REVENUE MEMORANDUM ORDER NO. 82-2010

issued on December 3, 2010

prescribes

the criteria and procedures for attrition of officials and employees of the Bureau of Internal Revenue (BIR), including submission of required documents and reports, under Republic Act (RA) No. 9335 (Attrition Act of 2005) and its Implementing Rules and Regulations (IRR).

An official or employee subject of attrition should have been employed in the BIR for at least six (6) months, regardless of employment status. Attritable officials or employees are those performing audit, assessment or collection functions or who has a collection target, as reflected in such official’s or employee’s Performance Contract and Revenue Memorandum Order (RMO) issued presenting the goals of concerned BIR offices, officials and employees. The Performance Contract shall be deemed signed/accepted upon issuance of the aforesaid RMO and upon assumption of office or performance of duties in office by the concerned official or employee.

The separation or removal from the service of the concerned official or employee for failing to meet the collection target by at least 7.5% shall be subject to Civil Service laws, rules and regulations. The separated official or employee shall be deemed dropped from the rolls. An official or employee who is given two (2) consecutive Unsatisfactory rating may be dropped from the rolls after due notice.

Within three (3) months from issuance of the Order, the Policy and Planning Service (PPS) shall prepare a system for performance evaluation that takes into account the system of rationally allocating revenue targets at the level of individual personnel. Pending the Revenue Performance Evaluation Board (RPEB’s) approval of the said system, the basis for evaluating the performance of personnel shall be their individual Performance Contracts.

The following relevant factors may be considered in evaluating the performance of officials or employees:

a. The district or area or responsibility covered by officials or employees has suffered from economic difficulties brought about by natural calamities or economic causes as may be determined by the RPEB.

b. Enactment of a law that repeals revenue measures, reduces tax and tariff rates, grants tax exemptions, or otherwise results in the diminution of the tax base or of taxable transactions and activities, including the entry into force of a treaty or an international agreement that the Philippines entered into resulting in preferential treatment for certain taxpayers or transactions.

c. Prolonged illness, hospitalization or medication of the subject officials or employees as a result of accidents or calamities, long study leaves and the like.

For purposes of attrition, the determination of the revenue collection performance of an official or employee shall include payments using Tax Credit Certificates/Tax Debit Memos and proceeds from sale of real properties forfeited in favor of the Government. These shall not, however, form part of revenue collections performance for purposes of rewards and incentives.

If an official or employee is transferred, assigned, or re-assigned to non-audit, non-assessment or non-collection function that has no collection target in the middle of the year under consideration and continued until the end of that year, then, he/she shall not be subject to attrition.

For officials who are Presidential appointees, appeal may be filed with the Office of the President. All other officials and employees may appeal with the Civil Service Commission. Pending appeal, however, the decision of the RPEB shall be immediately executory. Provided, however, that officials and employees affected by the decision may initially file a motion for reconsideration with the RPEB within fifteen (15) days from receipt of such decision. Decisions of the RPEB shall be final and executory after the lapse of the reglementary period for filing a motion for reconsideration or an appeal and no motion or appeal has been filed.