



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 172-2003

TO : ALL JUDGES AND CLERKS OF COURT

SUBJECT : NOTICE REQUIREMENT IN THE GIVING OF
UNSATISFACTORY AND POOR PERFORMANCE
RATING

Section 2.2, Rule XII of the Omnibus Rules on Appointments and Other Personnel Actions (CSC MC Number 40, series 1998) provides that an official or employee who is given two (2) consecutive "Unsatisfactory" ratings or who for one evaluation period is rated "Poor" in performance may be dropped for the rolls after due notice. In order to establish a procedure on the said notice requirement, the following guidelines shall be observed:

1. IN CASE OF UNSATISFACTORY PERFORMANCE RATING

1.1 Notice must be:

- 1.1.1 in writing;
- 1.1.2 issued by the supervisor (rater);
- 1.1.3 served upon the official or employee concerned not less than thirty (30) days from the end of the semester;
- 1.1.4 sufficient as to contain the following:
 - 1.1.4.1 information that the official or employee concerned had unsatisfactory performance for a semester;
 - 1.1.4.2 warning that failure to improve his performance within the remaining period of the semester shall warrant his separation from the service; and
 - 1.1.4.3 information which shall enable the employee to prepare an explanation.

1.2 If in the next succeeding semester the official or employee concerned failed to improve and was given "Unsatisfactory" rating, the Presiding Judge/Executive Judge shall inform the Office of the Court Administrator of the matter with his recommendation on whether or not the said official or employee concerned should be dropped from the rolls attaching thereto all the pertinent documents including the abovementioned notice to and written explanation of the official or employee concerned.

2. IN CASE OF POOR PERFORMANCE

2.1 Notice must be:

- 2.1.1 in writing;
- 2.1.2 issued by the supervisor (rater);

2.1.3 served upon the official or employee concerned not later than the 4th month of that rating period;

2.1.4 sufficient as to contain the following:

2.1.4.1 information on the status of his performance;

2.1.4.2 warning that failure to improve his performance within the remaining period of the semester shall warrant his separation from the service; and

2.1.4.3 information which shall enable the employee to prepare an explanation.

2.2 If the official or employee concerned failed to improve his performance and was given a "Poor" rating, the Presiding Judge/Executive Judge shall inform the Office of the Court Administrator of the matter with his recommendation on whether the said official or employee concerned should be dropped from the rolls attaching thereto all the pertinent documents including the above-mentioned notice to and written explanation of the official or employee concerned.

3. LIABILITY IN CASE OF FAILURE TO GIVE DUE NOTICE

Failure on the part of supervisors to comply with the required notices to their subordinates for their unsatisfactory or poor performance during a rating period shall be *a ground for an administrative offense of neglect of duties* (MC No. 13, series 1999).

For strict compliance.

2 December 2003


PRESBITERO J. VELASCO, JR.
Court Administrator