment of the leave.

This cancels Circular No. 28 of this Bureau of December 12, 1907.

Very respectfully,

P. R. ANGELL  
*Director of Civil Service*

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THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 2]

MANILA, *November 16, 1920*

*To all Chiefs of Bureaus and Offices:*

With reference to the designation of permanently and regularly appointed Government employees as Government pensionados to study abroad, it has been decided that they should be considered as on official duty during the period of their sojourn in the United States or some foreign country. It should be stated in this connection that Act 2911, approved March 23, 1920, provides for the allowance of accrued and vacation leave for service outside of the Islands. This information is furnished in order that bureaus and offices may keep accounts payable relative to accrued leave due Government pensionados above referred to.

JOSE GIL  
*Acting Director*

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THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 3]

MANILA, *March 23, 1921*

*To all Chiefs of Bureaus and Offices:*

This Bureau has been the recipient of many communications from employees of the Government requesting computations of the accrued leave to which they are entitled. As computation of leave is made only upon receipt of application for accrued leave on the regular form this Office has consistently refused to make such computations. It is requested that this matter be brought to the attention of each officer or employee in the

Government service in order that they may be informed on the subject, thereby saving themselves and this Office unnecessary correspondence.

JOSE GIL  
*Acting Director*

THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 4]

MANILA, June 13, 1921

*To all Chiefs of Bureaus and Offices:*

Civil Service privileges, like leave of absence with pay, are granted only to persons who render continuous, faithful, and satisfactory service. Where, for certain irregularities in the performance of their duties or for any other reason, officers and employees are administratively investigated or administrative proceedings are being instituted against them and the outcome thereof may or may not be their final separation from the service, it is necessary for chiefs of bureaus and offices to see to it that no leave of absence with pay is granted the respondent for the time being. It should be stated that for failure to supply this Office with necessary information there have recently been several cases where employees were granted leave of absence, which leave should have been denied. Where leave is granted in this way the Government is made to suffer unnecessarily. Attention, in this connection, is invited to section 1 (a) of Civil Service Rule 16, which prescribes that in forwarding applications for leave this Office shall be furnished with the data contemplated by the printed first indorsement, "together with any other information which may have a bearing on the allowance or disallowance of leave." It will be seen that a strict compliance with this provision of Rule 16 will surely avoid cases of overpayments because of the leave granted as stated above, and in order that the interests of the Government may be properly protected, drastic action will hereafter be recommended against the person or persons responsible for the overpayments herein alluded to.

(Sgd.) JOSE GIL  
*Acting Director*

Approved:

(Sgd.) CHARLES E. YEATER  
*Acting Governor-General*



THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 5]

MANILA, July 3, 1922

To all Chiefs of Bureaus and Offices:

Section 288 of the Administrative Code as amended by Act 2990 authorizes the commutation of accrued leave. In order that the provisions of this section may better be carried out in connection with section 290 of the Code, which provides that no person whose leave has been commuted *shall be permitted to return to duty without first refunding the value of the unused portion of the leave commuted*, it is incumbent upon administrative officials to see to it that no person is recalled to duty prior to the expiration of his leave commuted and to that effect the following procedure is hereby outlined:

Where a person applies for the *commutation* of his accrued leave favorable recommendation thereon should not be made, unless the chief of bureau or office concerned is absolutely certain that the applicant's services will not be required during the period of the leave to be granted. In a contrary case recommendation should be made to the effect that commutation of the leave to be granted be paid monthly. This will obviate the necessity for refund of a considerable amount or of any amount at all, for if a person has gone on long leave and has obtained commutation of the first month of his leave, the official concerned would still have occasion to determine whether further commutation may properly be authorized.

In all cases of request for commutation of leave the chief of bureau or office concerned shall make a specific statement as to whether or not the applicant's recall to duty before the expiration of his leave is likely to occur.

(Sgd.) JOSE GIL  
*Acting Director*

Approved:  
(Sgd.) LEONARD WOOD  
*Governor-General*

THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR NO. 6]

MANILA, *March 1, 1923**To all Chiefs of Bureaus and Offices:*

Sections 1 (a) and 2 (a) of Civil Service Rule 16 prescribe that applications for accrued and vacation leave be submitted two weeks and one week respectively in advance of the time the leave takes effect. It is also required that the applications be immediately transmitted to this Bureau the purpose being apparently to afford this Office ample time for the computation of the leave allowable and for returning the papers duly acted upon. There is barely any need to state that rush work exposes the worker to more or less serious mistakes, particularly if the work involves complicated computation as is true in a good many cases. During the last few months leave papers have been brought to this Bureau by special messengers or the applicants themselves (using official time when the applications should have been sent in the regular way) a day or two before the effective date of the leave applied for, and, in some cases, on the very same date the leave went into effect, with the request that action on the matter be expedited. There have been numerous instances and this Bureau feels to have been, in an appreciable way, hampered in its work.

In view of the foregoing and of the fact that commutation of leave to be spent in the Islands requires the specific approval of the Department head concerned it is earnestly requested that all chiefs of bureaus and offices see to it that applications for accrued leave, particularly those requiring immediate attention, are submitted to this Bureau sufficiently in advance to make possible its return on time to the office concerned. The chiefs of bureaus and offices are also requested to see to it that their employees are not authorized to call at this Bureau merely to ask that action on their papers be expedited unless the necessity for such a course is unavoidable, as on such occasions where the circumstances which bring about the sudden necessity for applying for leave cannot be foreseen, and the matter must be

settled at an early date. It is likewise requested that this circular be brought to the attention of all officials and employees.

JOSE GIL  
*Director*

Approved:  
(Sgd.) LEONARD WOOD  
*Governor-General*

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THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 8]

MANILA, *January 22, 1926*

*To all Chiefs of Bureaus and Offices:*

Attention is respectfully invited to the provisions of Civil Service Rules 5 and 9, which prescribe the procedure to be followed in filling vacancies in classified positions. In accordance therewith, a vacancy in a classified position, if not filled by promotion, reduction, transfer or reinstatement, or thru non-competitive examination, shall be filled thru certification by the Bureau of Civil Service.

It has recently been observed that this Bureau is considerably hampered in its work by answering personal notes and telephone calls, inquiring as to whether certain eligibles may be given probational appointment. In several cases eligibles whose names are not within reach of certification are proposed for appointment at rates lower than that prescribed for the examination, hence eligibles whose names are higher on the register often decline appointment. It has also been noticed that clerks and messengers are sometimes appointed at twenty pesos per month in order to avoid the examination requirement, although the position to be filled pays more than that amount. As such practices tend to defeat the spirit of the merit system, it is earnestly requested that whenever a vacancy occurs in a classified position, the procedure outlined in Section 1 of Civil Service Rule 5 be followed. It is also requested that on each appointment

submitted the number of the item in the appropriation law authorizing the compensation to be paid be stated.

Requisition on Civil Service Form No. 9 specifying the number of positions to be filled, the sex desired, nature of the duties to be performed, salary, and any other special qualification needed should always be made. In case of vacancies in the provincial offices, requests for certification should be addressed to the chairman of the provincial examining committee, who is generally the division superintendent of schools or the provincial treasurer.

As expressly provided in section 9 of Civil Service Rule V, all appointments to the classified civil service shall be made thru the Bureau of Civil Service in strict accord with the civil service rules and regulations.

(Sgd.) JOSE GIL  
*Director*

Approved:  
(Sgd.) LEONARD WOOD  
*Governor-General*

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THE GOVERNMENT OF THE PHILIPPINE ISLANDS  
BUREAU OF CIVIL SERVICE

[CIRCULAR No. 9]

MANILA, April 28, 1926

*To all Chiefs of Bureaus and Offices:*

It has come to the attention of this Office—

- (1) That some chiefs and assistant chiefs of divisions and other subordinate employees are allowed to keep their own time records,
- (2) That in some cases multiples of five appear with an unusual frequency in the entries,
- (3) That the manner of computing overtime and undertime is not in accordance with the regulations,
- (4) That the intermission spent for luncheon is not recorded on the time records, and
- (5) That the prescribed office hours are not strictly observed.

With regard to the first question, under Circular No. 74 of this Office dated January 29, 1919, entries on the time records should not be made by the individual employee. Hence the persons concerned should use the bundy clock, whenever there is one in the Office.

With reference to the fact that multiples of five have been used with unusual frequency, it is desired to state that the entries

should not be made from memory. The persons affected should therefore be requested to state on their time records "the true and correct report of hours of work performed," record of which should be "made daily at the time of arrival at and departure from office or beginning or ending work."

Regarding the manner of computing overtime and undertime, it should be noted that undertime on one day cannot be offset by overtime service on another day. Undertime can be offset by overtime service on the same day, provided the undertime is caused by the requirements of the service; an employee cannot report for duty late and render overtime service in the afternoon merely to offset the undertime incurred. Overtime before the beginning of office hours in the morning and in the afternoon, and after the close of the regular office hours will not offset undertime.

With regard to question No. 4, the practice should be discontinued for the reason that the person who takes his meal in the office may go out immediately after luncheon and, for one reason or another, may not be able to come back until after the beginning of office hours in the afternoon.

In connection with question No. 5, attention is invited to the last paragraph of Circular No. 74 of this Office, which reads in part as follows:

Only those employees are entitled to leave whose office hours are so fixed that the employee or officer is in his office or on duty each the number of hours required by the law (Opin. Atty.-Gen.). Nonobservance of office hours brings any officer under the provisions of paragraph (f) section 2 of Act No. 1040 (now 279-g of the Administrative Code as amended by Act 3087) and deprives him of the regular leave privileges of the same Act. (Res. Phil. Com. of March 11, 1907.)

Sec. 566 of the Administrative Code provides that,

When the interests of the public service so require, the head of any Department, Bureau, or Office may extend the daily hours of labor, in what manner soever fixed, for any or all of the employees under him, and may likewise require any or all of them to do overtime work not only on work days but also on holidays.

It can thus be seen that persons who are required to work beyond the regular office hours are not exempted from the requirement as to office hours. In other words the fact that an official or employee renders overtime service in a day or week, or even every day of the month or year, does not operate to excuse him from observing the regular office hours. Under Sec. 4 of Civil Service Rule 9 punctuality is one of the elements of efficiency. It may be alleged that under the Circular mentioned, "special

authority" may be granted to make up time lost on account of tardiness by rendering overtime service, but such "special authority" does not mean permission for an indefinite period for the purpose of allowing a particular employee to come to the office without regard to the prescribed office hours; it is intended to cover only cases where the employee is required by the needs of the service to stay in the office until afternoon, in which case he may be allowed to come late the same number of minutes in the afternoon of that day. Cases might also arise in which the employee has to remain on duty until after midnight in which event he might be allowed to come to the office late the next morning, but the undertime should invariably be offset by overtime service on the same day. From what has been stated it is clear that there is no legal sanction for the granting of authority for an indefinite time to render overtime service merely to make up time lost because of tardiness.

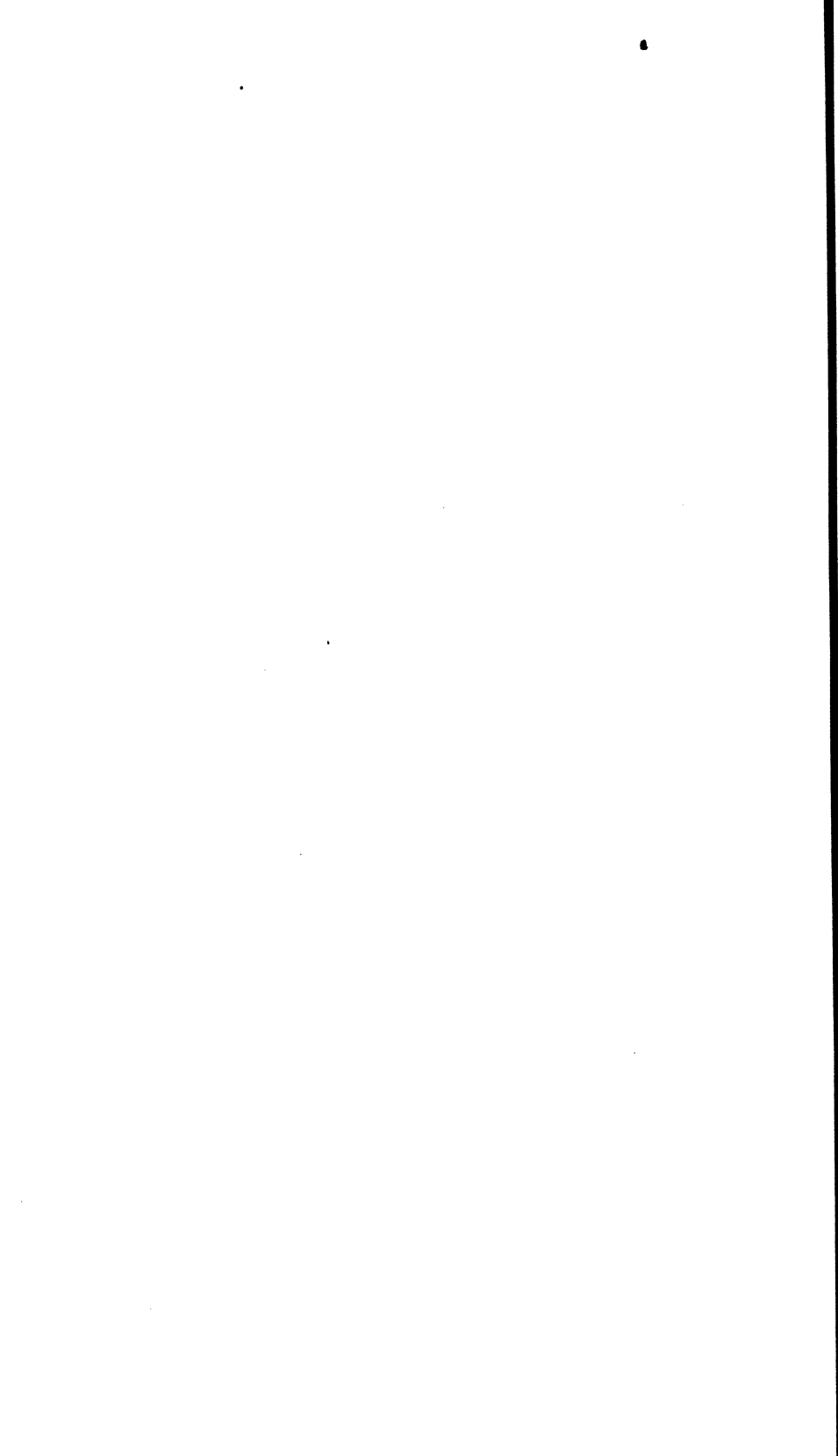
JOSE GIL

*Director*

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