

# Chapter 14

## Legal Framework on the Implementation of the Human Resource Management Reforms in the Philippines After the Marcos Era Up to the Duterte Administration

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### ABSTRACT

*This study is aimed at filling the gap and will discuss the overview of both the legal reform processes happening in the public sector of the Philippine government and of recent developments and challenges initiated by the Civil Service Commission of the Philippine government as its Central Personnel Agency. This chapter will cover the years commencing 1986 up to the present dispensation of the Duterte administration where the primary goal is to study and suggest the approaches to reforming the Civil Service system and its decision-making process. It also outlines the discourses on the reform of public service among educators and public officials in the Philippines. Then, it elaborates on the laws and institutional measures introduced for an effective public personnel administration system in the country. A documentary analysis on the successful practices of public personnel administration will be used to evolve on the possible steps/strategies to further enhance the delivery of personnel services of the government sector workforce in the Philippines.*

DOI: 10.4018/978-1-6684-3873-2.ch014

## **INTRODUCTION**

Understanding the Asian civil service system is still limited according to the study of Moon and Hwang (2013) where they focus their research in the Asia-Pacific countries taking into consideration the legal frameworks, size, recruitment, and supervision. These countries include industrialized countries such as Japan, Korea, Singapore, and Taiwan; Southeast Asian developing countries with Malaysia, Indonesia, Thailand, and the Philippines; and the socialist transitional countries that include China, Vietnam, and Cambodia. Their findings revealed that new initiatives were evident in socialist transitional countries and in Southeast Asian developing countries which include the country Philippines (Berman, 2010; Cheung, 2005; and, Kim, 2010). Moreover; the civil service system primarily ensures the application of the procedural features of human resource management such as performance management, recruitment, selection, compensation, professionalism, career development, requirement, culture, and ethics (Moon and Hwang, 2013).

Anchored on the status of the civil service system in the Asia Pacific countries, the culmination of the Civil Service Commission (CSC) can be traced back to 1900 under public law no. 5 known as an “Act for the establishment and maintenance of an efficient and honest civil service in the Philippine island” by the Second Philippine Commission. The first composition of the commission’s structure was anchored on the civil service board of a chairperson, a secretary, and a chief examiner where it administered the civil service examinations and set the standards for the government service appointment. Previously, the commission was named Bureau of Civil Service which later converted in 1959 through the Republic Act (RA 2260) into CSC that transformed the structure from a bureau to a department. However; the 1973 constitution ratification was done to convert the commission into a constitutional body in 1975 whose function is to pioneer the commission as the central Human Resource (HR) agency of the government.

Since then, the CSC continuous to serve as a premier human resource institution that aspires to become a center of excellence globally for strategic resource and organizational development that constitutionally upholds integrity, efficiency, morale, progressiveness, responsiveness, and courtesy in civil service. Accompanying this vision is to showcase the commission’s purpose of making every civil servant as servant hero along with its core values of love for God and country, integrity, and excellence. Today, CSC as a constitutional body is governed by three dignitaries: chairperson and two commissioners stationed at the central office, 16 regional directors assigned in 16 regions, and over one hundred field offices all over the country (Civil Service Commission, 2018). The main goal of this chapter is to investigate the present status of the legal frameworks governing the implementation of HRM reforms from Marcos Era to the Duterte Administration and to come up with viable and concrete solutions to reforming the civil service system and its decision-making processes. The sequence of this chapter starts with the legal reform process in transition from 1986 to the Duterte administration and followed by the documentary analysis on the Remarkable Achievement of CSC Law, Measures, Plans, and Programs, then strategizing the CSC’s Human Resource Management for better personnel administration, and the conclusion of the chapter.

## **BACKGROUND**

The year 1984 was crucial for the country Philippines as it was the end of the Marcos regime and the onset of Philippine democracy where her Excellency President Corazon Aquino was installed on Febru-

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