

**MGA ALITUNTUNIN KAGAWARAN, KAWANIHAN AT
TANGGAPAN AT MGA KAUTUSANG PAMPANGASIWAAN**
[DEPARTMENT, BUREAU AND OFFICE ADMINISTRATIVE ORDERS AND
REGULATIONS]

Department of Science and Technology

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DOST Administrative Order No. 009
Series of 2020

**Subject: GUIDELINES IN THE CERTIFICATION OF ELIGIBILITY OF
NON-DOST S&T PERSONNEL UNDER REPUBLIC ACT NO.
8439, AS AMENDED BY REPUBLIC ACT NO. 11312**

Pursuant to Section 2 of Republic Act (R.A.) No. 11312, otherwise known as "An Act Strengthening the Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in the Government, amending for the Purpose Republic Act No. 8439", these guidelines are hereby promulgated for adoption by non-DOST agencies in government that are involved in scientific and technological activities (STA), including state universities and colleges (SUCs), to systematize and facilitate the evaluation of applications for certification of their scientific and technological (S&T) personnel eligible to avail of the benefits provided under RA No. 8439 as amended by R.A. No. 11312.

I. COVERAGE

This DOST Administrative Order shall cover personnel in government agencies outside the DOST who are involved in scientific and technological activities (STA).

For this purpose, "DOST" shall refer to the DOST and its agencies.

II. POLICIES

Any government S&T personnel not employed by the DOST (or non-DOST S&T personnel) may avail of the benefits under R.A. No. 8439 as amended, provided that such personnel are certified by the head of their respective agencies that they are engaged in STA.

Any non-DOST S&T personnel desiring to avail of the benefits provided under RA No. 8439, as amended, shall have to apply for certification of eligibility in accordance with these guidelines.

Application for certification shall be done on an individual basis.

III. OBJECTIVE

These guidelines shall provide the qualifications and procedure in certifying Non-DOST S&T personnel involved in STA in order for them to avail of the benefits provided under R.A. No. 8439 as amended.

IV. AUTHORITY TO

Pursuant to these guidelines, STA.

For this purpose, exercises supervisory national government universities (SUCs), agencies, bureaus, considered: *Provided* 1987 or otherwise that the respect instrumentalities s

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V. CLASSIFICATION

Pursuant to (STA) are all systems advancement dissemination in all fields of natural broad groups, namely:

1. **Research and** undertaken in order to increase the state of applications;
2. **Scientific and** in support of scientific with generation, technical knowledge information and information and seismological and precision measurement counseling of and services; and other
3. **Scientific and** activities comprising degree, graduate for scientists and

IV. AUTHORITY TO CERTIFY S&T PERSONNEL

Pursuant to Section 2 of R.A. No. 11312, Heads of Agencies, shall abide by these guidelines when issuing a certification that their personnel are involved in STA.

For this purpose, the 'Head of Agency' shall refer to the person/entity who exercises supervision and control over the agency such as the Secretary for the national government agencies (NGAs) or the President for state colleges and universities (SUCs); *Provided*, that in the identification of the heads of attached agencies, bureaus and offices, their respective organizational structure shall be considered: *Provided*, further, that the provisions of Executive Order No. 292, s. 1987 or otherwise known as the "Administrative Code of 1987". *Provided*, further that the respective charters of the SUCs, government units, office or instrumentalities shall also be considered.

The head of an agency, as referred herein, may also be certified as S&T personnel by the Agency Head of the supervising agency/office for the purpose of the guidelines.

V. CLASSIFICATION OF STA

Pursuant to Sec. 3 (b) of RA No. 8439, scientific and technological activities (STA) are all systematic activities which are closely concerned with the generation, advancement dissemination and application of scientific and technical knowledge in all fields of natural science and technology, STA may be classified into three broad groups, namely:

1. **Research and Development (R&D)** is any systematic and creative work undertaken in the physical, natural, mathematical, and applied sciences to increase the stock of knowledge, and the use of this knowledge to devise new applications;
2. **Scientific and Technological Services (STS)** refers to all systematic activities in support of scientific research and development, which are closely concerned with generation, advancement, dissemination and applications of scientific and technical knowledge in all fields of natural science and technology (i.e., library, information and museum services; geological and hydrological surveys; information and communications technology services; meteorological and seismological observations; the compilation of routine statistics; testing, precision measurements, calibration, standardization and quality control; counseling of clients; patenting and licensing; engineering and technical services; and other analogous systematic activities under the foregoing); and
3. **Scientific and Technical Education and Training (STET)** refers to all activities comprising higher education and training leading to a university degree, graduate, postgraduate and further training, organized lifelong training for scientists and engineers, and specialized non-university higher education.

VI. CLASSIFICATION OF S&T PERSONNEL

A. S&T Personnel may be categorized as:

1. S&T managers, supervisors, and planners;
2. Members of the Scientific Career System;
3. Scientists, engineers, and researchers;
4. Personnel of R&D institutions and other government organization provided that:
 - a. the STA and S&T-related functions of the agency are authorized by law or by competent authority;
 - b. the personnel is actually involved in STA as mentioned in Item V hereof; and
 - c. the position of the concerned personnel is part of the authorized staffing pattern of the organizational unit performing STA.

B. S&T Managers, Supervisors and Planners

S&T managers, supervisors and planners are those who are graduate degree holders or have at least 10 years of managerial experience or are performing executive, planning and policy-making functions to effectively carry out S&T related activities as defined in Section 3 of R.A. No. 8439 (Item V hereof).

1. **S&T Managers** are those who are employed in R&D institutions or other government organizations conducting STA and who occupy the positions of Secretary, Undersecretary, Assistant Secretary, Executive Director, Director, Regional Director, Deputy Executive Director, Deputy Director, Department Service Chief, and other officers of equivalent rank as may be identified by the Career Executive Service Board. S&T managers are those who are directly supervising STA. S&T manager positions are with equivalent salary grades of 27 and above.
2. **S&T Supervisors** are those who are employed in R&D institutions or other government organizations conducting STA and who occupy the positions of Associate Scientist, Assistant Scientist, Division Chief, Chief Science Research Specialist, Supervising Science Research Specialist, and other positions of equivalent rank. S&T supervisor positions are with equivalent salary grades of 22 and above.
3. **S&T Planners** are those who are employed in R&D institutions or other government organizations conducting STA and who occupy the positions of Planning Officer IV, Project Development Officer IV, Project Evaluation Officer IV, and other positions of equivalent rank and are directly supervising and spending at least fifty percent (50%) of their official time in S&T planning activities. S&T planner positions are with equivalent salary grades of 22 and above.

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C. Members of the Scientific Career System

Members of the Scientific Career System are those who have been conferred the rank of Scientist in the Scientific Career System pursuant to Executive Order Nos. 784 and 901 dated 17 March 1982 and 19 July 1983, respectively.

D. Scientists, Engineers and Researchers and Other Personnel of R&D Institutions and Government Organizations

Scientists, engineers, and researchers and other personnel of R&D institutions and government organizations refer to those who are employed in any public research and development Institutes and other government organizations, who are at least undergraduate degree holders in any of the natural science and engineering courses and are involved in research and development or other scientific and technological activities. Natural science and engineering courses shall include but not limited to, basic/natural sciences and mathematics; engineering and information and communications technology; medical sciences and agricultural sciences under the Scientific Career System; physical anthropology; physical geography; library and archival sciences, and scientific and technical documentation as approved by the Scientific Career Council (SCC).

Scientists, engineers, and researchers are individuals who, as above mentioned, spend at least fifty percent (50%) of their official time in the conceptualization and application of scientific knowledge, and/or engineering and technological principles, products, processes, methods and systems.

For reference on the list of Science and Technology Courses, hereto attached are Annex 1 of Executive Order No. 901 s.1983 on Scientific Career System (SCS) disciplines dated 01 February 2002 and the Selected Fields of Social Science per SCC Res. No. 12 dated 20 August 1998, forming part of these guidelines.

VII. QUALIFICATION REQUIREMENTS

The following qualification requirements shall be applicable to all government personnel of the concerned agency/SUC including their respective Agency Head:

- A. The agency where the S&T personnel is employed must be actively doing any or all of the S&T Activities (STA) as defined in Item V of these guidelines, and as authorized by law or by competent authority;
- B. The applicant must be an S&T Personnel holding an S&T position as defined in Item VI of these guidelines. Positions concerned are part of the authorized staffing pattern or organizational units performing S&T functions;
- C. The applicant must hold a Science, Technology, Engineering and Mathematics (STEM) degree or courses listed under the Scientific Career System; and

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- D. The applicant and the division/unit where he/she is assigned should be directly involved in the conduct of one or a combination of S&T activities mentioned in Item V hereof.

VIII. DOCUMENTARY REQUIREMENTS

1. Members of the Scientific Career System

- 1.1. Endorsement by the immediate supervisor;
- 1.2. Functions of service/division/section/unit where the personnel belong as certified by the immediate supervisor or any competent authority
- 1.3. Description of actual duties and responsibilities with corresponding percentage time allocation as certified by the immediate supervisor or any competent authority;
- 1.4. Certification of good standing issued by the SCC; and
- 1.5. Other relevant documents that may be required by the Agency Screening Committee (ASC) in order to establish the qualifications of the applicant to be certified as S&T personnel.

2. All other applicants

- 2.1. Endorsement by the immediate supervisor;
- 2.2. Functions of the service/division/unit/section where the personnel belongs as certified by the immediate supervisor or any competent authority;
- 2.3. Individual matrix containing the following information: position title, salary grade and description of actual duties and responsibilities with corresponding percentage time allocation as certified by the immediate supervisor or any competent authority;
- 2.4. Certified true copy of diploma/s;
- 2.5. Certified true copy of the academic transcript of records; and
- 2.6. Other relevant documents as may be required by the ASC in order to establish the qualifications of the applicant to be certified as S&T personnel.

IX. AGENCY SCREENING COMMITTEE

An Agency Screening Committee (ASC) shall be constituted to assist the agency head in evaluating the qualification of each applicant for certification of eligibility.

The ASC shall be composed of at least three (3) members to be designated by the Head of the Agency. The ASC shall be composed of the following:

1. Chairperson, who is preferably the Head of the R&D Unit of the agency; and
2. Members who are at least holding a regular supervisory position or equivalent.

The functions of the ASC shall be as follows:

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- 2.1. Screen and evaluate applicants;
- 2.2. Submit to the Agency Head its findings and recommendation for approval;
- 2.3. Monitor the continuity of the STA-related functions of the personnel and make a report to the Head of the Agency in cases of promotion, and/or transfer and termination or automatic revocation of the Certification before the expiration of the certification issued; *and*
- 2.4. Perform such other related functions as may be necessary to achieve the purpose for which the ASC was created.

The report and recommendation of the ASC shall be signed by all committee members and submitted to the Agency Head for action.

X. PROCEDURE FOR APPLICATION

1. New Application

- a. New applications (complete with required documents) shall be submitted to the ASC for evaluation;
- b. ASC shall check the completeness of the application;
- c. If documentary requirements are complete, the ASC shall proceed with the evaluation of the qualifications of the applicant. In case of deficiency in the documentary requirements to establish the eligibility of the applicant, the ASC shall inform the applicant in writing;
- d. ASC shall prepare and submit its report and recommendation to the Agency Head for consideration and approval;
- e. Agency Head shall issue the **Certificate of Eligibility** if the applicant satisfies the requirements for certification. Otherwise, a **Notice of Denial** shall be issued to inform the applicant, detailing the grounds or reasons for the non-approval of the application.

All new applications shall be passed upon within 15 working days from submission of complete documents.

2. Application for Renewal

The Agency Heads shall ensure that all applications for renewal of certification shall be acted upon before the expiration of the Certificate of Eligibility. For this purpose, the Agency Heads may set a deadline for the submission of all applications for renewal.

In case the employee is promoted/reassigned or when his/her position/functions have changed, the individual matrix should indicate the description of his/her new position/functions as well as the functions of his/her new unit/station.

3. Remedies in case of Denial of Application

In case of denial of application, the ASC shall notify the applicant in writing stating therein the reason/s for denial. The applicant may file a request for reconsideration with the ASC within five (5) working days from receipt of the denial.

A protest may also be filed with the Head of the Agency if the request for reconsideration is denied. Said protest must be submitted within five (5) working days from receipt of the notice of denial of the request for consideration.

Denial of the protest by the Head of the Agency shall be final and executory.

An Agency Head whose application is denied may file a request for reconsideration to the head of the supervising agency within a non-extendible period of seven (7) working days from receipt of the denial. The decision of the latter on the request for reconsideration shall be final and executory.

XI. EFFECTIVITY OF CERTIFICATION

Entitlement of S&T personnel to the Magna Carta benefits under RA No. 8439, as amended, shall be upon the issuance of the Certificate of Eligibility by the Agency Head. The certificate shall be valid for one (1) year only and renewable every year thereafter subject to the ASC evaluation.

XII. TERMINATION OF ENTITLEMENT

Entitlement to the Magna Carta Benefits under R.A. No. 8439 shall be terminated when the grantee ceases to perform as S&T personnel by reason of retirement, death, resignation, transfer, dismissal, reorganization, phase out activity, promotion to a non-STA position, change of position description, or such other analogous causes.

XIII. FUNDING

Payment for Magna Carta benefits under RA 8439 as amended, shall be sourced from the agency's budget; and subject to the provisions of the DBM-DOST Joint Circular No. 1, s. of 2013 and such other issuances that may be promulgated by DBM and DOST, and applicable accounting and auditing rules and regulations.

XIV. TRANSITORY PROVISIONS

1. All applications for certification, whether new applications or for renewal, submitted to DOST before the effectivity of these guidelines shall be acted upon

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by DOST. Applications received on the day or after the effectivity of these guidelines shall be returned to the agency or SUC concerned without action.

2. The Agency or SUC heads shall be held responsible for the proper implementation of the provisions of this Order.

In line with this, the Agency or SUC may promulgate their respective internal guidelines providing specific criteria and administrative procedures in certifying personnel as supplemental to this Order.

XV. REPEALING CLAUSE

All DOST orders and issuances, or portions thereof, which are inconsistent with these guidelines, are hereby repealed, amended or modified accordingly.

XVI. EFFECTIVITY

This Order shall take effect fifteen (15) days upon publication in the Official Gazette or any newspaper of general circulation.

Signed this 10th day of June 2020, in Taguig City, Philippines.


FORTUNATO T. DE LA PEÑA
Secretary