

April 24, 2008

HON. ROGELIO C. BAQUERFO, SR.  
Mayor  
Tudela Municipal Hall  
6051 Cebu

Dear Mayor Baquerfo:

This has reference to your letter dated April 21, 2008, on the hiring of job orders and casual employees of the local government unit.

In reply thereto, please be advised that under Section 77 of the Local Government Code of 1991, it is the local chief executive who shall be responsible for human resources and development in his unit and shall take all personnel actions. In addition, under the same provision of the Code, the local chief executive may employ emergency, casual employees or laborers paid on a daily wage or piecework basis and hired through job orders for local projects authorized by the sanggunian concerned; provided the period of employment shall not exceed six (6) months.

It can be clearly understood from the aforecited provision that the mayor possesses the power to appoint casual, emergency or job order employees without any approval or attestation from the Civil Service Commission to work on local projects authorized by the sanggunian. Such power is inherently conferred upon him under the general welfare clause. It would not be amiss to note that nowhere in the Code can a provision be found requiring confirmation of the hired employees by the sanggunian. **Hence, if the sanggunian has authorized the project (including appropriation or funding therefor), it will be up to the mayor to hire casual, emergency or job order employees to work such project without need of confirmation from the sanggunian on their employment.**

Truly yours,

PEDRO A. NOVAL, JR.  
Regional Director

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