



IN THE MATTER OF NON-
INCLUSION OF ARLYN D.
BALIBAG IN THE LONG LIST OF
APPLICANTS FOR
SUPERVISING ECOSYSTEM
MANAGEMENT SPECIALIST
(OSEC-DENRB-SVEMS-70-2014)

MS. ARLYN D. BALIBAG

Applicant-Appellant.

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APPEAL MEMORANDUM

Applicant-Appellant, ARLYN D. BALIBAG is the Senior Ecosystems Management Specialist of the PENRO-Romblon and is considered the next-in-rank to the vacant position of Supervising Ecosystems Management Specialist at PENRO, Romblon.

PREFATORY STATEMENT

The HRMPSB is governed by the rules, regulations, and procedures of the Civil Service Commission. Which rules, regulations, and procedures are consistent with promotions of justice and equity.

STATEMENT OF THE CASE

The applicant-appellant is already an insider of the PENR Office and has been working hard on the due execution of the functions, responsibilities and accountabilities attached to her office. The applicant-appellant is currently occupying the position next in rank to the vacant position. Applicant-appellant applied on the position and submitted all the documents required except that she missed to include the Work Experience Sheet. Being an insider of the Agency who applied for a vacant position, the agency itself has knowledge of her working experience. The Work Experience Sheet would best serve those new applicants coming from the outside whose experience, the agency has no knowledge at all. Besides, the Personal Data Sheet without the attachment of work experience sheet already includes details of past working history. It can be noted that the applicant has already included her position in the agency and such other details. The Work Experience Sheet will provide specifications of the functions and responsibilities the employee is handling, which the same details are included on her 201 File in the office which at any time can easily be pull out and accessed by the agency.

To deny the applicant-appellant her chance without consideration would be tantamount to automatic denial of her chance for promotion.

Part V, entitled Work Experience, the following details are included:

1. Include all positions held both in the public and private employment starting from current work.
2. Inclusive dates are indicated in numeric font: mm/dd/yyyy;

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3. Indicate FULL position titles and COMPLETE NAME of department/agency/company. DO NOT ABBREVIATE.
4. Indicate monthly salary in figures (e.g. P21,877).
5. Salary grade and salary step, if applicable, should be stated in the format "00-0" (e.g. 24-2, 24 for Salary Grade, 2 for Salary step)
6. Indicate Status of Employment (e.g. permanent, temporary, casual, contractual)
7. Indicate "yes" under government service if position held is in the public or government employment or "no" if held in the private employment.

The Work Experience Sheet is only additional requirement which will help to better assess the applicant whether he/she already gained work experience relevant to the position being applied for.

FURTHER, the process is still on its preliminary stage of evaluation, determining who will be included in the long list. Strict application of rules may be waived at this point. May my continued performance for the PENRO - Romblon warrant the indulgence of the Honorable Board of the HRMPSB to allow my late submission of the attachment of Work Experience Sheet on my PDS. This will elaborate the details on the work I had on my previous employment and my current work in the PENRO.

It would be a great injustice on my part to be excluded from the applicants who will undergo the process of deliberation considering that my current position is next-in-rank.

Should later it be found out that other applicants are better than me, or more qualified than me, I would highly appreciate just being given the chance. It would be inequitable to be deprived of my chance to be promoted nor the chance to be deliberated as one of the applicants.

The Supreme Court in several cases has already decided the issue of the Next-In-Rank. In Santiago vs CSC (GR. No. 81467, October 27, 1989) it stated that: "We need only recall our previous ruling in Taturan vs Civil Service Commission (L-52051, 31 July 1984, 131 SCRA 66) stating that there is no mandatory nor peremptory requirement in the Civil Service Law) that persons next-in-rank are entitled to preference in appointment. What does it provide is that they would be among the first to be considered for the vacancy, if qualified, and if the vacancy is not filled by promotion, the same shall be filled by transfer or other modes of appointment."

"One who is next in rank is entitled to preferential consideration for promotion to the higher vacancy, but it does not necessarily follow that he and no one else can be appointed."

With the above ruling of the supreme court, my non-inclusion where a remedy is available would be equivalent of violating my preferential right as provided on the Civil Service rules.

WHEREFORE, I hereby pray that I be allowed to submit my worksheet and be reconsidered and included in the long list.

ARLYN D. BALIBAG

Applicant-Appellant

SUBSCRIBED AND SWORN to before me this 14th day of September 2022 at Odiongan, Romblon.

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Public within the Jurisdiction of RTC Branch 82
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