

TWELFTH ANNUAL REPORT
OF THE BUREAU OF
CIVIL SERVICE

TO THE
GOVERNOR-GENERAL
OF THE PHILIPPINE ISLANDS

FOR THE
FISCAL YEAR ENDED JUNE 30, 1912

MANILA
BUREAU OF PRINTING
1912

TWELFTH ANNUAL REPORT OF THE BUREAU OF CIVIL SERVICE

TO THE
GOVERNOR-GENERAL
OF THE PHILIPPINE ISLANDS

FOR THE
FISCAL YEAR ENDED JUNE 30, 1912

•

MANILA
BUREAU OF PRINTING
1912

CONTENTS.

	Page.
Twelfth Annual Report of the Bureau of Civil Service.....	5
Statistics of examinations	5
Appointments	7
Personnel	8
Legislation	9
Political activity	12
Conclusion	13
Appendix	15
Statistics	16
Examinations	16
Appointments	17
Number and salaries of Americans and Filipinos in the service	19
Proposed retirement bill	21
Revised Civil Service Act	25
Resolution of Philippine Commission of December 7, 1906	43
Civil Service Rules	44
Rule I.—General provisions and definition of terms	44
Rule II.—Applications for examination	45
Rule III.—Examinations	46
Rule IV.—Rating of papers and eligibility	47
Rule V.—Certifications	47
Rule VI.—Temporary service	49
Rule VII.—Reinstatements	50
Rule VIII.—Transfers	51
Rule IX.—Promotions	52
Rule X.—Appointment and employment	54
Rule XI.—Examination requirements relating to appoint- ment and promotion	54
Rule XII.—Procedure in reductions, separations, and sus- pensions	55
Rule XIII.—Prohibitions and penalties	57
Rule XIV.—Official record of officers and employees	58
Rule XV.—Hours of labor	59
Rule XVI.—Leaves of absence	60
Circular No. 35, relating to political activity	65
Index	67



TWELFTH ANNUAL REPORT OF THE BUREAU OF CIVIL SERVICE.

MANILA, P. I., *July 29, 1912.*

SIR: The following report showing the operations of the Bureau of Civil Service during the fiscal year ended June 30, 1912, is respectfully submitted:

EXAMINATIONS.

The total number of persons examined during the year was 7,422, an increase of 437, or 6 per cent, over the preceding year. In only one year since the passage of the Civil Service Act has a greater number of persons been examined. The tendency noted for several years for the number of Americans examined to decrease, the number of Filipinos examined in English to increase, and the number of Filipinos examined in Spanish to decrease, continued during the year. The Americans who took educational examinations numbered 523, as compared with 688 during the preceding year, a decrease of 165, or 24 per cent; 232 Americans passed, as compared with 310 during the preceding year. The Americans were examined principally for the positions of first grade clerk (218), stenographer (22), civil engineer (11), surveyor (7), sanitary inspector (9), superintendent (16), assistant, teacher, industrial teacher, teacher of agriculture, and teacher of domestic science (54), fireman (41), patrolman (39), and prison guard (37).

The number of Filipinos examined in English was 5,736, which is 815, or 17 per cent, more than the number examined during the preceding year; of these 1,649, or 29 per cent, passed, as compared with 1,089, or 22 per cent, during the preceding year. Eighty-five per cent of the Filipinos examined took examinations in English; for the preceding year the per cent was 80. These figures show the spread of the English language among the young men and women just entering on their life work.

The great bulk of the Filipinos examined took second (2,601) and third (2,001) grade English and junior and junior industrial teacher (470) examinations. Filipinos, however, also qualified

in the civil engineer (1) and junior civil engineer (2), surveyor (5) and junior surveyor (19), scientific assistant (2), junior draftsman (15), assistant computer (12), librarian (1), trained nurse (1), first grade English (16), translator (1), typewriter (1) and junior typewriter (4), junior stenographer (7), book-keeper (3), assistant provincial treasurer (8), and other examinations. Two young Filipino women, educated entirely in the public schools of the Islands, qualified with excellent ratings in the assistant examination, the highest general examination given for entrance to the Philippine civil service, and one of them has received appointment as teacher in the Bureau of Education. This is the first time a Filipino educated in the Islands has qualified in this examination.

Only 988 Filipinos were examined in Spanish, a decrease of 239, or 19 per cent, from the number examined during the preceding year. This is the first time since the passage of the Civil Service Act that the number of Filipinos examined in Spanish has fallen below a thousand in any year. Only 19 per cent of those examined in Spanish passed, and the number of Spanish eligibles obtained was 83 less than during the preceding year. In several of the provinces not a single person passed the examinations in Spanish, and in Manila only 32.

Of the persons taking all examinations during the year 29 per cent passed, the same as during the fiscal year 1910; during the fiscal year 1911 only 24 per cent passed. Sixty different kinds of examinations were given, covering the whole field of the Government service, professional, technical, and clerical.

The dates on which general provincial examinations are given have been rearranged. The general clerical, professional, and technical examinations are now given in the provinces in February, and all the examinations for the teaching service are given late in May, just before the close of the long vacation. The February examination papers are sent to the summer capital at Baguio for rating by the examining division, which is transferred to Baguio in February, and their rating is about completed when the examinations for the teaching service are given in May. This results in a prompter rating of papers and establishment of eligible registers than heretofore. All examinations given in the provinces both for the general service and the teaching service, except the junior teacher examinations, are also given early in the autumn. In Manila most examinations are given much more frequently than in the provinces.

Two instances of voluntary adoption of the method of selecting unclassified employees from the registers of eligibles estab-

lished for appointment to the classified civil service occurred during the year. On April 12 Mr. José Topacio, acting treasurer of the Province of Tarlac, sent to all of the municipal treasurers of the province a copy of the register of eligibles for the province, and earnestly recommended that in selecting employees under them who are in the unclassified service they give preference to the eligibles. On June 10 the Director of Posts requested that the Bureau of Civil Service in the future ascertain from all applicants for the second grade English examination whether or not they will accept appointment to the unclassified position of student-operator in the post and telegraph school, stating that he desires to appoint each month five or six students who have passed the second grade English examination.

Tables giving full details of examinations and appointments are printed in the appendix of this report.

APPOINTMENTS.

During the year 808 appointments were made to the classified civil service as a result of examinations held in the Islands, a decrease of 142, or 18 per cent, from the preceding year. Only 92 Americans were appointed, as compared with 165 during the preceding year, a decrease of 73, or 44 per cent. The principal decreases were as follows: 13 were appointed from the first grade clerical register instead of 30 in the preceding year; 14 from the fireman register instead of 26; 2 from the patrolman register instead of 38. The proportion of the local appointees who were Americans decreased from 17 to 11 per cent, the proportion of Filipinos increasing from 83 to 89 per cent.

The Filipinos appointed from English registers numbered 606, 12 more than during the preceding year. There was an increase in the numbers appointed from the first grade English, the junior draftsman, the ranger, and the junior teacher registers, and a slight decrease in the numbers appointed from the second and third grade English registers. From the Spanish registers only 110 persons were appointed, a decrease of 81 from the preceding year; 21 received appointment from the third grade Spanish register instead of 38 during the preceding year; and 42 eligibles in Spanish received appointment as municipal treasurer instead of 80 during the preceding year.

The number of appointments made in the United States to the classified civil service during the year was 243, as compared with 268 during the preceding year, a decrease of 25. The principal decreases were civil engineers (from 28 to 3) and surveyors (from 34 to 11). Thirteen artesian-well drillers were brought

from the United States during the year, none having been brought during the preceding year.

In the unclassified service 74 persons residing in the United States were appointed, one more than during the preceding year. Sixty-three officers of the Constabulary were appointed, almost double the number appointed during the preceding year. Seven assistant professors and instructors in the University of the Philippines were brought from the United States. Although these positions are in the unclassified service, the University has adopted the suggestion of this Bureau that no appointment be made until the proposed appointee has obtained from the United States Civil Service Commission a certificate of eligibility for appointment. The medical officers of the Bureau of Constabulary are also required to qualify for appointment before the Commission in the regular civil service physician examination, although the positions are in the unclassified service. This has resulted in a great improvement in the class of men brought out as medical inspectors of the Constabulary.

There were 3,183 appointments by changes in the service (promotions, reductions, reinstatements, and transfers), 153 more than during the preceding year. The number of Americans promoted was 959, 38 more than during the preceding year, and the number of Filipinos promoted was 1,683, 117 more than during the preceding year. Of the Filipinos promoted 1,206 had qualified in English examinations and 477 in Spanish examinations.

The number of appointments made in the Federal civil service in the Islands during the year was 72, 32 less than during the preceding year; of these 9 were Filipinos, as compared with 4 during the preceding year.

PERSONNEL.

On January 1, 1912, there were in the permanent civil service 8,713 persons, an increase of 1,099 over the preceding year. Of this increase 47 were Americans and 1,052 Filipinos. The increase was due principally to the placing of the justices of the peace on a permanent salary status. Formerly they were paid by fees and were not included in the roster of permanent employees; now they are selected as a result of examination (see last Annual Report), and receive annual salaries. During the calendar year 1911 the proportion of Americans in the permanent service decreased from 35 to 31 per cent. In 1903, 51 per cent of the permanent service was composed of Americans, since which date the proportion has gradually decreased to 31 per

cent. During the last fiscal year 412 Americans resigned, 69 fewer than during the preceding year. There were 462 separations from all causes, 17 per cent of the total American force.

During the year the question of the prevalence of tuberculosis among the employees of the Government was brought up. As a result of correspondence between the Insular Auditor, the Director of Health, and the Director of Civil Service, the Governor-General directed that all new appointees to the Insular civil service in Manila be required to submit to a physical examination by a physician of the Bureau of Health and that no appointment be effected until a satisfactory certificate is obtained. The notice of appointment sent out by this Bureau directs the eligible to report to the Bureau of Health for examination, and appointment is not allowed until a certificate is submitted from the examining physician stating that he has found the eligible free from any physical defect, disease, or infirmity which would prevent his rendering efficient service, or any disease liable to injure the health of his fellow-workers in the same room. This method avoids the great amount of work that would be involved in making a physical examination of the more than 7,000 applicants examined annually and also has the advantage of obtaining a physical examination just before the appointee enters upon the performance of his duties. If physical examination were required before mental examination several months would sometimes elapse between examination and appointment, and tuberculosis or other diseases might be contracted after the date of the physical examination. A considerable proportion of the persons selected have been rejected on account of unsatisfactory physical condition. It is believed that the physical condition of the personnel will be considerably improved by the requirement of physical examination before appointment. As soon as practicable the system will be extended to the provinces.

LEGISLATION.

Under the Civil Service Act the position of provincial fiscal or attorney is in the unclassified service, but the provincial code requires that the appointee must have been admitted by the Supreme Court to practice law in the courts of the Philippine Islands. An act was passed on January 30 providing that the fiscal of any province may, by authority of the provincial board, have a deputy fiscal, who shall be a lawyer who has been admitted by the Supreme Court to practice law in the courts of the Philippine Islands, and that persons so appointed as deputy provincial fiscal shall not be required to have passed a civil service examination.

On February 1 an amendment was adopted authorizing the payment of reasonable burial expenses and three months' salary or wages to the widow or dependent child or children of any officer, employee, or laborer who is killed or dies from wounds or injuries received in line of duty, and providing also that when sickness is incurred as the direct and necessary result of the performance of some act in the line of duty payment of necessary hospital fees may be authorized.

On February 6 an act was passed providing for the issuance by the Director of Constabulary of general regulations for the government, discipline, and inspection of the municipal police of the Islands and that hereafter there shall be appointed in the municipal police only those persons who have demonstrated their efficiency before the examining board of the province in which they reside. The examining board is to consist of the senior inspector of Constabulary, the third member of the provincial board, and a municipal president. In making appointments to the police force residents of the municipality are to be given preference if any have qualified in the examination, but if there are no local eligibles appointment must be made of persons from other municipalities who have passed the required examination. The act provides that removal can be made only after a public hearing by the municipal council or a committee of the council, with opportunity for the accused to defend himself. A removed policeman is given the right of appeal to the provincial governor, and if not satisfied with the decision of the provincial governor he may appeal to the Governor-General of the Islands. Examinations are to be given yearly. In the first examinations given the majority of the applicants took the examination for the position of chief of police.

On the same date an act was passed authorizing provincial boards, with the consent of two-thirds of the municipal councils concerned, to consolidate the municipalities of the province into sanitary divisions, each division to have as president a duly qualified physician appointed by the Director of Health and one or more sanitary inspectors to be selected in accordance with the requirements of the Director of Civil Service. The act provides that presidents of sanitary divisions and sanitary inspectors shall not be removed from office without an investigation with an opportunity for defense, and gives the accused the right of appeal to the Director of Health of the Philippine Islands.

Reference was made in the last Annual Report to an extensive bill introduced into the Assembly, completely abolishing the pres-

ent civil service system and substituting therefor an entirely different system. The Committee on Civil Service of the Assembly gave the Director of Civil Service an opportunity to submit a written statement of the objections to the bill, and later an opportunity to appear before the committee and be heard in opposition to it. On the final adjournment of the Assembly the bill had not been reported from the committee and it is therefore dead.

Bills were also introduced, but not reported from the committee, providing for the removal of the limitation of five years during which leave may be accumulated; allowing persons with more than five years of service to receive extra compensation in lieu of leave; allowing persons who have passed the examination for justice of the peace to be appointed to any position in the classified service without further examination; and providing for increase of pay of from 25 to 35 per cent for persons who have served from ten to twenty years.

The following bills passed the Assembly, but were laid on the table by the Commission for the reasons stated:

A bill declaring exempt from civil service examination any person licensed to practice medicine in the Philippine Islands. This bill was rejected on the ground that examination by the Board of Medical Examiners for the Philippine Islands should not be accepted as a substitute for a civil service examination in determining the fitness of candidates to enter the Government service, as the Government should employ an exceptionally high grade of physicians in its work, and the mere fact that a man is authorized to practice medicine is not sufficient reason for his employment by the Government.

A bill providing that in the future only Filipinos should be appointed as civil officers and employees, unless otherwise specifically provided in any case by the Philippine Legislature. This bill was defeated, as it would sometimes prevent a free choice of the most valuable material and be detrimental to the service.

A bill (similar to the one laid on the table last year) providing for the granting of leave to municipal treasurers. This bill was defeated on the ground of the expense and the peculiar difficulty of applying the provisions of the leave act to municipal treasurers owing to the necessity of providing substitutes for treasurers on leave; the necessity of transferring the bonded liability from the municipal treasurer to the substitute and vice versa; the difficulty of determining the responsibility for shortages; the inaccessibility of many of the small municipalities, rendering the relief of municipal treasurers expensive and dif-

ficult; the difficulty of enforcing the requirement of the hours of labor demanded by the Civil Service Act of employees entitled to leave; and the discrimination that would be made in favor of municipal treasurers against other municipal employees, who are not entitled to leave.

A bill allowing limited promotion without examination of employees receiving salaries less than ₱2,000 per annum, who had entered the civil service without examination before the passage of the Civil Service Act. This bill was defeated on the ground that it would give to this class of employees advantages over those who had entered the classified service as a result of examination, that length of service should not permit the promotions of persons who are so poorly equipped as to be unable to pass the required examination, and that under the civil service law the subject of promotions is regulated by civil service rules proposed by the Director of Civil Service and approved by the Governor-General, and the matter should be so left and not be disturbed by legislation limiting the proper control of the Chief Executive over promotions in the service.

A bill prescribing office hours for Secretaries of Departments and all subordinate officers and employees, prohibiting them from devoting themselves to private matters, and providing for the keeping of time records and fixing penalties for the violation of the provisions of the act. This bill was laid on the table on the ground that no change was made by it in the office hours at present prescribed by executive orders, and that it would seem inadvisable to prescribe by law the office hours of heads of Departments and provide penalties for failure to keep these hours, as heads of Departments are appointed by the President of the United States and can be removed or reduced in grade only by him.

A bill allowing teachers seven days' sick leave per annum in addition to the vacation already allowed. This was defeated on the ground that the leave allowed teachers is already far in excess of that allowed employees in other branches of the service, and further allowances would seem to be inadvisable.

POLITICAL ACTIVITY.

On June 4 elections were held throughout the Islands for all elective offices, Insular, provincial, and municipal. A copy of the circular of this Bureau relating to political activity (see page 65, Appendix) was sent to the chiefs of all Bureaus and Offices, with the request that it be brought to the attention of their employees by posting on bulletin boards or in some other

manner. Provincial boards were requested not only to post on bulletin boards, but to send a copy to each municipal treasurer, their attention being invited to the fact that during the last campaign the principal violations of the prohibition against political activity were by municipal treasurers, and that several of them were removed from the service or heavily fined for violation of the regulation. Although the campaign was quite bitter, there were few charges that civil service employees engaged in political activity. Several anonymous complaints which were received were found to be without foundation. One Insular employee was removed from the service for mixing in local politics. A president of a municipal board of health was suspended without pay fifteen days for having distributed electioneering cards for a candidate for a municipal office. A municipal treasurer submitted his resignation and then made political speeches before he had been relieved from his office; information as to his political activity was not received until he had been relieved. Charges, apparently well supported by evidence, against a municipal treasurer and a president of a municipal board of health are now under investigation.

CONCLUSION.

The year under review has been satisfactory in respect to the observance of the civil service act and rules. There has as a rule been a spirit of coöperation, and little active hostility has been shown. The civil service legislation enacted was as a whole favorable to the merit system, and the harmful bills introduced into the Legislature were either unreported from committee or laid on the table.

Respectfully submitted.

B. L. FALCONER,
Director of Civil Service.

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

APPENDIX.

APPENDIX.

STATISTICS.

Table showing the results of all examinations in English and Spanish (noneducational excepted) held by the Bureau of Civil Service during the year ended June 30, 1912.

Examinations.	For original appointment.									For promotion or transfer.									Total.									
	Examined.			Passed.			Per cent passed.			Examined.			Passed.			Per cent passed.			Examined.			Passed.			Per cent passed.			
	Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		Americans, English.	Filipinos.		
	English.	Spanish.		English.	Spanish.		English.	Spanish.		English.	Spanish.		English.	Spanish.		English.	Spanish.		English.	Spanish.		English.	Spanish.		English.	Spanish.		
Apprentice		16	1		5		31																					
Assistant	2	3		1	2		67		5	1		3			60			7	4		4			5	2		57	31
Bay and river guard			1																									
Bookkeeper	4	3	4	1		1		25		16	2	11	2		100	13		4	19	6	1	1	2	1	25	11	17	
Captain (Manila Police Department)																												
Clerk of court			11							5	19		1	2			11		11	3		11	1	2	1	100	33	7
Clerk:																												
First grade	196	82	21	52	11		27	13		22	119	18	4	5	15	18	4	218	39	56	4	16	1	26	8	3	12	
Second grade	12	2,313	241	4	527	28	33	23	12		288	118		59	15		20	12	2,601	359	4	586	43	33	23	12	3	
Third grade		1,971	365		841	115		43	32		30	3		6	1		20		2,001	368		847	116		42	32	17	
Computer, assistant		31	54		3	9		10	17										31	54		3			9	10	17	
Draftsman:																												
Architectural			1									2																
Junior architectural		6	2																	6	2						33	
Junior mechanical		9	6		5	1														9	6		5	1			56	17
Junior topographical		33	18		4	3														33	18		4	3			22	17
Marine engines and boilers	1			1			100												1								100	
Engineer:																												
Assistant (Division of Cold Storage)	3		1	1			33				1		1			100	100	3	1	1	1	1	1		33	100		
Civil	10	1		6			60				1	4				100	25	11	5	7	2	1	1		64	20		
Civil, and superintendent of construction	1			1			100				1					100		2							100			
Junior civil		4			2			50												4			2				50	
Junior mechanical		2									1									3								
Fireman, first-class	41			29			71											41		29						71		
Forage master	6			4			67											6		4						67		
Hospital attendant	3	1		3			100											3	1	3						100		
Inspector:																												
District (Bureau of Posts):																												
Sanitary	8	5		2			25			1			1			100		9	5	3						33		
Internal-revenue agent	1			1			100											1		1						100		
Interpreter		2																		2								
Librarian			2			1															2			1				50
Nurse, trained	1	1		1	1		100	100	50	1								1	1	1	1	1	1		100	100		
Patrolman:																												
First-class	38			31			82			1			1			100		39		32						82		
Third-class		52	2		31			60												52	2		31				60	
Pharmacist and dispensing clerk	1	2	4	1	1		100	50										1	2	4	1	1			100	50		
Prison guard:																												
First-class	37			22			59												37		22						59	
Second-class		40			13			33												40			13				33	
Ranger		12	2		3			25												12	2		3				25	
Scientific assistant		2			2			100												2			2				100	
Sergeant (Manila Police Department):																												
First-class										18			16			89		18		16			10			89		
Second-class											52		10			19			52								19	
Stenographer	19		9	6		3	32			3	1	11				33		22		7					32			
Stenographer, junior		19	31		2	3		11	10		5	2		2					24	33	4	4	3			17	9	
Storekeeper		1																		1								
Superintendent of—																												
Cabinet making	2			1			50			1						100		3		2						67		
Construction	5			2			40												5		2					40		
Hardware	3			1			33													3						33		
Lumber	1			1			100													1						100		
Packing	2																			2								
Shipping	2			1			50													2							50	
Surveyor	4	8		2	1		50	13		3	9		1	4		33	44	7	17	3		5		43	29			
Surveyor, junior		26			19			73												26		19					73	
Teacher	35	4		10			29			1	5		1			100		36	9	11					31			
Teacher:																												
Industrial	4	1									4							4	5									
Junior		316			45			14			4								320			46				14		
Junior industrial		143			20			14			7								150			24				16		
Of agriculture	1	4			1			25		1	1					100		2	5	1					50	20		
Of domestic science	5	4		3			60												5	4	3					60		
Translator		2								1	4								1	6			1				17	
Translator, junior		11			1			9			2									13			1				8	
Treasurer, assistant provincial		3			2			67			20			6						23			8				35	



Appointments made in the United States to positions in the unclassified service during the year ended June 30, 1912.

Position.	Number.
Assistant professor of anatomy	1
Assistant professor of mathematics	1
Assistant professor of physics	1
Assistant professor of zoology	1
Associate professor of chemistry	1
Interne	1
Instructor in bacteriology and pathology	1
Instructor in English	1
Instructor in physics	1
Second lieutenant and medical inspector, Philippine Constabulary	3
Superintendent, Philippine General Hospital	1
Third lieutenant, Philippine Constabulary	60
Wireless operator	1
Total	74

Appointments in the Philippine, classified civil service during the year ended June 30, 1912.

Position.	In the United States.			Original, in the Philippine Islands.			Total.
	Original.	Transfer.	Reinstatement.	Americans.	English registers.	Spanish registers.	
Accountant	2						2
Agricultural inspector	5						5
Apprentice (Bureau of Printing)					66	1	67
Assistant, Biological Laboratory	1						1
Assistant architect				1			1
Assistant provincial treasurer					1		1
Assistant superintendent of shipping				1			1
Bacteriologist	1						1
Bookkeeper	1					1	2
Cartographer (draftsman)	1						1
Chemist	1						1
Chemist, sugar	1						1
Chief clerk, Bureau of Forestry		1					1
Clerk:							
First grade		8	1	13	6		28
Second grade					205	15	220
Third grade					92	21	113
Clerk of court						1	1
Computer, junior					2	10	12
Copy editor		1					1
Customs guard					21		21
Dietist	1						1
District superintendent, artesian well division (Bureau of Public Works)				4			4
Draftsman:							
Architectural	2					1	3
Junior architectural					1		1
Junior mechanical					5	2	7
Junior topographical					8	6	14
Engineer:							
Assistant, Division of Cold Storage					1		1
Assistant, Bureau of Science					1		1
Civil	3			2			5
Junior civil					2		2
Irrigation, acting chief (Bureau of Public Works)	1						1
Examiner, Bureau of Customs			1				1
Fireman:							
First-class				14			14
Second-class					1	1	2
Forage specialist	1						1
Forester	3						3
Forester, assistant	1						1
Hospital attendant				3			3

Appointments in the Philippine classified service, etc.—Continued.

Position.	In the United States.			Original, in the Philippine Islands.			Total.
	Original.	Transfer.	Reinstatement.	Americans.	Filipinos. English registers.	Spanish registers.	
Inspector of streets				1			1
Internal-revenue agent				1			1
Librarian						1	1
Medical inspector	1						1
Medical inspector, junior					6		6
Messenger					9		9
Municipal treasurer					18	42	60
Mycologist	1						1
Nurse	16	1	1	1	1		20
Observer, second-class						1	1
Overseer				5			5
Patrolman:							
First-class				2			2
Third-class					16		16
Pharmacist	1				1		2
Photo-engraver		1					1
Plant physiologist	1						1
Prison guard:							
First-class				15			15
Second-class					7		7
Ranger					1		1
Ranger, forest graduate					16		16
Sanitary inspector				1			1
Scientific assistant, agriculture					1		1
Stenographer				5		1	6
Stenographer, junior					4	3	7
Stenographer and typewriter	20	6	1				27
Superintendent of automobile				1			1
Superintendent of cabinet making				1			1
Superintendent of hardware				1			1
Superintendent of lumber				1			1
Superintendent of parks				1			1
Surveyor	10		1	2	1		14
Surveyor, junior					16		16
Teacher	111		8	10	2		^a 131
Teacher, industrial	3						3
Teacher, junior					31		31
Teacher, junior, normal school graduate					44		44
Teacher, junior industrial					17		17
Teacher of domestic science	1			5			6
Teacher of agriculture					1		1
Teacher, junior industrial, trade school graduate					2		2
Typewriter	1						1
Typewriter, junior						3	3
Veterinarian	8						8
Well driller	13			1			14
Total	212	18	13	92	606	110	1,051

^a Of these teachers 39 Americans and 2 Filipinos were appointed as a result of the assistant examination.

Appointments made in the Islands through changes in the classified service during the year ended June 30, 1912.

	Americans.	Filipinos.		Total.
		English registers.	Spanish registers.	
Promotion	959	1,206	477	2,642
Reduction	14	9	18	41
Transfer	97	107	129	333
Reinstatement	54	63	50	167
Total	1,124	1,385	674	3,183

Appointments made in the Federal civil service in the Philippine Islands during the year ended June 30, 1912, upon certification of the Bureau of Civil Service.

Position.	Americans.	Filipinos.
ORIGINAL.		
Civil engineer	1	
Civil engineer and superintendent of construction	1	
Clerk:		
First grade	26	
Second grade	2	4
Engineer	1	
Foragemaster	3	
Interpreter	1	
Mate	1	
Messenger	16	3
Packmaster	7	
Storekeeper	1	
Superintendent of construction	1	
Total original	61	7
By promotion, transfer, or reinstatement	2	2
Grand total	63	9

Number of Americans and Filipinos in the Philippine civil service on January 1, 1912, and the salaries paid.^a

Bureau or office.	Americans.	Filipinos.	Salaries of—	
			Americans.	Filipinos.
Legislative:				
Philippine Commission	6	7	₱61,000	₱63,400
Philippine Assembly ^b		95		102,980
Executive:				
Office of the Governor—				
General ^c	4		40,600	
Executive Bureau	39	86	180,700	105,428
Bureau of Audits	49	124	208,700	106,296
Bureau of Civil Service	7	28	37,300	23,760
Office of the Secretary of the Interior	2		25,800	
Bureau of Health	92	63	239,900	93,832
Bureau of Lands	113	156	397,800	108,168
Bureau of Science	39	33	182,800	35,732
Bureau of Forestry	20	32	80,900	25,512
Weather Bureau	3	82	3,740	69,100
Office of the Secretary of Commerce and Police.	2		25,800	
Bureau of Constabulary	287	98	930,414	202,096
Bureau of Public Works	206	191	842,496	154,216
Bureau of Navigation	97	113	331,848	113,868
Bureau of Posts	97	753	322,032	342,320
Bureau of Coast and Geodetic Survey	5	23	17,800	22,564
Bureau of Labor		13		22,436
Consulting Architect	1		12,000	
Supervising Railway Expert	4		27,600	
Office of the Secretary of Finance and Justice	1	1	4,800	21,000
Bureau of Justice	11	24	47,600	57,071
Bureau of Customs	116	337	423,052	244,472
Bureau of Internal Revenue	67	163	244,492	131,568
Bureau of the Treasury	17	18	79,600	13,060
Office of the Secretary of Public Instruction	2		25,800	
Bureau of Education	718	567	2,064,580	427,676
University of the Philippines	54	39	212,300	66,460
Bureau of Agriculture	98	43	347,488	35,288
Bureau of Supply	36	61	141,300	50,472
Bureau of Prisons	46	81	120,120	66,740
Bureau of Printing	24	252	106,660	150,452
Philippine Library	5	8	16,000	8,200
Sales Agency Board	1		7,000	

^a The following employees are not included: Temporary and emergency employees; enlisted men of the Philippines Constabulary; semiskilled and unskilled laborers; persons compensated by fees only.

^b Not including delegates to the Philippine Assembly. The total expenditure on account of salaries and wages for the Philippine Assembly, including compensation of delegates, for the fiscal year ended June 30, 1912, was ₱358,524.36.

^c The Governor-General and Secretaries of Departments are also members of the Philippine Commission.

*Number of Americans and Filipinos in the Philippine civil service on
January 1, 1912, and the salaries paid—Continued.*

Bureau or office.	Americans.	Filipinos.	Salaries of—	
			Americans.	Filipinos.
Judicial:				
Supreme Court	7	28	P90,800	P92,632
Reporter of the Supreme Court	5	6	21,000	8,012
Courts of First Instance	19	172	126,000	254,751
Courts of First Instance at Large	5	4	26,800	23,200
Court of Land Registration	6	69	39,200	86,228
Code Committee	3	5	28,000	40,080
Justices of the peace	3	642	3,000	450,000
Provincial service	94	1,243	320,500	1,065,987
Municipal service of Manila:				
Municipal Board	11	11	55,900	31,388
Law department	7	42	32,200	66,608
Fire department	71	59	170,060	48,420
Department of police	170	308	401,800	233,880
Department of city schools	2	151	6,400	129,444
Department of engineering and public works	17	41	73,400	57,244
Department of sanitation and transportation	12	13	38,142	12,666
Municipal service of Baguio	2	4	3,900	3,468
Total^a	2,703	6,289	9,247,124	5,468,175

^a Deduct 23 Americans and 256 Filipinos for persons counted more than once by reason of holding more than one position.

*Comparison of the numbers of American and Filipino officers and employees
having a permanent status in the service and the salaries paid on
January 1 of the years given.*

Year.	Officers and employees.			Salaries paid.			Average salaries.		
	Americans.	Filipinos.	Total.	Americans.	Filipinos.	Total.	Americans.	Filipinos.	Total.
1903	2,777	2,697	5,474	P7,236,700	P2,189,376	P9,426,076	P2,605.94	P811.76	P1,721.97
1904	3,228	3,377	6,605	8,663,720	2,932,834	11,596,554	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 ^a	2,616	3,902	6,518	7,869,242	3,234,494	11,103,736	3,008.12	828.93	1,703.55
1908	2,479	4,080	6,559	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

^a No data for 1906 are available.

PROPOSED RETIREMENT BILL.

An Act establishing a retirement system for certain officers and employees of the Government of the Philippine Islands, creating a civil service retirement fund, and for other purposes.

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

SECTION 1. A civil service retirement fund is hereby created for the benefit of regularly and permanently appointed officers and employees of the Philippine civil service as hereinafter provided, which shall be established, maintained, used, and administered as hereinafter provided. For the establishment and maintenance of said fund and for necessary administrative expenses there is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, the sum of five hundred thousand pesos annually, or so much thereof as may be necessary, and such additional amounts, if any, as the provisos of sections five and six of this Act shall make it necessary for the Insular Treasurer to pay into the fund on account of contributions of officers and employees for service rendered in Insular Bureaus and Offices prior to the passage of this Act.

SEC. 2. This fund shall be invested and reinvested by the Insular Treasurer, with the approval of the Governor-General or some person or persons designated by him, and all interest and profits derived from such investments shall accrue to and become a part thereof. The Governor-General is hereby given authority to appoint a board of investment for the purpose of advising and aiding the Insular Treasurer in depositing and investing the civil service retirement fund, if he deems the appointment of such a board advisable. The members of the board of investment shall be sworn and shall hold office until others are appointed and qualified in their stead.

SEC. 3. The provisions of this Act shall apply to all permanent appointive Insular, provincial, and municipal positions (except officers detailed from the Army, the Navy, or the civil service of the United States, officers and employees whose whole time is not given to the public service, and professional officers and employees who are allowed the private practice of their professions) which are declared to be pensionable by executive order of the Governor-General. The Governor-General may at any time by executive order declare additional positions pensionable or declare nonpensionable positions previously declared to be pensionable. Persons filling pensionable positions subsequently declared to be nonpensionable shall receive the same allowances as are received by persons whose positions are abolished.

SEC. 4. A contribution of five per centum of the monthly salary or wages received by him shall be made to the civil service retirement fund by every pensionable officer or employee appointed after the passage of this Act who has reached the age of twenty-one years. The proper disbursing

officer shall deduct such contribution and pay it into the fund. For the purposes of this Act money received for leave granted or full or half pay travel time will be regarded as salary received.

SEC. 5. All persons holding pensionable positions who were appointed prior to the passage of this Act shall contribute as provided in section four for service subsequent to the date of the passage of this Act: *Provided*, That any of them who so desire may, before January first, nineteen hundred and twelve, pay into the fund an amount not to exceed the sum of the contributions which they would have made had this Act been in effect at the date of their permanent appointment.

SEC. 6. For every sum contributed by any officer or employee, there shall be paid into the fund an amount equal to twice such sum. If employed by the Insular Government one-half of the payment will be made by the Bureau or Office in which the service was rendered and one-half will be made by the Insular Treasurer from the amount appropriated in section one of this Act: *Provided*, That all the payments required on account of contributions made by officers and employees under the proviso of the preceding section for services rendered in Insular Bureaus and Offices prior to the passage of this Act shall be made by the Insular Treasurer from the appropriation provided by section one of this Act. If never employed by the Insular Government the entire payment will be made by the province or municipality in which the service was rendered. With the approval of the Governor-General, payments to the fund required of the Insular Treasurer or of any province or municipality on account of contributions by officers and employees for services rendered prior to the passage of this Act may be postponed to not later than the date of separation from the service of the officer or employee concerned. Individual accounts shall be kept in which each officer or employee shall be credited with the amounts contributed by him. One-third of the entire amount received each year from interest and profit from investments of the civil service retirement fund shall be credited to the individual accounts of the officers and employees. The amounts credited to officers and employees shall not be subject to forfeiture except that proper deduction shall be made therefrom to offset any shortage in money or property due to any cause.

SEC. 7. An officer or employee who has contributed to the fund for twelve years of continuous service (including time prior to the date of the passage of this Act for which contributions are made), or who has reached the age of fifty years, or who has been wholly incapacitated for service by wounds or injuries received in the performance of duty, may retire from the service and may receive the whole sum accumulated to his credit in his individual account and in addition twice this amount from the Government. In the event of the death of an officer or employee the same allowance shall be paid to his estate as would have been paid to him on retirement due to wounds or injuries received in the line of duty.

SEC. 8. After having contributed to the fund for five years of continuous service, an officer or employee who has become wholly incapacitated for service through accident or illness not brought about by his own immoral or vicious habits or misconduct or who has been separated from the service through lack of work or abolition of his position may receive the amount to his credit in his individual account and, in the discretion of the Governor-General or proper head of Department, an additional sum from the Government which shall not in any case exceed twice this amount.

SEC. 9. (a) If an officer or employee voluntarily resigns before having

contributed for twelve years of continuous service or reached the age of fifty years, or is dismissed or separated for cause before or after having contributed for twelve years, he may receive the sum to his credit in his individual account.

(b) When in the opinion of the Governor-General the civil service retirement fund has become sufficiently large to meet all demands upon it, on the payment to any officer or employee of only the amount to his credit in his individual account, double this amount shall be applied to offset future payments due to the fund under section six from the Insular Treasurer or from provinces or municipalities in which the officer or employee has served.

SEC. 10. The allowances made by the Government at the rates above mentioned will be granted only for decidedly faithful and meritorious service. Where fidelity, diligence, and efficiency fall short of the first degree of merit the allowances will be at lower rates.

SEC. 11. No contribution in excess of forty pesos a month shall be received from any officer or employee, nor shall any contribution be allowed for more than twenty years of service, or for any service rendered after fifty-five years of age.

SEC. 12. Every person subject to the provisions of this Act shall be retired from the service on reaching fifty-five years of age unless on account of exceptional efficiency the Governor-General or proper head of Department permits him by special order renewed yearly to remain in the service until he has reached the age of sixty years, when retirement shall be compulsory. Interest shall cease to be paid on the amount accumulated to the credit of any person who has reached the age of fifty-five years, but the amount shall not be paid to him until he leaves the service.

SEC. 13. Should any person honorably retiring from the service, or the wife or children of any person dying while in the service, so desire the total amount payable to him may remain in the civil service retirement fund and share in the interest received and the profits from investments of the fund, and its share thereof shall be paid annually to him or to his wife or children.

SEC. 14. No portion of any sum accumulated to the credit of any person under the provisions of this Act shall be in any wise assignable either in law or equity or be subject to execution or levy by attachment, garnishment, or other legal process.

SEC. 15. All sums contributed under the provisions of Acts Numbered Sixteen hundred and thirty-eight and Nineteen hundred and eighty by officers and employees of the Bureau of Constabulary and the Bureau of Navigation who are declared to be pensionable in accordance with the provisions of section three of this Act shall be transferred to the civil service retirement fund and be credited to the accounts of such officers and employees in lieu of contributions of an equal amount required under the provisions of this Act. Officers and employees of these Bureaus declared to be pensionable under the provisions of this Act shall no longer be subject to the pension provisions of Acts Numbered Sixteen hundred and thirty-eight and Nineteen hundred and eighty.

SEC. 16. Except for the return of an officer's or employee's own contributions with interest thereon as above provided, no allowance shall be made under the provisions of this Act to any person separated from the service prior to January first, nineteen hundred and fourteen, by resignation or by any other cause except wounds or injuries received in the performance of duty, death, or abolition of position.

SEC. 17. Breaks in service of less than a year prior to the passage of this Act shall not be held to have forfeited the allowances under this Act for continuous service. Hereafter any separation from the service shall break continuous service, but if immediately after reappointment satisfactory reasons are submitted the Governor-General or proper head of Department may in his discretion rule in any case that separation of less than a year shall not for the purposes of this Act break continuous service. In such case the officer or employee must within three months after reappointment pay into the fund the entire amount received on separation or forfeit the privileges of continuous service.

SEC. 18. Except as to the provisions with respect to the return on separation from the service of contributions made by any officer or employee, all of the allowances granted by this Act are discretionary, and may be withheld, denied, or reduced in any case by the Governor-General or proper head of Department when in his opinion such action is for the best interests of the service. Persons appointed under the provisions of this Act shall be subject to any amendments or repeal of the Act which may hereafter be made.

SEC. 19. The Director of Civil Service shall prepare and certify to the Governor-General rules adapted to the carrying out of the purposes of this Act: *Provided*, That the rules so prepared and certified shall not take effect until approved by the Governor-General and promulgated by his executive order. Any rule so promulgated by the Governor-General shall have the force and effect of law unless contrary to the provisions of this Act. It shall be the duty of all officers and employees in the Philippine civil service to aid in all ways in carrying into effect said rules and any modifications thereof.

SEC. 20. The short title of this Act shall be "The Civil Service Retirement Act of Nineteen hundred and ten."

If the civil service retirement fund earns 5 per cent per annum from interest and profits on investments, the following table shows the number of years' salary standing to each employee's credit on the books of the fund at the end of each year of service. It also shows the total number of years' salary contributed by the Government. It is assumed that there is no change in the salary of the employee during his period of service.

At end of—	Number of years' salary to credit of employee.	Number of years' salary con- tributed by the Govern- ment.
First year	0.15	0.10
Second year	.31	.20
Third year	.47	.30
Fourth year	.65	.40
Fifth year	.83	.50
Sixth year	1.02	.60
Seventh year	1.22	.70
Eighth year	1.43	.80
Ninth year	1.65	.90
Tenth year	1.89	1.00
Eleventh year	2.13	1.10
Twelfth year	2.39	1.20
Thirteenth year	2.66	1.30
Fourteenth year	2.94	1.40
Fifteenth year	3.24	1.50
Sixteenth year	3.55	1.60
Seventeenth year	3.88	1.70
Eighteenth year	4.22	1.80
Nineteenth year	4.58	1.90
Twentieth year	4.96	2.00

REVISED CIVIL SERVICE ACT.

[Act No. 1698, as amended by Acts Nos. 1881 and 2120.]

An Act for the regulation of the Philippine Civil Service.

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

SECTION 1. This Act shall apply to appointments to all positions and employments in the Philippine civil service, Insular or provincial, or of the city of Manila, now existing or hereafter to be created, the compensations of which are authorized at an annual, monthly, or daily rate, or otherwise, except the employment of semiskilled or unskilled laborers whose rate of compensation is seven hundred and twenty pesos or less per annum, and the employment of all other persons whose rate of compensation is two hundred and forty pesos or less per annum: *Provided*, That the examination requirements of this Act for entrance into the civil service or for promotion therein shall not apply to positions filled by the following:

- (a) Elected officers.
- (b) Employees of the Philippine Assembly selected by it.
- (c) Persons appointed by the Governor-General with the advice and consent of the Philippine Commission, unless otherwise specifically provided by law.
- (d) One private secretary to the Governor-General and to each of the other members of the Philippine Commission.
- (e) Persons in the military, naval, or civil service of the United States who may be detailed for the performance of civil duties.
- (f) Officers and employees in the Department of Commerce and Police whose duties are of a quasi-military or quasi-naval character.
- (g) Officers and employees in the Office of the Supervising Railway Expert who are exempted by the Governor-General from compliance with the civil service law and rules.
- (h) 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; postmasters who are required to perform the duties of telegraph operators: *Provided*, That in the discretion of the Director of Posts

Classified service.

Unclassified service.

such postmasters may be appointed subject to the examination requirements of this Act; postmasters at army posts whose compensation does not exceed twelve hundred pesos per annum each; and operators and linemen in the Bureau of Posts.

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

Temporary and
emergency em-
ployees.

(j) Temporary and emergency employees: *Provided*, That when the work to be performed is temporary in character, or whenever an emergency shall arise requiring work to be done before it is practicable to obtain the prior approval of the Director of Civil Service, the chief of a Bureau or Office may immediately employ any person, giving preference to eligibles if available, but he shall without delay request approval of such temporary or emergency employment, and the employment of a noneligible shall cease when the Director of Civil Service certifies an available eligible who accepts temporary or probational appointment.

Duties of Direct-
or of Civil Serv-
ice.

SEC. 2. It shall be the duty of the Director of Civil Service—

Record of em-
ployees.

(a) To keep a record of all officers and employees filling positions in the classified service and of all officers and employees in the unclassified service who are entitled to leave of absence provided for in this Act, and for the purpose of this record he is hereby authorized to require each chief of a Bureau or Office to furnish the necessary information, in such form and manner as the Director of Civil Service shall prescribe with the approval of the Governor-General. An official roster shall be published at intervals to be fixed by the Governor-General.

Official roster.

Reports of ab-
sences.

(b) To keep a record of the absences of all officers and employees entitled to the leave of absence provided for in this Act, and for the purpose of this record he is hereby authorized to require each chief of a Bureau or Office to cause to be kept a record of the attendance of such officers and employees and to report to the Director of Civil Service, in the form and manner prescribed by him and approved by the Governor-General, all absences from duty of such officers and employees from any cause whatever.

Annual report.

(c) To render an annual report, on or before the first day of July of each year, to the Governor-General showing the work performed by the Bureau of Civil Service, the rules which have been certified by the Director of Civil Service and approved by the Governor-General and the practical effect thereof, and suggestions for carrying out more effectually the

Purpose of Act.

purpose of this Act, which is hereby declared to be the maintenance of an efficient and honest civil service in all the executive branches of the Government of the Philippine Islands.

Control of ex-
aminations.

(d) To supervise the preparation and rating and have control of all examinations in the Philippine Islands under this Act. The Director of Civil Service, with the approval of the Governor-General or proper head of Department, may designate a suitable number of persons in the Philippine civil

service to conduct examinations and to serve as members of examining committees. When examiners with special, technical, or professional qualifications are required for the preparation or rating of examination papers the Director of Civil Service may designate competent persons in the service for such special duty. The duties required of members of examining committees, or of special examiners, shall be considered as part of their official duties and shall be performed without extra compensation. When persons can not be found in the Philippine service with the necessary qualifications for such special examining work as may be required, the Director of Civil Service is authorized to employ at a reasonable compensation persons not in public employment for such work, which compensation shall be paid on the order of the Director of Civil Service out of the general funds appropriated for the purposes of the Bureau of Civil Service.

Examining
committees.

(e) To make investigations and report upon all matters relating to the enforcement of this Act and the rules adopted hereunder. In making such investigations the officers and duly authorized examiners of the Bureau of Civil Service are empowered to administer oaths, to summon witnesses, and to require the production of official books and records which may be relevant to such investigation, and they may also administer such oaths as may be necessary in the transaction of any official business of the Bureau of Civil Service.

Investigations.

(f) To prepare and certify to the Governor-General rules adapted to the carrying out of the provisions of this Act. It shall be the duty of all officers in the Philippine civil service to aid, in all proper ways, in carrying said rules and any modifications thereof into effect: *Provided*, that the rules so prepared and certified shall not take effect until approved by the Governor-General and promulgated by his executive order.

Civil Service
Rules.

SEC. 3. The rules to be prepared and certified by the Director of Civil Service shall, among other things, provide—

Provisions of
rules.

(a) For the preparation and holding in Manila and in the the provinces of open competitive examinations for testing the fitness of applicants for appointment to the classified service, and for the preparation and the holding of examinations in the United States under the auspices of the United States Civil Service Commission.

Competitive and
noncompetitive ex-
aminations.

(b) For the holding of competitive examinations when practicable: *Provided*, That appointment to those positions requiring technical, professional, or scientific knowledge may be made as a result of competitive or noncompetitive examination: *And provided further*, That noncompetitive examinations may be given when applicants fail to compete after due notice has been given of an open competitive examination, or when in the opinion of the Director of Civil Service the holding of a competitive examination would not result in securing competitors.

(c) For the selection of skilled workmen by such examinations, competitive or noncompetitive, as may be practicable, and which need not relate to more than the capacity of the

Skilled work-
men.

applicants to labor, their habits of industry and sobriety, and their honesty.

Examinations
in Spanish and
English.

(d) For the examination of applicants in Spanish and English whenever a knowledge of both languages is essential to an efficient discharge of the duties of the position sought.

Physical exami-
nation.

(e) For a thorough physical examination by a competent physician of every applicant for examination in the United States, for such physical examination in the Philippine Islands as in the discretion of the Director of Civil Service may be necessary, and for rejection of every applicant found to be physically disqualified for efficient service in the Philippine Islands.

Experience.

(f) For the allowance in examinations of credit for experience.

Certification of
eligibles.

(g) For certification by the Director of Civil Service to the different Bureaus and Offices of those rated highest according to average percentage on the civil service list of eligibles.

Period of proba-
tion.

(h) For a period of probation before the appointment or employment is made permanent.

Promotion ex-
aminations.

(i) For competitive or noncompetitive promotion examinations whenever practicable.

Transfers.

(j) For transfers from one branch of the classified service to another, or from the Federal classified civil service of the United States to the classified civil service of the Philippine Islands, under limitations to be fixed by the rules.

Reinstatements.

(k) For the conditions under which reinstatements in the service may be made.

Age limits.

(l) For fixing age limits of applicants for entrance into the classified service.

Applications.

(m) For eliciting from all applicants for examination and from persons now 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.

(n) For the procedure in making appointments to the service, separations therefrom, and suspensions and reductions therein.

(o) For regulating hours of labor and the allowance of leaves of absence (including the withholding of salary for leave granted) and of traveling expenses and half salary for persons entitled thereto.

Office.

SEC. 4. The Bureau of Civil Service shall have a permanent office in the city of Manila. When examinations are held by the Bureau of Civil Service, either in Manila or in the provinces, officers having the custody of public buildings shall allow the reasonable use thereof for the purpose of holding such examinations.

Illegal appoint-
ments, salary to
be withheld.

SEC. 5. (a) No person shall be appointed or employed in the civil service of the Philippine Islands except as provided by law, or, in the provincial service, by a resolution of the proper provincial board approved by the Executive Secretary, and in accordance with this Act. No person appointed to or

employed in the classified service in violation of law or of civil service rules shall be entitled to receive salary or wages from the Government, but the chief of the Bureau or Office who makes such unauthorized appointment or employment shall be personally responsible to the person illegally appointed for the salary which would have accrued to him had the appointment or employment been made in accordance with law and civil service rules, and payment shall be made to him out of the salary of such chief of the Bureau or Office by the disbursing officer. When the Director of Civil Service shall find that any person is holding a position in the classified civil service in violation of law, he shall certify information of the 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 shall find 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 salary or wages to such person and that such payment is not due to the failure of the disbursing officer to obtain proper evidence as herein required. 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. 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.

(b) No person appointed to any unclassified position shall be assigned to or employed in a position the duties of which are clerical, nor shall he be assigned to or employed in any other position in the classified service.

Assignment of unclassified employees to classified positions prohibited.

(c) 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.

Assignments in the classified service.

SEC. 6. In the appointment of officers and employees under the provisions of this Act, the appointing officer in his selection from the list of eligibles furnished to him by the Director of Civil Service shall, where other qualifications are equal, prefer—

Preference in appointment.

First. Natives of the Philippine Islands or persons who

have, under and by virtue of the treaty of Paris, acquired the political rights of natives of the Islands.

Second. Persons who have served as members of the Army, Navy, or Marine Corps of the United States and have been honorably discharged therefrom.

Third. Citizens of the United States.

Aliens.

Provided, however, That with the approval of the Governor-General, persons other than those hereinbefore named in this section may be appointed.

Vacancies to be filled by promotion if possible.

SEC. 7. If competent persons are found in the service who in the judgment of the appointing power are available and possess the qualifications required, vacancies in the position of chiefs and of assistant chiefs of Bureaus and Offices and in the position of superintendent shall be filled by promotion of such persons without examination: *Provided, however,* That an examination may be given when requested by the Governor-General or proper head of Department.

Frauds.

SEC. 8. Any person who shall willfully and corruptly, by himself or in coöperation with one or more persons, defeat, deceive, or obstruct any person in the matter of his right of examination by the Bureau of Civil Service; or who shall willfully or corruptly make a false rating, grading, estimate, or report upon the examination or standing of any person examined hereunder, or aid in so doing; or who shall willfully or corruptly make any false representations relative thereto or concerning the persons examined; or who shall willfully and falsely or corruptly use or furnish any information for the purpose of injuring the prospects or chances of employment, appointment, or promotion of any person so examined or to be examined, or who shall willfully furnish any special or secret information which will give to the person to be examined an unfair advantage in the examination, shall for each offense be punished by a fine not exceeding two thousand pesos, or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

Beneficiaries of frauds.

SEC. 9. Any person who shall willfully become the beneficiary of an act in violation of the last preceding section shall be punished as provided in that section.

Political contributions.

SEC. 10. 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 subject to his orders or under his jurisdiction, any money or other valuable thing to be applied to the promotion of any political object whatever. Any person violating any of the provisions of this section shall be removed from office and shall be punished by a fine

not exceeding one thousand pesos or by imprisonment not exceeding six months, or by both such fine and imprisonment in the discretion of the court.

SEC. 11. 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, for entrance into the service, or of officers or employees in the matter of promotion: *Provided, however,* That disloyalty to the United States of America as the supreme authority in these Islands shall be a complete disqualification for holding office in the Philippine civil service: *And provided further,* That no person shall be eligible for examination or appointment under the provisions of this Act who, after the thirtieth day of April, nineteen hundred and one, has been in arms against the authority of the United States in the Philippine Islands, or who has given aid and comfort to enemies of the United States or who after the passage of this Act shall have been in arms against the authority of the United States in the Philippine Islands or shall have given aid and comfort to the enemies of the United States; this provision shall not apply to those persons who were in arms against the authority and sovereignty of the United States in the Philippine Islands, or their aiders or abettors, prior to July fourth, nineteen hundred and two, who came within the provisions of the proclamation of amnesty of the President of the United States issued upon said date, and who have complied with the terms of said proclamation.

Political and religious opinions.

Disloyalty.

Insurrection.

SEC. 12. Every applicant for admission to the Philippine civil service shall, before being admitted to examination in the Islands, take and subscribe the following oath before a notary public or other officer authorized to administer oaths:

Oath of applicants.

“OATH OF APPLICANT.

“I,, having applied for admission to the civil service of the Philippine Islands, do solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America in these Islands and will maintain true faith and allegiance thereto; that I will obey the laws, legal orders, and decrees promulgated by its duly constituted authorities; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion. So help me God. (The last four words to be stricken out in case of affirmation.)

(Signature) “.....”

“Subscribed and sworn to (or affirmed) before me this day of 19....

“.....”

The oath of the applicant shall be filed with his application for examination.

SEC. 13. The officers and employees in the Philippine civil service shall be arranged in the following classes, and, unless otherwise provided by law, it shall be understood that the

Salary classes.

minimum amount specified for each class indicates the annual salary of each officer or employee in that class:

- 1—P6,000. CLASS 1. All persons receiving an annual salary of six thousand pesos or more, or a compensation at the rate of six thousand pesos or more per annum.
- 2—P5,500. CLASS 2. All persons receiving an annual salary of five thousand five hundred pesos or more, or a compensation at the rate of five thousand five hundred pesos or more, but less than six thousand pesos per annum.
- 3—P5,000. CLASS 3. All persons receiving an annual salary of five thousand pesos or more, or a compensation at the rate of five thousand pesos or more, but less than five thousand five hundred pesos per annum.
- 4—P4,500. CLASS 4. All persons receiving an annual salary of four thousand five hundred pesos or more, or a compensation at the rate of four thousand five hundred pesos or more, but less than five thousand pesos per annum.
- 5—P4,000. CLASS 5. All persons receiving an annual salary of four thousand pesos or more, or a compensation at the rate of four thousand pesos or more, but less than four thousand five hundred pesos per annum.
- 6—P3,600. CLASS 6. All persons receiving an annual salary of three thousand six hundred pesos or more, or a compensation at the rate of three thousand six hundred pesos or more, but less than four thousand pesos per annum.
- 7—P3,200. CLASS 7. All persons receiving an annual salary of three thousand two hundred pesos or more, or a compensation at the rate of three thousand two hundred pesos or more, but less than three thousand six hundred pesos per annum.
- 8—P2,800. CLASS 8. All persons receiving an annual salary of two thousand eight hundred pesos or more, or a compensation at the rate of two thousand eight hundred pesos or more, but less than three thousand two hundred pesos per annum.
- 9—P2,400. CLASS 9. All persons receiving an annual salary of two thousand four hundred pesos or more, or a compensation at the rate of two thousand four hundred pesos or more, but less than two thousand eight hundred pesos per annum.
- 10—P2,000. CLASS 10. All persons receiving an annual salary of two thousand pesos or more, or a compensation at the rate of two thousand pesos or more, but less than two thousand four hundred pesos per annum.
- A—P1,800. CLASS A. All persons receiving an annual salary of one thousand eight hundred pesos or more, or a compensation at the rate of one thousand eight hundred pesos or more, but less than two thousand pesos per annum.
- B—P1,680. CLASS B. All persons receiving an annual salary of one thousand six hundred and eighty pesos or more, or a compensation at the rate of one thousand six hundred and eighty pesos or more, but less than one thousand eight hundred pesos per annum.
- C—P1,440. CLASS C. All persons receiving an annual salary of one thousand four hundred and forty pesos or more, or a 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.

CLASS D. All persons receiving an annual salary of one thousand two hundred pesos or more, or a compensation at the rate of one thousand two hundred pesos or more, but less than one thousand four hundred and forty pesos per annum. D—P1,200.

CLASS E. All persons receiving an annual salary of one thousand and eighty pesos or more, or a compensation at the rate of one thousand and eighty pesos or more, but less than one thousand two hundred pesos per annum. E—P1,080.

CLASS F. All persons receiving an annual salary of nine hundred and sixty pesos or more, or a compensation at the rate of nine hundred and sixty pesos or more, but less than one thousand and eighty pesos per annum. F—P960.

CLASS G. All persons receiving an annual salary of eight hundred and forty pesos or more, or a compensation at the rate of eight hundred and forty pesos or more, but less than nine hundred and sixty pesos per annum. G—P840.

CLASS H. All persons receiving an annual salary of seven hundred and twenty pesos or more, or a compensation at the rate of seven hundred and twenty pesos or more, but less than eight hundred and forty pesos per annum. H—P720.

CLASS I. All persons receiving an annual salary of six hundred pesos or more, or a compensation at the rate of six hundred pesos or more, but less than seven hundred and twenty pesos per annum. I—P600.

CLASS J. All persons receiving an annual salary of four hundred and eighty pesos or more, or a compensation at the rate of four hundred and eighty pesos or more, but less than six hundred pesos per annum. J—P480.

CLASS K. All persons receiving an annual salary of less than four hundred and eighty pesos, or a compensation at the rate of less than four hundred and eighty pesos per annum. K—Less than P480.

SEC. 14. All appointments to and removals from subordinate positions in the Philippine civil service shall be made by the chiefs of Bureaus or Offices subject to the approval or direction of the Governor-General or proper head of Department: *Provided, however,* That semiskilled or unskilled laborers whose employment is authorized by law may be employed and discharged by chiefs of Bureaus or Offices under the general control of the Governor-General or proper head of Department. The employment or discharge of temporary or emergency employees shall be made and reported in accordance with the provisions of this Act. Appointments and removals.

SEC. 15. In case of the temporary absence or disability of the chief of any Bureau or Office, or in case of a vacancy in such position, any officer or employee in such Bureau or Office may be designated by the Governor-General or proper head of Department temporarily to perform the duties of such chief of Bureau or Office without additional compensation unless there is a vacancy in the position or the chief is absent from duty without pay and unless the order designating such person shall provide additional compensation, in Acting officers.

which latter case the person designated shall receive the compensation provided in said order, not exceeding the salary authorized by law for said position. 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 designate any other subordinate officer or employee in his Bureau or Office temporarily to perform the duties of the officer or employee who is thus absent or disabled, and it shall be the duty of the person so designated to perform the duties so assigned to him without additional compensation. Whenever any officer or employee shall be designated by proper authority for the temporary performance of the duties of chief or of any subordinate officer or employee of a Bureau or Office, the person so designated shall be reimbursed for any additional expense which he is obliged to incur on account of a bond premium in the position to which he has been so designated, and such reimbursement shall be made from the appropriation for the Department, Bureau, or Office in which the services are rendered by reason of such designation: *Provided*, That no reimbursement shall be made to persons receiving the full compensation attached to the position the duties of which they are designated to perform as herein set forth.

Reductions,
fines, and suspen-
sions.

SEC. 16. For neglect of duty or violation of reasonable office regulations, or in the interests of the public service, chiefs of Bureaus or Offices are hereby authorized to reduce the salary or compensation of any subordinate officer or employee, to deduct from his pay a sum not exceeding one month's pay, or as a punishment to suspend him without pay for a period not exceeding two months: *Provided, however*, That if the officer or employee thus punished is in the classified service or is entitled to the accrued leave provided for in this Act such deduction from pay or such suspension without pay as a punishment shall receive the approval of the Governor-General or proper head of Department, after having been submitted to the Director of Civil Service for recommendation: *And provided further*, That any reduction in salary or deduction of pay or any punishment by suspension without pay as provided for in this section shall not affect the right of the person thus disciplined to accrued leave of absence, but in the event of his suspension from duty no accrued leave of absence shall be allowed for the time he is thus suspended as a punishment: *And provided further*, That when the chief of a Bureau or Office suspends an officer or employee pending investigation of charges against such officer or employee, and subsequently restores such officer or employee to duty, no payment shall be made for the period of suspension unless otherwise directed by the Governor-General or proper head of Department.

Power of Com-
mission to appoint
and remove.

SEC. 17. Nothing herein shall be construed to prevent the Philippine Commission from making appointments to or removals from positions in the Philippine civil service of its own motion under the general powers conferred upon it by the instructions of the President of the United States.

SEC. 18. Upon the approval of the Governor-General or proper head of Department first had, a vacancy in a position of any class may be filled by the appointment of one person or more of a lower class: *Provided*, That the aggregate of salaries paid is not greater than the salary authorized by law for that position.

More than one employee in one position.

SEC. 19. With the approval of the Governor-General or proper head of Department, and after the recommendation of the Director of Civil Service has been had as to the matter, any chief of Bureau or Office may make changes in the authorized positions and salaries of his Bureau or Office: *Provided*, That the total charge for salaries and wages shall not exceed the amount authorized by law: *And provided further*, That the positions or salaries of officials appointed by the Secretary of War, or by the Governor-General with the advice and consent of the Philippine Commission, shall not be subject to change as hereinbefore provided.

Changes in positions and salaries.

SEC. 20. Whenever in his judgment the public interest will be promoted by the consolidation of two or more appointive positions, the Governor-General may declare such positions to be consolidated, may fix the salary of the position resulting therefrom at not to exceed seventy-five per centum of the sum of the salaries of the positions consolidated, and may apportion the salary so fixed among the branches of the government served by the officer or employee receiving the same.

Consolidation of positions.

SEC. 21. Whenever two or more appointive positions have been consolidated as provided in the preceding section of this Act, the Governor-General may restore them to their previous status when in his opinion the public interest is no longer served by such consolidation, and thereupon the salaries payable to the separated positions shall be the same as were authorized at the time of consolidation.

Restoration of consolidated positions to previous status.

SEC. 22. The required office hours of all Bureaus and Offices in the Philippine civil service shall be fixed by executive order of the Governor-General, but they shall not be less than six and one-half hours of labor each day, not including time for lunch and exclusive of Sundays and of days declared public holidays by law or executive order: *Provided*, That when the nature of the duties to be performed or the interests of the public service require it, officers and employees may, by direction of the chief of the Bureau or Office, be required to work on Sundays and holidays without additional compensation unless otherwise specifically authorized by law. It shall be the duty of chiefs of Bureaus or Offices to require of all employees, of whatever grade or class, not less than the number of hours of labor authorized by law or executive order, but the head of any Department, Bureau, or Office may, in the interests of the public service, extend the daily hours of labor therein 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: *Provided, however*, That from the first day of April to the fifteenth day of June, both dates inclusive, in each

Office hours.

Sundays and holidays.

Reductions during heated season.

year, the heads of the Bureaus and Offices of the Insular Government, of the provincial governments, and of the city of Manila, are hereby authorized, without need of an executive order by the Governor-General, to reduce the required hours of labor on each working day to five hours, which shall be from seven o'clock and thirty minutes in the morning to twelve o'clock and thirty minutes in the afternoon, when in their judgment the transaction of public business will not suffer thereby, or to again extend, at any time within the said period, the said hours for any or all of the employees under them, if in their discretion it be necessary in the interests of the public service: *And provided further*, That

Saturdays. on Saturdays throughout the year the Governor-General may, by executive order, reduce the required number of hours of labor to five hours. This executive order shall not oblige the head of a Department, Bureau, or Office in the Philippine civil service to reduce the hours of labor to five hours, but it shall be within his discretion to reduce the number of hours if consistent with the needs of the public service; nor shall this provision be regarded as conferring a right upon officers or employees. Unless specifically authorized by law

Overtime work. no payment shall be made for overtime work. The length of sessions of the courts shall be regulated by existing law, and the provisions of this section shall not apply to judges.

Judges. Teachers. The number of hours for the daily sessions of the public schools shall be fixed by the Secretary of Public Instruction, but they shall not be less than five hours a day.

Accrued leave. SEC. 23. (a) After at least two years' continuous, faithful, and satisfactory service, the Governor-General or proper head of Department shall, subject to the necessities of the public service, and upon proper application therefor, grant each regularly and permanently appointed officer or employee in the civil service, Insular or provincial, or of the city of Manila, except as hereinafter provided, accrued leave of absence with full pay, inclusive of Sundays and of days declared public holidays by law or executive order, for each year of service in accordance with the following schedule: An employee receiving an annual salary of less than eighteen hundred pesos shall be granted twenty days' leave; an employee receiving an annual salary of from twelve hundred to eighteen hundred pesos with board and quarters, and an officer or employee receiving an annual salary of eighteen hundred pesos or more, but less than three thousand six hundred pesos, shall be granted thirty days' leave; an officer or employee receiving an annual salary of three thousand six hundred pesos or more, shall be granted thirty-five days' leave. Leave shall accrue while an officer or employee is on duly authorized leave of absence with pay.

Schedule. (b) If an officer or employee elects to postpone the taking of any or all of the leave to which he is entitled under this section, such leave may accumulate and if his salary changes he shall receive the same amount of leave and pay

Accumulation of leave

as if he had taken the leave while receiving the salary at which it accrued: *Provided, however,* That after January first, nineteen hundred and five, no person shall at any time have to his credit more than the accrued leave allowed for five years' service.

(c) An officer or employee who has served in the Islands for three years or more, and who has accumulated to his credit the accrued leave allowed for two full years, may be granted permission to visit the United States or any other country in the discretion of the Governor-General or proper head of Department, with the half-pay and traveling-expense allowances hereinafter provided: *Provided,* That such permission shall not be granted oftener than once in every three years.

Visiting the United States and other countries.

(d) A person in the teaching service shall not be granted accrued leave in accordance with the schedule provided in this section, but in lieu thereof he may be granted leave on full pay during vacation periods, with permission to spend a vacation period in the United States or in any other country with the approval of the Secretary of Public Instruction, not oftener than once in every three years.

Teachers.

(e) In case an officer, teacher, or other employee is granted leave 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. On the completion of two years of continuous, faithful, and satisfactory service, after returning to the Islands from leave of absence to visit the United States granted for three or more years' service, he shall be allowed his actual and necessary traveling expenses 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 actual and necessary traveling expenses to Manila from the port of embarkation in the United States or such other country not exceeding four hundred pesos.

Half pay.

Return traveling expenses.

(f) The following classes of persons shall not be entitled to the leave provided in this section:

Persons not entitled to leave.

1. Semiskilled and unskilled laborers and skilled laborers hereafter appointed whose rate of compensation is less than two thousand pesos per annum.

2. Temporary and emergency employees.

3. Persons whose compensations are authorized at other than a per annum rate, except officers detailed from the military, naval, or civil service of the United States.

4. Persons enlisted for a term of years.

5. Detectives hereafter appointed except where appointment is by transfer from a leave-earning position, and secret agents.

6. Messengers and watchmen.

7. Postmasters who are required to perform the duties of telegraph operators except postmasters who are appointed subject to the examination requirements of this Act, 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.

8. Persons who receive compensation for official duties performed in connection with private business, vocation, or profession, such duties requiring only a portion of their time.

Retroactive provisions.

(g) The provisions of this section shall be retroactive in effect so as to entitle officers and employees of the Philippine civil service, whether serving as such by regular appointment or by detail from the Army, the Navy, or the civil service of the United States, previous to the passage of this Act, to any accrued leave to which they would have been entitled had Act Numbered Eighty, as amended, been applicable to them at the date of their employment or detail, computing the leave in the case of an officer on the basis of the salary and allowances received while on detail, and in the case of an enlisted man on the basis of first salary received in the Philippine civil service. No application for leave of absence presented by an officer or employee shall be considered if his application is not presented within six months of the date of the acceptance of his resignation.

Time limit for filing applications.

Forfeiture of leave.

(h) An officer or employee separated from the service for cause, or who commits an act which requires his separation from the service, shall not be granted leave or any of the other privileges provided in this section and in the following sections.

Vacation leave.

SEC. 24. 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 the accrued leave provided in this Act, in addition to such accrued leave, vacation leave of absence with full pay, inclusive of Sundays and of days declared public holidays by law or executive order, for each calendar year of service, in accordance with the following schedule: An officer or employee receiving an annual salary of less than two thousand pesos may be granted twenty-one days' vacation leave; an officer or employee receiving an annual salary of two thousand pesos or more, or a trained nurse, may be granted twenty-eight days' vacation leave. Vacation leave must be taken within the calendar year in which it is earned, or in the first two months of the following calendar year. The vacation leave provided for only one

Schedule.

calendar year may be allowed in connection with accrued leave granted. In cases of resignation, vacation leave shall not be allowed in addition to accrued leave. All applications for vacation leave shall be made on a form prescribed by the Director of Civil Service.

SEC. 25. (a) 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 lost on account of illness, in which case no deduction of pay shall be made on account of absence caused by illness. ^{Absence of teachers due to illness.}

(b) Absence of other regularly and permanently appointed officers and employees in the Philippine civil service on account of illness shall be charged first against vacation leave and then against accrued leave, until both are exhausted, when further absence shall be without pay. ^{Absence of other employees due to illness.}

(c) 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 Act: *Provided, however,* That 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. ^{Pay for absence during first six months.}

(d) When an officer or employee in the civil service, Insular or provincial, or of the city of Manila, permanent or temporary, is wounded or injured in the performance of duty, the Governor-General or proper head of Department may direct that absence during the period of disability caused by such wound or injury shall be on full pay for a period not exceeding six months: *Provided,* That if the officer or employee is entitled to the vacation leave provided in section twenty-four of this Act, absence for this reason shall be charged first against such vacation leave: *And provided further,* That the Governor-General or proper head of Department may, in his discretion, authorize payment of medical attendance, necessary transportation, subsistence and hospital fees for all insular officers, employees and laborers, and the Municipal Board of the city of Manila may also in its discretion, authorize the payment of such expenses for all officers, employees and laborers of the city of Manila, whether permanently or temporarily appointed, and whatever their rate of compensation, pay, or wages, who have been wounded or injured in the performance of their duty: *And provided further,* That the Governor-General or proper head of Department or the Municipal Board of the city of Manila, as the case may be, may authorize payment of reasonable burial expenses and of three months' salary or wages to the widow or dependent child or children of any officer, employee or laborer who is killed or dies from wounds or injuries received. ^{Wounds or injuries.}

while in line of duty: *And provided further*, That payments made under this paragraph shall not be made from the appropriation for general purposes when the Bureau or Office concerned has an available appropriation for contingent expenses or public works, as the case may be, from which such payments can be made, nor shall the provisions of this section be construed to cover sickness as distinguished from physical wounds: *Provided, however*, That when such sickness is the direct and immediate result of the performance of some act in the line of duty, the Governor-General or proper head of Department may in his discretion authorize the payment of necessary hospital fees.

Death.

SEC. 26. If a regularly appointed officer or employee in the Philippine civil service who has rendered faithful and satisfactory service shall die while in the service, the unused accrued leave that might have been granted at the time of death shall be determined, and the salary equivalent of the accrued leave shall be paid to the person or persons entitled to receive his estate.

Commutation of leave.

SEC. 27. The Governor-General or proper head of Department may, in his discretion, commute accrued leave of absence granted to persons entitled thereto and vacation granted to teachers, and authorize the payment of the amounts so granted in a gross sum from the appropriation from which their salaries should properly be paid: *Provided*, That whenever upon the resignation or death of an officer or employee it is in the interests of the public service that the position occupied by him be immediately filled, the Governor-General or proper head of Department may direct that the leave granted him be commuted from any unexpended available funds appropriated for salaries and wages in the Bureau, Office, or province from which separated: *And provided further*, That except on retirement from the service, leave of absence shall not be commuted to any officer or employee who remains in the Islands during the period of his leave: *And provided further*, That no officer or employee whose leave of absence has been commuted shall be permitted to return to duty before the expiration of the period covered by such leave until he has refunded to the proper disbursing officer the money value of the unused portion of the leave of absence so commuted: *And provided further*, That in the case of an officer or employee separated from the service through lack of work or the abolition of his position, the Governor-General or proper head of Department may, in his discretion, allow the reinstatement of such officer or employee without requiring the refund of the money value of the unused portion of the leave of absence hereinbefore mentioned.

Applications for leave.

SEC. 28. All applications for accrued leave of absence shall be made on a form prescribed by the Director of Civil Service, and shall first be acted upon by the chief of the Bureau or Office, and by him submitted to the Director of Civil Service for recommendation. The application shall then be forwarded to the head of the department in which

the applicant is employed for his final decision, except in respect to those Bureaus or Offices not under any department, in which case it shall be forwarded to the Governor-General for his final decision: *Provided, however,* That the Governor-General or proper head of Department may authorize the Director of Civil Service to grant accrued or vacation leave of absence in all cases in which he approves the recommendations of the chief of the Bureau or Office in regard to such leave.

SEC. 29. The appointment of all persons residing in the United States to the Philippine civil service, whether by transfer from the United States civil service or otherwise, shall be subject to the following conditions: Conditions of appointment in the United States.

(a) A person residing in the United States who is appointed to the Philippine civil service may pay his traveling expenses from the place of his residence in the United States to Manila: *Provided,* That if any part of his traveling expenses is borne by the Government of the Philippine Islands, ten per centum of his monthly salary shall be retained until the amount retained is equal to the amount borne by the Government: *And provided further,* That if he shall come by the route and steamer directed his actual and necessary traveling expenses shall be refunded to him at the expiration of two years' satisfactory service in the Philippines. Traveling expenses to Manila.

(b) He shall be allowed half salary from the date of embarkation and full salary from the date of his arrival in the Islands: *Provided,* That he proceed directly to the Islands; otherwise he shall be allowed half salary for such time only as is ordinarily required to perform the journey by the route directed: *And provided further,* That such half salary shall not be paid until after the expiration of two years of satisfactory service in the Philippines. Half salary.

(c) A person residing in the United States accepting an appointment to a position in the civil service of the Government of the Philippine Islands under the conditions named in this Act, shall, before receiving such appointment, execute a contract and deliver it to the Chief of the Bureau of Insular Affairs, War Department, wherein the appointee shall stipulate that he will 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. A breach of the conditions provided in the contract or a removal for cause shall require the proper officer to withhold payment of all salary and traveling expenses due to the person employed and who has violated the conditions of his contract or been removed for cause, and shall debar such person from ever entering again the public service of the Philippine Government in any of its branches. In such case an action shall lie for the recovery of the amount expended by the Government in bringing the employee to the Philippine Islands. Contracts.

(d) Irrespective of leave granted, a regularly appointed officer or employee who has rendered continuous, faithful, Half salary upon retirement.

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 under the provisions of this Act; and if appointed prior to January twelfth, nineteen hundred and four, he shall also be furnished transportation from Manila to San Francisco, or transportation of equal cost to the government by any other route: *Provided*, That such transportation must be used within six months after retirement from the service.

Judges.

SEC. 30. The provisions of this Act shall not apply to judges of the Supreme Court, the Courts of First Instance, or the Court of Land Registration, but their leaves of absence and traveling expenses shall be governed by existing law or such law as may be hereafter enacted.

Special con-
tracts.

SEC. 31. All special contracts made with appointees of the Philippine civil service prior to the passage of this Act shall remain unaffected by the terms and provisions of this Act.

Repealing sec-
tion.

SEC. 32. Act Numbered Five as amended by Act Numbered Forty-seven, section two of Act Numbered Seventy-eight, sections three and four of Act Numbered One hundred and sixty-seven as amended by sections one and two of Act Numbered Three hundred and six, Act Numbered One hundred and sixty-eight, Act Numbered Two hundred and twenty, Act Numbered Three hundred and six, Act Numbered Five hundred and eighty-nine, and Act Numbered One thousand and seventy-two; Act Numbered Twenty-five as amended by Act Numbered Three hundred and one, Act Numbered Three hundred and twenty-nine, Act Numbered Five hundred and eighty-eight, and Act Numbered One thousand and ninety-six; sections one and nineteen of Act Numbered One hundred and two; Act Numbered Three hundred and ninety-two; Act Numbered Four hundred and eight as amended by Act Numbered Eleven hundred and ninety-seven; Act Numbered Six hundred and twenty-six; Act Numbered One thousand and forty as amended by Act Numbered Twelve hundred and seventy-six; Act Numbered Sixteen hundred and seven; Act Numbered Sixteen hundred and seventy-four; sections three, four, five, and six of Act Numbered Sixteen hundred and seventy-nine; and all other Acts or parts of Acts inconsistent with this Act; are hereby repealed: *Provided*, That nothing in this section shall be deemed to revive Act Numbered Eighty or any other Act repealed by any of the Acts herein mentioned.

Effective date.

SEC. 33. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

Title.

SEC. 34. This Act shall take effect on August thirty-first, nineteen hundred and seven, and shall be known as the Revised Civil Service Act.

Enacted, August 26, 1907.

Resolution of the Philippine Commission December 7, 1906.

Resolved, That it is the sense of the Commission that where a regularly appointed employee of the permanent service is separated therefrom because of death, lack of work, or abolishment of his position, and through no fault of his own, he should be allowed such accrued leave as he may have earned for the time served, and the traveling expenses incurred by him, as well as half pay earned en route from the United States to the Philippine Islands, which would have been payable had he been permitted to render two years' service.

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 prescribe blank forms for all applications, examinations, certifications, reports, records, and returns received under these rules and the regulations made in pursuance thereof.

Forms.

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; or who has been dismissed from the service for other delinquency or misconduct; or who has intentionally made a false Disqualifications and debarment.

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.

Examinations
prerequisite to ap-
pointment.

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 exam-
ination.

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.

Examining com-
mittees and spe-
cial 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.

Use of public buildings.

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.

Rating of examination papers.

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.

Eligibility for appointment.

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.

Period of eligibility.

RULE V.—*Certifications.*

A vacancy in a classified position, if not filled by promotion, reduction, transfer, or reinstatement, or through non-competitive examination, shall be filled under the following provisions:

Filling of vacancies.

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,

Requisition for certification (form 9).

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 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 marines 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).

Notification of selection for appointment.

5. 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 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 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

Effective date of appointments.

Probationary period.

capacity, and such notification, without other formality, shall discharge him from the service. 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.

Discharge or reduction of probationer.

Eligibility of probationer, if separated.

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 certification or appointment.

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 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.

Correspondence with prospective appointees.

RULE VI.—*Temporary service.*

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 eligibles.

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

Temporary employment of others.

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.

Period of eligi-
bility for rein-
statement.

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.

Enlistment.

4. Subject to the other conditions of these rules, any person whose separation from the classified civil service was caused by his enlistment or acceptance of a position in the active military or naval service of the United States, and who was

honorably discharged therefrom, may be reinstated without regard to the length of time he has been separated from the civil service.

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 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.

Violation of contract.

RULE VIII.—*Transfers.*

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.

Transfers within a Bureau.

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,* 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 one Bureau to another (form 7).

Examination.

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

Transfer from unclassified to classified service.

position to which transfer could be made therefrom: *Provided, however*, That if service is not continuous reëtrance 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.*

Vacancies to be filled by promotion.

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.

Promotion regulations.

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.

Examining committees.

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.

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 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.

Recommendations 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.

Examinations for 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

Frequency of promotion.

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 pro-
posed 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 appoint-
ments.

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.

Salary not to be
paid until employ-
ment authorized.

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.

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

Salary limita-
tions.

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

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

3. Probational appointment as a result of eligibility in the second grade English, first grade Spanish, junior translator, junior stenographer English, clerk of court Spanish,

junior technical, junior computer, scientific assistant, or junior teacher 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 Class C. The basic subjects of the junior translator examination are now given in English only, and promotion as a result of eligibility in this examination heretofore taken with basic subjects in Spanish shall not be made to positions the salary or compensation of which is above Class E.

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 Class E. Eligibility in these examinations qualifies for appointment and promotion to positions of interpreter only, and not to positions whose duties are clerical.

6. Eligibility in the first grade English, assistant, teacher, bookkeeper, stenographer, or translator examination qualifies for appointment to or promotion in clerical positions without further examination. The basic subjects of the translator examination are now given in English only, and promotion as a result of eligibility in this examination heretofore taken with basic subjects in Spanish shall not be made to positions the salary or compensation of which is above Class A. Probational appointment or promotion as a result of eligibility in the bookkeeper examination with basic subjects in Spanish shall not be made to positions the salary or compensation of which is above Class A.

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

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

Reductions, fines,
and suspensions.

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 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.

Removals.

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."

Resignations.

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 favor-

ably 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 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.

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.

Translation of papers.

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.

Reports of removal or reduction of unclassified employees.

RULE XIII.—*Prohibitions and penalties.*

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 coercion.

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.

Political contributions.

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.

Politics and religion.

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.

Private business.

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 on 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.

Causes for removal, reduction, or other punishment.

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 subordinates 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.

Information as to delinquencies and misconduct to be forwarded.

Like punishment for like offenses.

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.

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:

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

Information to be furnished.

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.

Monthly report (form 3).

RULE XV.—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 subordinate employees, except teachers, of whatever grade or class, not less than seven hours of labor each day, exclusive of Sundays and all days declared public holidays by law or Executive Order, except that from April first to June fifteenth of each year chiefs of Bureaus and offices may reduce the required hours of labor to six and one-half hours,¹ and on Saturdays throughout the year they may reduce the required hours of labor to five hours: *Provided*, That except during the heated season the office hours of all Bureaus and Offices in the city of Manila shall be from eight o'clock antemeridian to four o'clock postmeridian with a reasonable intermission, not exceeding one hour, for lunch, on all working days not including Saturdays, and from eight o'clock antemeridian to one o'clock postmeridian on Saturdays; no change in these office hours shall be made without the specific written approval of the Governor-General or proper head of Department, and in case of such change the number of hours of labor herein fixed shall not be reduced. Not less than five hours of labor on each school day shall be required of all persons in the teaching service.

Hours of labor.

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

Record of attendance (form 48).

¹ Section 22 of Act 1698 as amended allows reduction to five hours, from 7.30 a. m. to 12.30 p. m., from April 1 to June 15.

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.

RULE XVI.—*Leaves of absence.*

Application for accrued leave (form 39).

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 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.

Information to be furnished.

Death.

Medical certificate (form 41).

(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 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.

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.

Application for vacation leave (form 55).

(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).

Wounds or injuries.

(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.

With holding pay for leave granted.

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 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.

6. An officer, teacher, or other employee appointed under the provisions of Act Numbered Sixteen hundred and ninety-eight who is separated from the service by resignation or otherwise before having served two full years in the Islands shall not be allowed any leave on separation.

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

7. (a) The resignation of a teacher who has served in the Islands two full school years or more 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.

Vacation of teachers.

(b) 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 other urgent necessity the resignation of a teacher who has served in the Islands more than two years is accepted without prejudice or permission to visit the United States is granted by the Secretary of Public Instruction prior to 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, any absence chargeable to vacation to be deducted from this allowance; but the total vacation enjoyed by him shall not exceed twelve weeks for every forty weeks actually taught. Vacation may be allowed to the estate of a teacher who dies on the same basis as to a teacher whose resignation is accepted on account of illness.

Resignation or leave during school year.

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 on 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.

Leave contingent on needs of the service.

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

Employees on leave to report addresses.

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.

Unexplained absence.

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.

Return transportation from the United States.

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. 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 account.

(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.*

CIRCULAR No. 35.

THE GOVERNMENT OF THE PHILIPPINE ISLANDS,
BUREAU OF CIVIL SERVICE,
Manila, June 25, 1909.

To Chiefs of Bureaus and Offices:

I have the honor to invite attention to the provisions of section twenty-nine of Act Numbered One thousand five hundred and eight-two, regarding participation in elections by officers or employees; section ten of Act Numbered One thousand six hundred and ninety-eight, relating to political contributions and political services; section one of Civil Service Rule XIII, providing that "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;" and section six of Civil Service Rule XIII, which provides that "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."

The provisions of the law and rules above cited apply equally to the members of the classified and of the unclassified service in all the branches of the civil service of the Philippine Islands, except elected officers and officers appointed by the President of the United States.

Political activity consists among other things in taking part in political management or political campaigns, being a delegate to any political convention or a member of any political committee or directorate or of any political club or other similar political organization, making speeches or canvassing in the interests of any party or candidate, soliciting or receiving contributions for political purposes either directly or indirectly, or becoming prominently identified with any political movement, party, or faction, or with the success or failure of any candidate for election to public office.

It is requested that this circular be brought to the notice of all officers and employees under your jurisdiction, classified or unclassified, permanent or temporary.

Very respectfully,

B. L. FALCONER,
Director of Civil Service.

Approved:

W. CAMERON FORBES, *Acting Governor-General.*

INDEX.



INDEX.

	Page.
Accrued leave:	
Accumulation of, limited	36
Allowances on visiting the United States or foreign countries ...	37
Applications for	40, 60
In case of death	40, 60
Information to be forwarded with	60
Commutation of	40, 60
Computation of	60
During first two years' service	39, 62, 63
Excess vacation leave to be charged to	62
Forfeiture of, on separation for cause	38
Illness	39
Resolution of Philippine Commission regarding	43
Schedule for granting	36
Time limit for filing application on resignation	38
Vacation leave in connection with	38
Without pay	60
Address, to be reported monthly by officers and employees on leave...	63
Age limitations of applicants for examination	28, 45
Allowances:	
Forfeiture of, on separation for cause	38
On resignation after three years' service	41
Americans:	
And Filipinos in the service during the years 1903-12	20
Examined and appointed	5, 7, 8, 16, 17, 18, 19
In service	8, 19, 20
Resignations of	9
Salaries of	19, 20
Appointments:	
At salaries lower than those authorized	35
Made during year	7, 8
Philippine Commission's authority to make	34
Rule governing	54, 55
Temporary, rule governing	49
Two or more in one position	35
Attendance, record of	26, 59
Business. (See Private business.)	
Certifications, rule regulating	28, 47
Changes in the service, reports of	26
Chiefs of Bureaus and Offices:	
Positions of, filled by promotion	30
Responsibility for illegal employment	28, 29
Temporary absence or disability of	33

	Page.
Citizenship, requirement of, may be waived	30
Civil Service Act, observance of	13
Classes of officials and employees	31
Classified service:	
Appointment to, subject to examination	27, 46
Assignment of unclassified employees to	29
Assignments within	29
Term, defined	44
Transfers to, from unclassified service	51
Coercion, political	30, 57, 65
Commutation of leave	40
Punishment for obtaining irregularly	61
Conditions of appointment in United States	41
Consolidation of positions	35
Contributions, political	30, 57, 65
Death, allowances on	40, 60
Detectives not entitled to leave, when	38
Disqualifications for office	31
Efficiency:	
Credit for, to be allowed in promotion examinations	53
Method of rating	53
Records and reports of	53
Eligibility for appointment:	
Period of	47
Rule regulating	47
Suspension of	47
Emergency employment	49, 50
Enlisted men:	
Permission of superiors necessary to enter examination	45
Reinstatement of, when separation is due to enlistment	50
Examinations:	
Frequency of	6
Kinds of	6
Spanish, elimination of	5
Examiners:	
Designation of	26, 27, 46
Oaths administered by	27
Examiners, special, appointment of	27, 46
Examining committees, appointment of	27, 46, 52
Filipinos:	
And Americans in the service during the years 1903-12	20
Examined and appointed	5, 6, 7, 16, 17, 18, 19
English, number examined in	5
Number of, in service	19, 20
Preferred in appointment	29
Salaries, statistics of	19, 20
Fines:	
Procedure in imposing	55
When imposed	34
Frauds:	
In examination	45, 46
Penalties for	30

	Page.
Illegal employment and appointment	28, 29
Illness, absence because of:	
Evidence to be furnished, when	63
How charged	39
Salary for, need not be withheld	39
Insubordination	58
Laborers:	
Semiskilled and unskilled—	
Assignment of, to classified positions prohibited	29
Employment and discharge of	33
To whom civil service law does not apply.....	25
Skilled—	
Certain, not entitled to leave	37
Examinations for	27
Language tests	28, 46
Leave of absence. (<i>See</i> Accrued leave, Teachers' and Vacation leave.)	
Legislation, accomplished and proposed	9
Loyalty:	
Evidence of	45
Oath of	31, 45
Medical attendance	39
Medical certificate, when required	9, 60, 61, 62
Messengers, not entitled to leave	38
Noncompetitive examinations:	
Skilled workmen	27
Technical, professional, or scientific positions	27
Nurses, vacation leave of	38
Overtime work, provisions for	36, 59
Personnel	8
Physical examination	9, 28, 45
Political activity	12, 57, 58, 65
Political contributions	30, 57, 65
Political opinions not to be considered	31, 57, 58
Postmasters not entitled to leave, when	38
Preference in appointment	29, 48
Private business:	
Leave forfeited, when	38
Permission to engage in, necessary	58
Probational appointees, discharge or reduction of	49
Probationary appointment	28, 48
Professional positions, examinations for	27
Promotion:	
Examination requirements relating to	28, 52, 53
Examining committees	52
Experience and efficiency to be given credit in examinations for..	53
Frequency of, limitation on	53
Political and religious considerations excluded	31, 57
Recommendations for	53
Rule governing	52
Salary limitations on	54
Suspension of action on	54
Vacancies to be filled by	30, 52

	Page.
Reinstatement:	
Before expiration of leave committed, refund necessary	40
Noncompetitive examination for	46, 50
Objections to, to be stated on resignation	56
Period of eligibility for	50
Persons in United States	51
Persons separated in violation of contract	51
Rule governing	50
Removal:	
Causes for	34, 45, 46, 58
Forfeiture of allowances	38
Laborers	33
Political or religious considerations excluded	57
Probational appointees	49, 56
Procedure in	56
Publication of cause forbidden	56
Unclassified service	57
Resignation:	
Allowances on, after three years' service	41
Character of service to be stated	56
Commutation of leave	40, 60
Procedure in cases of	56
Teachers	63
Time limit for leave applications	38
Unclassified service	57
Retirement system, text of proposed bill	21
Retransfer from unclassified service	52
Return to duty before expiration of leave commuted	40, 61
Roster of officers and employees	26
Scientific positions, examinations for	27
Secret agents, not entitled to leave	38
Sex, when regarded in certification	47, 48
Sick leave. (See Vacation leave.)	
Skilled workmen, examinations for	27
Soldiers, sailors, and marines preferred in appointment	30, 48
Permission to enter examinations	45
Suspension:	
Pay for period of, when restored to duty	34
Procedure in	55
Without pay	34
Teachers:	
Absence because of illness, postponement of deduction of pay for ..	39, 61
Absences, withholding pay for	61
Applications for leave	61
Death, allowance of vacation on	63
Illness, proportional vacation because of	63
Resignation of	63
Vacation, how computed	63
Allowances in visiting United States or foreign countries ...	37
Commutation of	40
Service during	39
Trades positions, qualifications required of applicants	27

	Page.
Transfer:	
Federal service, from and to	28, 52
From unclassified service	51
Noncompetitive examinations for	46, 51
Permission required to seek	52
Retransfers	52
Rule governing	51
Transportation:	
Retirement from the service	41
Returning from leave in United States	64
Time allowed for, when visiting United States or foreign countries	37
Traveling expenses:	
Account of, to be filed with Auditor	64
Appointment in United States	41
Returning from leave	37
Vacation leave:	
Absence because of illness	39
Application for	61
How made	39, 61
In case of death	60
Less than one day	61
Suspension of action on	63
To be used by teachers	61
Conditions under which granted	38
During first six months' service	39, 61
Excess, how charged	62
Forfeiture of	61
Schedule under which granted	38
Separation from the service, not allowable on	39
To be applied to absence because of injuries incurred in line of duty	39
When salary changes during year	61
Withholding pay for	39, 62
Watchmen, not entitled to leave	38
Wounds or injuries, allowances on account of	39