

Omnibus Rule On Leave

Rule XVI of the Omnibus Rules
Implementing Book V of EO 292

Civil Service Commission
July 2010

FOREWORD

The past few years have seen rapid, sometimes radical development in a broad range of social, political and economic issues which mirror both our social and political consciousness.

These welcome developments are best manifest in laws of the land and the administrative issuance which lay the ground rules for an ever growing number of concerns in both the public and private sector. Thus, recent years have seen the passage of such laws the Paternity Leave act of 1996 and the Anti- Sexual Harassment Law. Similarly, the Civil Service Commission issued directives granting special leave privileges to all government employees. Earlier, policies such as forced leave and monetization of leave credits were adopted for the well-being and benefit of government employees.

The Omnibus Rules on Leave does not merely consolidate all laws and administrative issuance relative to leave administration in the government sector. Updates all implementing rules and regulation on leave administration to make them more relevant and responsive to current realities and concerns. The Omnibus Rules on Leave also harmonize the various rules when needed in the interest of equity and fairness. For example, married contractual female 2employees can now enjoy maternity leave benefits, correcting the inequitable situation relative to their regular counterparts and the anomalous situation relative to their spouse who, if they happen to be government contractual employees, started receiving Paternity Leave benefits since 1996

This Omnibus will be a perfect complement to the CSC's thrust of humanizing the bureaucracy.

The CSC hopes that with these Omnibus Rules on Leave , the unresolved issues and gray areas relative to leave administration will be clarified and thus enhance the efficiency of the government personnel administration system Ultimately, the final result will be a highly productive, energetic and professional public service.

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RULE I

(from the omnibus rules implementing Book V of
Executive Order No. 292
[The Revised Administrative Code of 1987])

- (p) The following terms used in Rule XVI shall be construed as follows:
1. Leave of absence is generally defined as a right granted to officials and employees not to report for work with pays as may be provided by law and as the rules prescribe in Rule XVI hereof.
 2. Commutation of leave credits refers to conversion of unused leave credits to their corresponding money value.
 3. Cumulation of leave credits refers to incremental acquisition unused leave credits by an official or employee.
 4. Immediate family refers to the spouse , children parents unmarried brothers and sisters and any relative living under the same roof or dependent upon the employee for support.(Amended by CSC MC 6,s.1999)
 5. Sick leave refers to leave of absence granted only on account of sickness or disability on the part of the employee concerned or any member of his immediately family.
 6. Vacation leave refers to leave of absence granted to official and employees for personal reasons, the approval of which of contingent upon the necessities of the service.
 7. Monetization refers to payment in advance under prescribed limits and subject to specified terms and conditions of the money value of leave credits of an employee upon his request without actually going on leave.
 8. Pregnancy refers to the period between conception and delivery or birth of a child. For purpose of maternity leave, miscarriage is within the period of pregnancy.

9. Maternity leave refers to leave of absence granted to female government employees legally entitled thereto in addition to vacation and sick leave. The primary intent or purpose of granting maternity leave is to extend working mothers some measure of financial help and to provide her a period of rest and recuperation in connection with her pregnancy.
10. Paternity leave refers to the privileges granted to a married male employee allowing him not to report for work for seven (7) days while continuing to earn the compensation therefor, on the condition that this legitimate spouse has delivered a child or suffered a miscarriage, for purposes of enabling him to effectively lend care and support to his wife before, during and after childbirth as the case may be and assist in caring for his newborn child.
11. Vacation Service Credits refers to the leave credits earned by public school teachers for services rendered during activities authorized by proper authorities during long and Christmas vacation. These credits are used to offset their absences due to illness or to offset proportional deduction in vacation salary due to absences for personal reasons or late appointment.
12. Terminal leave refers to money value of the total accumulated leave credits of an employee based on the highest salary rate received prior to or upon retirement date/voluntary separation.
13. Special leave privileges refers to leave of absence which officials and employees may avail of for a maximum of three (3) days annually over and above the vacation, sick, maternity and paternity leaves to mark personal milestone and/or attend to filial and domestic responsibilities.
14. Relocation leave refers to a special leave privilege granted to official/employee whenever he/she transfers residence.

N.B. These definitions were not part of the original Rule XVI of the Omnibus Rules Implementing Book V of Executive Order No. 292 (*The Revised Administrative Code of 1987*) but are part of CSC MC No.41, s. 1998.

RULE XVI

(of the Omnibus Rules Implementing Book V of Executive Order No.292)

LEAVE OF ABSENCE

Section 1. *Entitlement to leave privileges.*- In general, appointive officials up to the level of heads of executives department, heads of departments, undersecretaries and employees of the government whether permanent, temporary, or casual, who render work during the prescribed office hours, shall be entitled to 15 days' vacation and 15 days sick leave annually with full pay exclusive of Saturdays, Sundays Public Holidays without limitations as to the number of days of vacation and sick leave that they may accumulate. (*Amended by CSC MC Nos. 41, s. 1999*)

Sec. 2. *Leave of absence of part time employees* - Employees rendering services on part-time basis are entitled to vacation and sick leave benefits proportionate to the number of work hours rendered. A part-time employee who renders four (4) hours of work five (5) days a week or a total of 20 hours a week is entitled to 7.5 days' vacation leave and 7.5 days of sick leave annually with full pay. (*Amended by CSC MC No. 41, s. 1998*)

Sec. 3. *Leave of absence of employees on rotation basis*- Employee on rotation basis shall be entitled to vacation and sick leave corresponding to the periods of service rendered by them. If an employee has been allowed to work in two or more shifts or rotation, the periods of actual service covered by each shift or rotation should be added together to determine the numbers of years, months and days during which leave is earned. (*Amended By CSC MC No. 412, s. 1998*)

Sec.4. *Leave of contractual employees.*- Contractual employees are likewise entitled to vacation and sick leave credits as well as special leave privileges provided in section 21 hereof. (*Amended By CSC MC- Nos. 41, s. 1998 and 14, s. 1999*)

Sec. 5. *Leave credits of local elective officials.*-. Local elective officials are entitled to leave` privileges effective May 12 1983 pursuant to Batas Pambansa 337 and local Government Code of 1991 (RA7160). Said leave credits shall be commutative and cumulative. (*Amended by CSC MC No.41, s. 1998 and 14, s. 1999*)

Sec. 6. *Teacher's leave*- Teachers shall not be entitled to the usual vacation and sick leave credits but to the proportional vacation pay (PVP) of 70 days of summer vacation plus 14 days of Christmas vacation. A teachers who has rendered continuous service in a school year without incurring absences without pay of not more than 1 ½ days is entitled to 84 days of proportional vacation pay.

Other leave benefits of teachers such as study leave and indefinite sick leave are covered by Section 24 and 25 of RA 4670 (Magna Carta for Public School Teachers). (Provided for under CSC MC No. 41, s. 1998)

Sec.7. Other employee under teacher's leave basis.- Day Care Workers and all other appointive employees whose work schedule is the same as that of teachers, earn leave credits in accordance with Section 6 and 9 hereof. (Provided for under CSC MC No. 41, s. 1998)

Sec. 8 Teachers who are designated to perform non- teaching functions - Teachers who are designated to perform non- teaching functions and who render the same hours of service as other employee shall be entitled to vacation and sick leave. (Provided for under CSC No.41, s. 1998)

Sec. 9. Vacation service credits of teachers.- Teachers vacation service credits refers to the leave credits earned for service rendered on activities- during summer or Christmas vacation, as authorized by proper authority. These vacation service credits are used to offset absence of a teachers due to illness or to offset proportional deduction in vacation salary due to absences for personal reasons or late appointment. The manner by which service credits may be earned by teachers is subject to the guidelines issued by the Department of Education, Culture and Sports (DECS)*. (Provided for under CSC MC- No.41 1998)

Sec.10. Leave credits of officials and employees covered by special leave law.- The leave credits of the following officials and employees are covered by special laws:

- (a) Justices of the Supreme Court, Court of Appeals and Sandiganbayan;
- (b) Judges of regional Trial Courts, Municipal Trial Courts, Metropolitan Trial Courts, Courts of tax Appeals and Shari'a Circuit Court; and Shari'a District Court, Chairmen and Commission of Constitutional Commissions;
- (d) Filipino officers and employee in the foreign Service;
- (e) Faculty members of state universities and colleges pursuant to section 4 (h) of the higher Education Modernization Act of 1997 (RA 8292). However, in the absence of such specific provisions, the general leave law and these rules shall be applicable; (Amended by CSC MC No. 14, s. 1999)
- (f) Other officials and employees covered by special law.

Hence, members of the judiciary and other government officials and employees covered by the special law should promulgate their own implementing rules relative thereto. Said implementing rules should be submitted to the Civil Service Commission for record purposes

Sec. 11. Condition for the grant of maternity leave.- every woman in the government

service who has rendered an aggregate of two (2) or more years of service, shall, in addition to the vacation and sick leave granted to her be entitled to maternity leave of sixty (60) calendar days with full pay.

In the case of those in the teaching profession, maternity benefits can be availed of even if the period of delivery occurs during the long vacation, in which case, both the maternity benefits and the proportional vacation pay shall be received by the teachers concerned.

Maternity of those who have rendered one (1) year or more but less than two (2) years of service shall be computed in proportion to their length of service, provided, that those who have served for less than one (1) year shall be entitled to 60-day maternity leave with half pay.

It is understood that enjoyment of maternity leave cannot be deferred but it should be availed of either before or after the actual period of delivery in a continuous and uninterrupted manner, not exceeding 60 calendar days.

(Amended by CSC Resolution No. 040740 published July 13 2004 in Today newspaper)

Sec. 12. *Formula for the computation of maternity leave.* - Employees who have rendered less than two (2) years of service may only receive full pay for a number of days base on the ratio of 60 days to two years of service.

Where y = the no. of days in the service

x = the no. of days to be paid
two years = 720 days

$$\frac{60}{720} = \frac{x}{y}$$

$$720 = 60y$$

$$x = \frac{60y}{720}$$

$$x = \frac{y}{12}$$

For example, an employee has rendered one year and six months of service:

Where x = number of days to be paid
 y = 1 year and six months (540 days)

$$x = \frac{y}{12}$$

$$x = \frac{540}{12}$$

$$x = 45 \text{ days}$$

(Provided under CSC MC No. 41, s 1998)

Sec. 13. Every woman, married or unmarried, may be granted maternity leave more than once a year. - Maternity leave shall be granted to female employees in every instance of pregnancy irrespective of its frequency. (As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)

Sec. 14 Every married or unmarried woman may go maternity leave for less than sixty (60) days. - When a female employee wants to report back to duty before the expiration of her maternity leave, she may be allowed to do so provided she presents a medical certificate that she is physically fit to assume the duties of her position.

The Commuted money value of the unexpired portion of the leave need not be refunded and that when the employee returns to work before the expiration of her maternity leave she may receive both the benefits granted under the maternity leave law and the salary for actual service rendered effective the day she reports the work.

(As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)

The formula of computation for this purpose is as follows:

$$\text{SALARY} = \frac{\text{Monthly Salary Rate}}{22 \text{ Days}} \times \text{Actual No. of Days Worked}$$

(Provided under CSC MC No. 14, s. 1999)

Sec.15. Maternity leave with pay may be granted even if delivery occurs just a few days after the termination of an employee's service - Maternity leave with pay may be granted even if the delivery occurs not more than 15 calendar days after the termination of an employee's service as her right thereto has already accrued. (Provided for under CSC No. 41, 1998)

Sec. 16. Maternity leave of an employee on extended leave of absence without pay.- if already entitled, a woman employee can still avail of sixty (60) days maternity leave with pay even if she is on extended leave of absence without pay. (Provided for under CSC MC No. 41, s. 1998)

Sec.17.Maternity leave of a female employee with pending administrative case.- Every woman employee in the government service is entitled to maternity leave of absence with pay even if she has a pending administrative case. (As amended by CSC Resolution No. 021420 published Nov.1, 2002 in Today

Sec.18 Maternity leave of contractual employees.- All contractual female employees whether or not receiving 20% premium on their salary shall be entitled to maternity leave benefits like regular employees in accordance with the provisions of Section 11 hereof (As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)

Sec. 19. Conditions for the grant of paternity leave.- leave married male employees is entitled to paternity leave of seven (7) working days for the first four (4) deliveries of his legitimate spouse with whom he is cohabiting.

The first of the four deliveries shall be reckoned from the effectivity of the Paternity Leave Act on July 15, 1996.

Married male employee with more than one (1) legal Spouse shall be entitled to avail of paternity leave for an absolute maximum of four deliveries regardless of whichever spouse gives birth. *(Provided for under CSC MC No. 41, s. 1998)*

Sec.20. Paternity Leave non- cumulative/non-commutative - Paternity leave of seven (7) days shall be non- cumulative and strictly non- convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on 4th days immediately before, during and after the childbirth of miscarriage of his legitimate spouse. (Provided for under CSC MC No. 41, s. 1998 and amended by CSC MC no. 14, s. 1999)

Sec. 21. Special leave privileges.- In addition to the vacation, sick, maternity and paternity leave, officials and employees with or without existing or approved Collective Negotiation Agreement (CNA),except teachers and those covered by special leave laws, are granted the following special leave privileges subject to the conditions hereunder stated:

- a) Personal milestones such as birthdays/wedding/wedding anniversary celebrations and other similar milestones, including death anniversaries.
- b) Parental obligations such as attendance in school programs, PTA meetings, graduations, first communion, medical needs, among others, where a child of the government employee is involved.

- c) Filial obligations to cover the employee's moral obligation toward his parents and siblings for their medical and social needs.
 - d) Domestic emergencies such as sudden urgent repairs needed at home, sudden absence of a *yaya* or maid, and the like.
 - e) Personal transactions to cover the entire range of transactions an individual does with government and private offices such as paying taxes, court appearances, arranging a housing loan, etc.
 - f) Calamity, accident, hospitalization leave pertain to *force majeure* events that effect the life, limb, and property of the employee or his immediate family.
1. An employee can still avail of his birthday or wedding anniversary leave if such occasion falls on either a Saturday, Sunday or Holiday, either before or after the occasion.
 2. Employees applying for special privilege leaves shall no longer be required to present proof that they entitled to avail of such leaves.
 3. Three-day limit for a given year shall be strictly observed: an employee can avail of one special privilege leave for three (3) days or a combination of any of the leaves maximum of three days in a given year. Special leave privileges are non-cumulative and strictly non-convertible to cash.
 4. Immediate family Rule I (Definition of Terms) refers to spouse, children, parents, unmarried brothers and sisters or any relative living under the same roof or dependent upon the employees for support.

(Provided under CSC MC No. 41, s. 1998 and further amended by CSC MC No. 6, s. 1999)

Sec. 22. *Monetization of leave credits.*- Officials and employees in the career and non-career service whether permanent, temporary, casual, or coterminous, who have accumulated fifteen (15) days of vacation leave credits shall be allowed to monetize a minimum of ten (10) days: Provided, that at least five (5) days is retained after monetization and provided further that a maximum of thirty (30) days may be monetized in a given year. *(Provided for under CSC MC No. 41, s. 1998)*

Sec. 23. *Monetization of 50% or more of vacation/sick leave credits.* Monetization of fifty percent (50%) or more of the accumulated leave credits may be allowed for valid and justifiable reasons such as:

- a. Health, medical and hospital needs of the employee and the immediate members of his/her family;
- b. Financial aid and assistance brought about by *force majeure* events such as calamities, typhoons, fire, earthquake and accidents that affect the life, limb and property of the employee and his/her immediate family;

- c. Educational needs of the employee and the immediate members of his/her family;
- d. Payment of mortgages and loans which were entered into for the benefit or which inured to the benefit of the employee and his/her immediate family;
- e. In cases of extreme financial needs of the employee or his/her immediate family where the present sources of income are not enough to fulfill basic needs such as food, shelter and clothing ;
- f. Other analogous cases as may be determined by the Commission.

The monetization of 50% or more of the accumulated leave credits shall be upon the favorable recommendation of the agency head and subject to availability of funds.

Immediate family is used herein as defined in Rule I (Definition of Terms) of the Omnibus Rules Implementing the Administrative Code of 1987.

(As amended by CSC Resolution No. 020731 published June 7, 2002 in Today)

Sec. 24.* *Computation of Leave Monetization.*- Either of the following formula shall be used for the computation of Monetization of Leave Credits:

$$\begin{array}{l} \text{Monthly salary} \times \text{No. of days to be monetized} \times \text{C F (.0478087)*} = \text{Money value of the monetized leave} \\ \text{OR} \\ \frac{\text{Monthly salary}}{20.916667^{**}} \times \text{No. of days to be Monetized} = \text{Money value of the monetized leave} \end{array}$$

*Constant Factor based on Section 40 of CSC MC No. 14, s. 1999

**Equivalent number of days in a month for computation of MLC based on the total number of working days per year (251) [Section 40 Of CSC MC No. 14,s. 1999] divided by the number of months in a year (12).

**As amended by CSC MC No. 8, s. 2003*

Also, the Commission further reiterates its policy on Maternity Leave as follows:

Salaries for the actual services rendered within the unexpired portion of the maternity leave shall be computed based on the daily wage rate. Pursuant to R.A. 6758 (Salary Standardization Law), the daily wage rate shall be determined by dividing the monthly salary by 22 working days in a month.

Sec. 25. *Five days forced/mandatory leave.*- All officials and employees with 10 days or more vacation leave credits shall be required to go on vacation leave whether continuous or intermittent for a minimum of five (5) working days annually under the following conditions:

- (a) The head of agency shall, upon prior consultation with the employees, prepare a staggered schedule of the mandatory five-day vacation leave of officials and employees, provided that he may, in the exigency of the service, cancel any previously scheduled leave.
- (b) The mandatory annual five-day vacation leave shall be forfeited if not taken during the year. However, in cases where the scheduled leave has been cancelled in the exigency of the service by the head of the agency, the scheduled leave not enjoyed shall no longer be deducted from the total accumulated vacation leave.
- © Retirement and resignation from the service in a particular year without completing the calendar year do not warrant forfeiture of the corresponding leave credits if concerned employees opted not to avail of the required five-day mandatory vacation leave.
- (d) Those with accumulated vacation leave of less than less (10) days shall have the option to go on forced leave or not. However, officials and employees with accumulated vacation leave of 15 days who availed of monetization for 10 days, under Section 22 hereof, shall still be required to go on forced leave. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 26. *Accumulation of vacation and sick leave.* - Vacation and sick leave shall be cumulative and any part thereof which may not be taken within the calendar year may be carried over to the succeeding years. Whenever any official or employee retires, voluntarily resigns, or is allowed to resign or is separated from the service through no fault of his own, he shall be entitled to the commutation of all the accumulated vacation and/or sick leave to his credit, exclusive of Saturdays, Sundays, and holidays, without limitation as to the number of days of vacation and sick leave that he may accumulate provided his leave benefits are not covered by special law.

When a person whose leaves have been commuted following his separation from the service is reemployed in the government before the expiration of the leave commuted, he shall no longer refund the money value of the unexpired portion of the said leave. Insofar as his leave credits are concerned, he shall start from zero balance. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 27. *Computation of vacation leave and sick leave.* - Computation of vacation leave and sick leave shall be made on the basis of one day vacation leave and one day sick leave for every 24 days of actual service using the tables of computations as follows: *(Provided for under CSC MC No.41, s. 1998 and further amended by CSC MC No. 14, s. 1999)*

Table I
VACATION AND SICK LEAVE CREDITS
EARNED ON A MONTHLY BASIS

NUMBER OF MONTH/S	VACATION LEAVE EARNED	SICK LEAVE EARNED
1	1.25	1.25
2	2.50	2.50
3	3.75	3.75
4	5.00	5.00
5	6.25	6.25
6	7.50	7.50
7	8.75	8.75
8	10.00	10.00
9	11.25	11.25
10	12.50	12.50
11	13.75	13.75
12	15.00	15.00

Table II
VACATION AND SICK LEAVE CREDITS EARNED ON A DAILY BASIS

NUMBER OF DAYS	VACATION LEAVE EARNED	SICK LEAVE EARNED
1	.042	.042
2	.083	.083
3	.125	.125
4	.167	.167
5	.208	.208
6	.250	.250
7	.292	.292
8	.333	.333
9	.375	.375
10	.417	.417
11	.458	.458
12	.500	.500
13	.542	.542
14	.583	.583
15	.625	.625
16	.667	.667
17	.708	.708
18	.750	.750
19	.792	.792
20	.833	.833
21	.875	.875

22	.917	.917
23	.958	.958
24	1.000	1.000
25	1.042	1.042
26	1.083	1.083
27	1.125	1.125
28	1.167	1.167
29	1.208	1.208
30	1.250	1.250

Table III
LEAVE CREDITS EARNED IN A MONTH BY OFFICIAL/EMPLOYEE
WITHOUT ANY VACATION LEAVE CREDIT LEFT

NO. OF DAYS PRESENT	NO. OF DAYS ON LEAVE WITHOUT PAY	LEAVE CREDITS EARNED	NO. OF DAYS PRESENT	NO. OF DAYS ON LEAVE WITHOUT PAY	LEAVE CREDITS EARNED
30.00	0.00	1.250	14.50	15.50	0.604
29.50	0.50	1.229	14.00	16.00	0.583
29.00	1.00	1.208	13.50	16.50	0.562
28.50	1.50	1.188	13.00	17.00	0.542
28.00	2.00	1.167	12.50	17.50	0.521
27.50	2.50	1.146	12.00	18.00	0.500
27.00	3.00	1.125	11.50	18.50	0.479
26.50	3.50	1.104	11.00	19.00	0.458
26.00	4.00	1.083	10.50	19.50	0.437
25.50	4.50	1.063	10.00	20.00	0.417
25.00	5.00	1.042	9.50	20.50	0.396
24.50	5.50	1.021	9.00	21.00	0.375
24.00	6.00	1.000	8.50	21.50	0.354
23.50	6.50	0.979	8.00	22.00	0.333
23.00	7.00	0.958	7.50	22.50	0.312
22.50	7.50	0.938	7.00	23.00	0.292
22.00	8.00	0.917	6.50	23.50	0.271
21.50	8.50	0.896	6.00	24.00	0.250
21.00	9.00	0.875	5.50	24.50	0.229
20.50	9.50	0.854	5.00	25.00	0.208
20.00	10.00	0.833	4.50	25.50	0.187
19.50	10.50	0.813	4.00	26.00	0.167
19.00	11.00	0.792	3.50	26.50	0.146
18.50	11.50	0.771	3.00	27.00	0.125
18.00	12.00	0.750	2.50	27.50	0.104
17.50	12.50	0.729	2.00	28.00	0.083
17.00	13.00	0.708	1.50	28.50	0.062
16.50	13.50	0.687	1.00	29.00	0.042

16.00	14.00	0.667	0.50	29.50	0.021
15.50	14.50	0.646	0.00	30.00	0.000
15.00	15.00	0.625			

Table IV
CONVERSION OF WORKING HOURS/MINUTES
INTO FRACTIONS OF A DAY

<i>Based on 8-Hour Workday</i>			
HOURS		EQUIVALENT DAY	
1		.125	
2		.250	
3		.375	
4		.500	
5		.625	
6		.750	
7		.875	
8		1.000	
MINUTES	EQUIV. DAY	MINUTES	EQUIV. DAY
1	.002	31	.065
2	.004	32	.067
3	.006	33	.069
4	.008	34	.071
5	.010	35	.073
6	.012	36	.075
7	.015	37	.077
8	.017	38	.079
9	.019	39	.081
10	.021	40	.083
11	.023	41	.085
12	.025	42	.087
13	.027	43	.090
14	.029	44	.092
15	.031	45	.094
16	.033	46	.096
17	.035	47	.098
18	.037	48	.100
19	.040	49	.102
20	.042	50	.104
21	.044	51	.106
22	.046	52	.108
23	.048	53	.110
24	.050	54	.112
25	.052	55	.115
26	.054	56	.117
27	.056	57	.119

28	.058	58	.121
29	.060	59	.123
30	.062	60	.125

Sec. 28. *Actual service defined.*- The term “actual service” refers to the period of continuous service since the appointment of the official or employee concerned, including the period or periods covered by any previously approved leave with pay.

Leave of absence without pay for any reason other than illness shall not be counted as part of the actual service rendered: Provided, that in computing the length of service of an employee paid on the daily wage basis, Saturdays, Sundays or holidays occurring within a period of service shall be considered as service although he did not receive pay on those days inasmuch as his service was not then required.

A fraction of one-fourth or more but less than three-fourth shall be considered as one-half day and a fraction of three-fourths or more shall be counted as one full day for purposes of granting leave of absence. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 29. *Computation of leave for employees with irregular work schedule.*- Employees, including, among others, hospital personnel, whose work schedules are irregular and at times include Saturdays, Sundays, and legal holidays and are instead off-duty on other days, their off-duty days regardless or whether they fall on Saturdays, Sundays, or holidays during the period of their leave, are to be excluded in the computation of vacation and sick leave. In other words, if an employee is off-duty, say for two (2) days falling on Saturdays, Sundays, or holidays, these days occurring within the period of authorized leave are to be excluded in the deduction of the number of leave from the earned leave credits of the employee. *(Amended by CSC MC No. 41,s. 1998)*

Sec. 30. *Computation of leave for employees observing flexible working hours.*- Employees observing flexible working hours who render less than the usual eight (8) hours of work per day but complete the forty (40) hours of work in a week, shall be deducted from their leave credits only the number of hours required to be served for a day but which was not served. Any absence incurred must be charged in proportion to the number of hours required for a day's work. The number of hours to be served for a day refers not to the eight (8) regular hours but to the number of hours covered by the core hours pre-scribed in the agency concerned.

Compensatory service may be availed of outside of the regular working hours, except Sundays, to offset non-attendance or undertimes during the regular office hours subject to the written approval of the agency's proper official. Each government office shall formulate its own internal regulations for this purpose. *(Amended by CSC MC Nos. 41, s. 1998 and 14, s. 1999)*

Sec. 31. *Commutation of salary prior to leave.*- The proper head of department, local government unit, and government-owned or controlled corporation with original charter may, in his discretion, authorize the commutation of the salary that would be received during the period of vacation and sick leave of any appointive official and employee and direct its

payment at the beginning of such leave from the fund out of which the salary would have been paid. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 32. *Absence on a regular day for which suspension of work is announced.* Where an official or an employee fails to report for work on a regular day for which suspension of work is declared after the start of regular working hours, he shall not be considered absent for the whole day. Instead, he shall only be deducted leave credits or the amount corresponding to the time when official working hours start up to the time the suspension of work is announced. *(Provided for under CSC MC No. 41, s. 1998 and amended by CSC MC No. 14, s. 1999)*

Sec. 33. *Leave of absence without pay on a day immediately preceding or succeeding Saturday, Sunday or Holiday.* - When an employee, regardless of whether he has leave credits or not is absent on a day immediately preceding or succeeding a Saturday, Sunday or holiday whether such absence is continuous or not, he shall not be considered absent on said Saturdays, Sundays or Holidays and shall not be deducted leave credits. He shall neither receive salary for those days. *(Amended by CSC MC Nos. 41, s. 1998 and 14, s. 1999)*

Sec. 34. *Tardiness and undertime are deducted against vacation leave credits.* - Tardiness and undertime are deducted from vacation leave credits and shall not be charged against sick credits, unless the undertime is for health reasons supported by medical certificate and application for leave. *(Provided for under CSC MC No. 41, s. 1998)*

Sec. 35. *Terminal leave.* - Terminal leave is applied for by an official or an employee who intends to sever his connection with his employer. Accordingly, the filing of application for terminal leave requires as a condition "*sine quanon*", the employee's resignation, retirement or separation from the service. It must be shown first that public employment ceased by any of the said modes of severances. *(Provided for under CSC MC No. 41, s. 1998)*

Sec. 36. *Approval of terminal leave.* - Application for commutation of vacation and sick leave in connection with separation through no fault of an official or employee shall be sent to the head of department concerned for approval. In this connection, clearance from the Ombudsman is no longer required for processing and payment of terminal leave as such clearance is needed only for payment or retirement benefits. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 37. *Payment of terminal leave.* - Any official/employee of the government who retires, voluntarily resigns, shall be entitled to the commutation of his leave credits exclusive of Saturdays, Sundays and Holidays without limitation and regardless of the period when the credits were earned. *(Amended by CSC MCX no. 41, s. 1998)*

Sec. 38. *Period within which to claim terminal leave pay.* - Request for payment of terminal leave benefits must be brought within ten (10) years from the time the right of action accrues upon an obligation created by law. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 39. *Basis of computation of terminal leave.* - Payment of terminal leave for

purposes of retirement or voluntary resignation shall be based on the highest monthly received at any time during his period of employment in the government service and not on his latest salary, unless the latter is the highest received by the retiree. (*Amended by CSC MC No. 41, s. 1998*)

Sec. 40. *Computation of terminal leave.*- The terminal leave benefits shall be computed as follows:

$$TLB = S \times D \times CF$$

Where; TLB = Terminal leave benefits
S = Highest monthly salary received
D = No. of accumulated vacation and sick leave credits
CF = Constant factor is .0478087

The constant factor was derived from this formula:

365 = Days in a year
104 = Saturdays & Sundays in a year
10 = Legal holidays (provided by EO 292) in a year
12 = Months in a year

$$\frac{12}{365-(104+10)} = \frac{12}{251} = .0478087$$

This formula shall take effect on January 15, 1999. (*Provided for under CSC MC No. 41, s. 1998 and further amended CSC MC No. 41, s. 1998*)

Sec. 41. *Official/Employee on terminal leave does not earn leave credits.*- The official/employee who is on terminal leave does not earn any leave credits as he is already out of the service. While on terminal leave, he merely enjoys the benefits derived during the time of such employment. Consequently, he is no longer entitled to the benefits or salary increases that may be granted thereafter. (*Amended by CSC MC No. 41, s. 1998*)

Sec. 42.* Public officials and employees on extended service are entitled to fifteen (15) days vacation and fifteen (15) days sick leave annually subject to the following guidelines:

- a. Leave credits earned on extended service are non-commutative. Thus, unused leave credits may not be converted to their corresponding money value;
- b. Leave credits earned on extended service are non-cumulative hence, unused leave credits within the calendar year may not be carried over to the succeeding years;
- c. Executive Order No. 1077 dated January 9, 1986 and other laws and rules on leave are applicable to officials and employees on extended service insofar as they are not inconsistent with the

preceding guidelines.

**As amended by CSC Resolution No. 04-0229 published march 15, 2004 in the Manila Standard.*

A person appointed to a coterminous/primarily confidential position who reaches the age of 65 years is considered automatically extended in the service until the expiry date of his/her appointment or until his/her services are earlier terminated. Thus, a coterminous/primarily confidential employee is also entitled to the sick and vacation leave credits subject to the rules provided herein.

Sec. 43. *Basic for computation of salary during leave with pay.*- An official or employee who applies for vacation or sick leave shall be granted leave with pay at the salary he is currently receiving. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 44. *Leave during probationary period.*- An employee still on probation may already avail of whatever leave credits he has earned during said period. Accordingly any leave of absence without pay incurred during the period of probation shall extend to completion thereof the same number of days of such absence. *(Amended by CSC MC No. 41m, s. 1998)*

Sec. 45. *Conversion of vacation service credits of teachers to vacation and sick leave credits and vice-versa; payment thereof.*- Teachers and other school personnel on the teachers' leave basis who resigned, retired, or are separated from the service through no fault of their own on or after January 16, 1986 shall be paid the money value of their unused vacation service credits converted to vacation and sick leave using the formula:

$$\text{Vacation and Sick Leave*} = 30Y/69$$

Where: 30 = Number of days in a month

Y = Total number of teacher's service credits

69 = 58 days of summer vacation plus
11 days Christmas vacation

*No. of days derived shall be divided equally into vacation and sick leave.

Formula in obtaining 69 days

$$\begin{array}{rcl} 84 & \text{Total number of days of summer/Christmas vacation} & \\ - 15 & \text{(12 days Saturdays/Sundays during summer vacation} & \\ \hline & \text{days-Christmas Day, Rizal Day, New Year's Day)} & \\ 69 & \text{days} & \end{array}$$

Conversely, the formula in the conversion of sick and vacation leave credits to vacation service credits of teachers is as follows:

$$Y = \frac{VL + SL}{30} \times 69$$

(Provided for under CSC MC No. 41, s. 1998 and further amended by CSC MC No. 14, s. 1999)

Sec. 46. *Transfer from teaching to non-teaching service during summer vacation/entitlement to proportional vacation pay.*- A teacher who transferred to the non-teaching service or who resigned from government service ten (10) days before the close of the school year, is entitled to proportional vacation pay inasmuch as his right thereto has already accrued; Provided further that the service will not be prejudiced and provided further that the fulfills his responsibilities and obligations. *(Provided for under CSC MC No. 41, s. 1998 and further amended by CSC MC No. 14, s. 1999)*

Sec. 47. *Transfer of leave credits.* - When an official or employee transfer from one government agency to another, he can either have his accumulated vacation and/or sick leave credits commuted or transferred to his new agency.

The second option can be exercised as a matter of right only by an employee who does not have gaps in his service. However, a gap of not more than one month may be allowed provided same is due not to his fault.

The option to transfer accumulated leave credits can be exercised within one (1) year only from the employee's transfer to the new agency.

This provision is not applicable to transfer to leave credits of uniformed personnel from the military to the civilian service. *(Amended by CSC MC No. 41,s. 1998)*

Sec. 48. *Remedy when transfer of leave credits is denied.*- An official or employee who failed to transfer his leave credits to the new office in line with the provisions in the preceding section may claim the many value of such leave credits from the office where earned. *(Provided for under CSC MC No. 41, s. 1998)*

Sec. 49. *Period within which to act on leave application.*- Whenever the application fro leave of absence, including terminal leave, is not acted upon by the head of agency or his duly authorized representative within five (5) working days after receipt thereof, the application for leave of absence shall be deemed approved. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 50. *Effect of unauthorized leave.*- An official/employee who is absent without approved leave shall not be entitled to receive his salary corresponding to the period of his unauthorized leave of absence. It is understood, however that his absence shall no longer be deducted from his accumulated leave credits, if there are any. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 51. *Application for vacation leave.*- All applications for vacation leave of absence for one (1) full day or more shall be submitted on the prescribed form for action by the proper head of agency five (5) days in advance, whenever possible, of the effective date of such leave. (Amended CSC MC No. 41, s. 1998)

Sec. 52. *Approval of vacation leave.*- Leave of absence for any reason other than illness of an official or employee or of any member of his immediate family must be contingent upon the needs of the service. Hence, the grant of vacation leave shall be at the discretion of the head of department/agency. (Amended by CSC MC No. 41, s. 1998)

Sec. 53. *Application for sick leave.*- All applications for sick leave of absence for one full day or more shall be made on the prescribed form and shall be filed immediately upon employee's return from such leave. Notice of absence, however, should be sent to the immediate supervisor and/or to the agency head. Application from sick leave in excess of five (5) successive days shall be accompanied by a proper medical certificate.

Sick leave may be applied for in advance in cases where the official or employee will undergo medical examination or operation or advised to rest in view of ill health duly supported by a medical certificate

In ordinary application for sick leave already taken not exceeding five days, the head of department or agency concerned may duly determine whether or not granting of sick leave is proper under the circumstances. In case of doubt, a medical certificate may be required. (Amended by CSC MC No. 1, s. 1998)

Sec. 54. *Approval of sick leave.* - Sick leave shall be granted only on account of sickness or disability on the part of the employee concerned or of any member of his immediate family.

Approval of sick leave, whether with pay or without pay, is mandatory provided proof of sickness or disability is attached to the application in accordance with the requirements prescribed under the preceding section. Unreasonable delay in the approval thereof or non-approval without justifiable reason shall be a ground for appropriate sanction against the official concerned. (Amended by CSC MC No.41, s.1998 and 14, s. 1999)

Sec. 55. *Rehabilitation leave for job-related injuries.**- Applications of officials and employees for leave of absence on account of wounds or injuries incurred in the performance of duty must be made on the prescribed form, supported by the proper medical certificate and evidence showing that the wounds or injuries were incurred in the performance of duty. The head of department/agency concerned shall direct that the absence of an employee during his period of disability thus occasioned shall be on full pay, but not to exceed six (6) months. He shall also authorize the payment of medical attendance, necessary transportation, and subsistence and hospital fees of the injured person. Absence in the case contemplated shall not be charged against sick leave or vacation leave, if there are any. (Amended by CSC MC No.41, s. 1998)

Sec. 56. *Leave without pay.*- All absence of an official or employee in excess of his accumulation vacation or sick leave credits earned shall be without pay. To compute the salary

of employees who incur LWOP in a given month, use the following formula:

$$\text{Salary} = \text{Monthly Salary} - \frac{\text{Monthly Salary}}{\text{Calendar days}} \times \text{No. of days of LWOP}$$

When an employee had already exhausted his sick leave credits, he can use his vacation leave credits but not vice versa. (Amended by CSC MC Nos. 41, s. 1998 and 14, s. 1999)

*See also guidelines for availing of the Rehabilitation privilege (CSC-DBM joint circular No. 1, s.2006)

Sec. 57. Limit of leave without pay.- Leave without pay not exceeding one year maybe granted. In addition to the vacation and/sick leave earned. Leave without pay in excess of one month shall be require the clearance of the proper head of the department or agency. (Amended by CSC MC No. 41, s. 1998)

Sec. 58. When leave without pay is not allowable.- leave without pay shall not be granted whenever an employee has leave with pay to his credit except in the case of secondment.(Amended by CSC MC No. 41, s. 1998)

Sec.59. Seconded employee on leave without pay from his mother agency.- The seconded employee shall be on leave without pay from his mother agency for the duration of his secondment, and during such period, he may earn leave credits which is commutable immediately thereafter at end payable by the receiving agency.(Amended by CSC MC No. 41, s. 1998)

Sec. 60. Effect of vacation leave without pay on the grant of length of service step increment.-For purpose of computing the length of service for the grant of step increment, approved vacation leave without pay for an aggregate of fifteen (15) days shall not interrupt the continuity of the three-year service requirement for the grant of step increment. However, if the total number of authorized vacation leave without pay included within the three year period of exceeds fifteen (15) days, the grant of one step increment will only be delayed for the same number of days that an official or employee was absent without pay. (Amended by CSC MC No. 41, s. 1998)

Sec. 61.Effect of pending administration case against an official or employee. - An official or an employee with pending administration case/s is not barred from enjoying leave privileges. (Amended by CSC MC No. 41, s. 1998 and 14, s. 1999)

Sec. 62 Effect of failure to report for duty after expiration of one year leave, - If an official or an employee who is on leave without pay pursuant to section 57 hereof, Fails to report for work at the expiration of one year from the date of such leave, he shall be considered automatically separated from the service (Amended by CSC MC No. 41 s. 1998)

Sec. 63. Effect of absences without approved leave.- An official or an employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. However, when it is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than thirty working (3) days 3 x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.

If the number of authorized absences incurred is less than thirty (30) working days, a written Return-to-Work Order shall be served to him at his last known address on record. Failure on his part to report for work within the period stated in the Order shall be a valid ground to drop him from the rolls. (Amended by CSC Resolution No. 070631)

Sec. 64. Status of the position of an official or employee on vacation or sick leave.- While the incumbent is on vacation or sick leave or without pay, his position is not vacant. During the period of such leave therefore, only substitute appointment can be made to such position.-(Provided for under CSC MC No. 41, s. 1998)

Sec. 65. Effect of decision in administrative case. - An official or employee who has been penalized with dismissal from the service is likewise no barred from entitlement to his terminal leave benefits. (Amended by CSC MC NO. 41, s. 1998 and 14, s. 1999)

Sec. 66. Effect of exoneration from criminal/administrative case.- In general, official and employees who have` been dismissed from the service but who were later exonerated and thereafter reinstated, are entitled to the leave credits during the period they were out of the service. (Amended by CSC MC No. 41, s. 1998)

Sec. 67. Cause for disciplinary action.- Any violation of the leave laws, rules o regulation, or any misrepresentation or deception in connection with an application for leave, shall be ground for disciplinary action. (Amended by CSC MC. 41, s. 1998)

*As amended by CSC Resolution no. 0706331 Published May 10, 2007 in Manila Times `

Sec. 68. Study Leave.- Official and employees, excluding those in the teaching in the teaching profession who are covered by different provision of law, may apply for the study leave subject to the following conditions:

- I. The study leave is a time-off from work not exceeding six (6) months with pay for qualified officials and employee to help them prepare for their bar or board examinations or complete their master's degree. For completion of master's degree, the study leave shall not exceed four (4) months.

The leave shall be covered by a contract between the agency head or authorized representative and the employee concerned. No extension shall be allowed if the officials or employees avail of the maximum period of leave allowed herein. If they need more time to complete their studies, they may file a 'leave' of absence chargeable against their vacation leave credits.

II. The beneficiary of such leave shall be selected based on the following requirements:

1. The official/ employee must have a bachelor's degree that requires the passing of the bar or a board licensure examination for the practice of profession;
2. The profession or field of study to be pursued must be relevant to the agency's mandate, or to the studies and responsibilities of the concerned official or employee, as determined by the agency head;
3. The employee must have rendered at least two (2) years of service with at least very satisfactory performance for the last two rating periods immediately preceding the application;
4. The employee must have no pending administrative and/or criminal charges;
5. The employee must have any current foreign or local scholarship grant;
6. The employee must have fulfilled the service obligation of any previous training/scholarship/duty leave grant; and

*As amended by CSC Resolution no. 041016 (CSCMC NO.21, s. 2004) published Sept.17, 2004 in TODAY

7. The employee must have a permanent appointment. However, as the purpose of granting study leave is to develop a critical mass of competent and efficient employees which will redound to the improvement of the agency's delivery of public service, employee with coterminous appointment may be allowed to avail of the study leave provided that they:
 - a) Meet the requirements under items II. 1 to II.6;
 - b) Would be able to fulfill the required service obligation; and
 - c) Are not related to the head of agency or to any member of a collegial body or board, in case of constitutional offices and similar agencies, within the 4th degree of affinity or consanguinity.

III. The service obligation to the agency shall be as following

Period of Grant	Service Obligation
One (1) month	Six (6) months
Two (2) to three (3) months	One (1) year
More than three (3) months to six (6) months	Two (2) years

Should the official or employee fail to render in full the service obligation referred to in the contract on account of voluntary resignation, optional retirement, expiration of term of appointment for coterminous employee, separation from the service through one's own fault, or other causes within one's control, the official or employ shall refund the gross amount of salary, allowance and other benefits received while on study leave proportionate to the balance of the service obligation required based on the following formula:

$$R = \frac{(SOR-SOS)}{SOR} \times TCR$$

Where R = Refund

R = Total Compensation received
(gross salary, allowances and other
benefits received while study leave)

SOS = Service Obligation Served

SOS = Service Obligation Required

- IV. The beneficiaries of the study leave shall inform their respective agencies in writing, through the personnel office, of their failure to take the bar/board examination or to complete their master's degree for which they were granted the study leave. They shall also refund to the agency all the salaries and benefits received during the study leave. Further, for causes within their control, they shall be warned that a repeat o the same would bar them from future availment of the study leave and training/ scholarship grant whether foreign or local.
- V. The agency shall formulate its own internal rules of procedure for an equitable and rational availment of the study leave for its own officials and employees, subject to the general guidelines stated herein.

MEMORANDUM CIRCULAR

To : ALL HEADS OF DEPARTMENTS, BUREAUS, AGENCIES AND INSTRUMENTALITIES OF THE NATIONAL GOVERNMENT< LOCAL GOVERNMENT UNITS< GOVERNMENT OWNED AND CONTROLLED CORPORATIONS AND STATE UNIVERSITIES AND COLLEGES

SUBJECT: **Supplemental Policy on Leave without Pay**

In line with CSC Resolution No. 99-2502, the last sentence of Section 33, CSC Memorandum Circular No. 14, s. 1999 has been deleted and is reconstructed to form part of the penultimate paragraph on Section 56 of the said MC. The same reads as follows:

X X X

“However, in case of continuous absence for over ten (10) working days, the divisor in the above formula shall be the actual number of working days instead of calendar days.”

It is informed that CSC MC 14, s. 1999 was published in the Manila Standard on September 11, 1999 and the same took effect on September 27, 1999.

(Sgd.) **CORAZON ALMA G> DE LEON**
Chairman

11 November 1999

MEMORANDUM CIRCULAR

To : ALL HEADS OF CONSTITUTIONAL BODIES: DEPARTMENTS BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT: LOCAL GOVERNMENT UNITS: GOVERNMENT-OWNED AND CONTROLLED CORPORATION WITH ORIGINAL CHARTER: AND STATE COLLEGES AND UNIVERSITIES

SUBJECT : **Guidelines on the Grant of Parental Leave to Solo Parents**

Pursuant to CSC Resolution No. 040284* dated March 22, 2004, the following guidelines on the grant of parental leave to solo parents are hereby prescribed for the guidance of all concerned:

I. OBJECTIVES

1. To identify employees considered solo parents;
2. To clarify the scope and conditions on the grant of parental leave; and
3. To provide uniform interpretation and implementation of the rules on the grant of parental leave

II. DEFINITION OF TERMS

As defined in Section 6, Article III of the implementing Rules and Regulations (IRR) of Republic Act 8972, the following terms shall mean as follows:

1. Children – shall refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and below eighteen (18) years of age, or eighteen (18) years and above but are incapable of self-support and/or mentally and/or physically challenged;
2. Family – shall refer to the Solo Parent and his/her child/children; Provided, however, that the family member referred to in Section 3, paragraph (a) (10) of RA 8972 and Article III, Section 6, paragraph (b) (10) of the IRR shall include any relative by consanguinity up to the fourth civil degree. These persons shall include, but are not limited to, any uncle, aunt, grandfather, grandmother, niece, nephew, or cousin;
3. Parental leave- shall refer to leave benefits granted to a solo parent to perform parental duties and responsibilities where physical presence is required;
4. Parental responsibility- with respect to minor children shall refer to the rights and duties of the parents as defined in article 220 of executive Order No. 209, as amended, otherwise known as the “Family Code of the Philippines”, and hereunder enumerated as follows:
 - 4.1 To keep them in their company, to support, educate and instruct them by right precept and good example and provide for their upbringing in keeping with their means;
 - 4.2 To give them love and affection, advice, counsel, companionship and understanding;
 - 4.3 To provide them with moral and spiritual guidance; inculcate in them honesty, integrity, self-discipline, self-reliance, industry and thrift; stimulate their interest

- in civic affairs, and inspire in them compliance with the duties of citizenship;
- 4.4 To furnish them with good and wholesome educational materials, supervise, recreation and association with others, protect them from bad company, and prevent them from acquiring habits detrimental to their health, studies and morals;
- 4.5 To represent them in all matters affecting their interest;
- 4.6 To demand from them respect and obedience;
- 4.7 To impose discipline on them as may be required under the circumstances; and
- 4.8 To perform such other duties as imposed by law and upon parents and guardians.

III. **COVERAGE**

Any individual in the government service who falls under any of the following categories shall be considered a Solo Parent for the availment of Parental Leave.

1. A woman who gives birth as a result of rape and other crimes against chastity, even without a final conviction of the offender : Provided, That the mother keeps and raises the child;
2. Parent left solo or lone with the responsibility of parenthood due to any of the following circumstances:
 - 2.1 death of spouse
 - 2.2 detention of the spouse or serving sentence for a criminal conviction for at least one (1) year;
 - 2.3 physical/mental incapacity of spouse as certified by a public medical practitioner;
 - 2.4 legal separation or de facto separation from spouse for at least one year provided he/she has custody of the children;
 - 2.5 declaration of nullity or annulment of marriage as decreed by a court or by a church, provided, he/she has custody of the children; and
 - 2.6 abandonment of spouse for at least one year;
3. Unmarried person who has preferred to keep and rear the children instead of having others care for them or give them up to a welfare institution;
4. Any other person who solely provides parental care and support to a child or children provided said person is duly licensed as a foster parent by the DSWD or duly appointed legal guardian by the court;
5. Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent: Provided, that such abandonment, disappearance, or absence last for at least one (1) year.

IV. **CONDITIONS FOR AVAILING OF PARENTAL LEAVE**

The parental leave of seven (7) days in addition to existing leave privileges shall be granted to any solo parent employee subject to the following conditions:

1. The solo parent must have rendered government service for at least one (1) year, whether continuous or broken, reckoned at the time effectivity of R.A 8972 on September 22, 2002 and regardless of employment status.
2. The parental leave shall be availed of every year and shall not be convertible to cash unless specifically agreed upon previously. If not availed of within the calendar year, said privileges shall be forfeited within the same year.

3. The parental leave shall be availed of in a staggered or continuous basis, subject to the approval of the head of agency/office. In this regard, the solo parent shall submit the application for parental leave at least one (1) week prior to its availment, except on emergency cases.
4. The solo parent employee may avail of parental leave under any of the following circumstances:
 - 4.1 attend to personal milestone of a child such as birthdays, first communion, graduation and other similar events;
 - 4.2 perform parental obligation such as enrollment and attendance in school programs, PTA meetings and the like;
 - 4.3 attend to medical, social, spiritual and recreational needs of the child; and
 - 4.4 other similar circumstances necessary in the performance of parental duties and responsibilities, where physical presence of a parent is required.

V. CONDITION FOR TERMINAL OF PARENTAL LEAVE PRIVILEGES

1. Changes in the status and family situation of A solo parent such as marriage or the concerned parent is no longer left alone with the responsibility of parenthood shall lead to termination of parental leave privileges. However, termination shall be without prejudice to re-application should circumstances warrant.
2. The head of agency/office concerned may determine whether granting of parental leave is proper may conduct the necessary investigation to ascertain if grounds for termination and withdrawal of the privileges exist.

VI. CREDITING OF EXISTING LEAVE BENEFIT

1. If there is an existing or similar benefit under an agency/office policy or Collective Negotiation Agreement (CNA), the same shall be credited as such, if the same is greater than the seven (7) days provided for in these guidelines, the parental leave law of seven (7) days shall prevail.
2. Contingency or emergency leave provided under an agency/office policy or C N A, as well as the three (3) days special leave privileges provided or under Section 21, Rule XVI of CSC Memorandum Circular No. 41, s. 1998, Shall not be credited as a compliance with the parental leave provided for under this guidelines.

VII. PROCEDURES IN AVAILING OF PARENTAL LEAVE

A solo parent employee who applies for parental leave shall comply with the following requirements:

1. Secure a Solo Parent Identification Card from the City/Municipal Social Welfare and Development Office. The Identification Card is valid or one a year from issuance but renewable yearly. Failure to renew the card means that his/her status as a solo parent has ceased or has changed.
2. Submit the accomplished application form (CS Form No. 6) duly supported with certified true copies of the solo Parent ID and birth certificate of the child/children or other requirements such as medical certificate. If necessary.

VII RESPONSIBILITY/OBLIGATION

1. **Solo Parent employee** submits the application for parental leave duly supported with the necessary requirements. Falsification of supporting documents or any misrepresentation in the application of parental leave will render the solo parent employee administratively liable without prejudice to criminal liability;
2. **Immediate Supervisor/Division Chief** recommends approval/disapproval of the application based on the supporting documents submitted.
3. **Head of agency /office** approves/disapproves the application.

Approval of parental leave application is mandatory provided if it is in order. Non-approval without justifiable reasons shall be ground for appropriate sanction against the official concerned.

4. **Human Resources Management Officer/Personal Officer shall:**

- 4.1 Evaluate the application for parental leave;
- 4.2 Verify the authenticity of the documents submitted;
- 4.3 Monitor the status of the solo parent and conduct the necessary investigation to determine if ground for termination and withdrawal of the benefit exist;
- 4.4 Ensure the proper implementation of the guidelines; and
- 4.5 Record availment of parental leave.

Please be guided accordingly.

This shall take effect (15) days after publication of CSC Resolution 04-0284* dated March 22, 2004 in a newspaper of general circulation.

(Sgd.) **KARINA CONSTANTINO-DAVID**
Chairperson

24 March 2004

* CSC resolution no. 040284 was published March 24, 2004 in Today.

**GUIDLINES ON THE AVAILMENT OF
THE TEN-DAY LEAVE UNDER R.A. 9262
(ANTI-VIOLENCE AGAINST WOMEN
AND THEIR CHILDREN ACT OF 2004**

x _____ x

RESOLUTION NO>0512206*

WHEREAS, Section 11, article II of the 1987 Constitution declares that the state values the dignity of every human being and guarantees full respect for human rights;

WHEREAS, Republic Act No. 9262, otherwise known as the “Anti-Violence Against Women and Their Children Act of 2004”, reiterates this state policy for women and children as well as recognized the need to protect the family and its members particularly women and children from violence and threats to their personal safety and security;

WHEREAS, Section 12 (2), Chapter 3, Title I (A), Book V of the Administrative Code` of 1987 (Executive Order No. 929) empowers the Civil Service Commission as the central personnel agency of the government to prescribe, amend, and enforce rules and regulation for carrying into effect provisions of the Civil Service Law and other pertinent laws;

WHEREAS, Section 39 of R.A 9262 established the Inter-Agency Council on Violence Against Women and Their Children (IA-VAWC) composed of the Department of Social Welfare and Development (DSWD); National Commission on the Role of Filipino Women (NCRFW); Civil Service Commission (SCS); Commission on Human Rights (CHR); Council for the Welfare of Children (CWC); Department of Justice (DOJ); Department of the Interior and Local Government (DILG); Philippine National Police (PNP); Department of Health (DOH); Department of Education (DepEd); Department of Labor and Employment (DOLE); and national Bureau of Investigation (NBI); to formulate programs and project to eliminate Violence Against Women (VAW) based on their mandates, develop capability programs for their employee to become more sensitive to the needs to their clients, and serve as the monitoring body with regard to VAW initiatives;

WHEREAS, Section 43 of the said Act entitles the woman employee-victim of VAW to take a paid leave of absence up to ten (10) days in addition to other paid leaves under the Labor Code and Civil Service Rules and Regulations, extendible when necessity arises as specified in the protection order;

WHEREAS, Section 43 of the said Act entitles the woman employee-victim of VAW to take a paid leave of absence up to (10) days in addition to other paid leaves under the Labor Code and Civil Service Rules and Regulations, extendible when necessity arises as specified in the protection order;

WHEREAS, the Implementing Rules and Regulation of RA 9262 makes it the duty of thee Civil Service Commission to revise policies and regulations so as to

incorporate the ten- day paid leave of absence for victim- survivor pursuant to the provisions of the law;

WHEREAS, to implement the objectives of the law, the Commission deems it fit to issue guidelines for acting on request for availment of the ten-day paid leave absence under the act;

NOW, THEREFORE, the commission hereby RESOLVES to adopt and prescribe the following

guidelines on the availment of the ten-day paid leave of absence under Republic Act no. 9262:

1. **Definition of Violence Against Women and Their Children.-** As used in the Act, the phrase “ violence against women and their children” shall refer to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom he has a common child, or against her child whether legitimate, or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats or such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes, but is not limited to the acts enumerated in Section 3 of the Act.
2. **Who are Entitled to a Ten-Day Leave -** The following shall be entitled to paid leave of absence not exceeding ten (10) days, except as provided under Section 43 of RA 9262:
 - a. Any woman employee in the government service regardless of employment status, who is a victim of violence as defined under Section 3 of the Act.
 - b. Any woman employee whose child is a victim of violence as defined therein and whose age is below eighteen (18) or above eighteen (18) but unable to take care of himself/herself.
3. **When to File; Submission of Supporting Document.-** The application for leave shall be filed, whenever practicable, before the actual leave of absence or immediately upon the woman employee's return from such leave. It shall be accompanied by any of the following supporting documents:
 - a. Barangay Protection Order (BPO) obtained from the barangay;
 - b. Temporary/Permanent Protection Order (TPO/PPO) obtained from the court;
 - c. If the protection order is not yet issued by the barangay or the court, a certification issued by the Punong Barangay/Kagawad or Prosecutor or the Clerk of Court that the application for the BPO TPO or PPO has been filed with the said office shall be sufficient to support the application for the ten-day leave; or
 - d. In the absence of the BPO/TPO/PPO or the certification, a police report specifying the details of the occurrence of violence on the victim and a medical certificate may be considered, at the discretion of the immediate supervisor of the woman employee concerned.
4. **Manner of Availment.-** The woman employee who applies for ten-day leave may availed of the same in a continuous intermittent manner to cover the days that she has to attend to medical and legal concerns.
5. **Nature of Ten-Day Leave.-** it is non-cumulative and not convertible to cash. Leaves not availed of are considered waived.
6. **When Leave May Be Extended.-** When necessity arises as specified in the Protection Order, the woman employee may apply for extension and, for this purpose , use the other leave benefits provided under civil service rules and regulations.
7. **Administrative Liability.-** The official who denies the application for leave of a woman employee-victim of VAW, despite submission of the BPO/TPO/PPO, shall be held liable for conduct prejudicial to the best interest of the service

This Resolution shall take effect after fifteen (15) days from the date of its publication in a newspaper of general circulation.

Quezon City, August 26, 2005.

(Sgd.) **KARINA CONSTANTINO-DAVID**
Chairman

(Sgd.) J> **WALDEMAR V> VALMORES**
Commissioner

(Sgd.) **CESAR D> BUENAFLORES**
Commissioner

Attested by:

(Sgd.) **REBECCA A. FERNANDEZ**
Director IV
Commission Secretariat and Liaison Office

* CSC Resolution No. 051206 was published Oct. 4, 2005 in the Daily Tribune.

Republic of the Philippines
CIVIL SERVICE COMMISSION
DEPARTMENT OF BUDGET AND MANAGEMENT
Joint Circular No.1, s. 2006

TO : HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS; BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT: STATE UNIVERSITIES AND COLLEGES; GOVERNMENT -OWNED OR CONTROLLED CORPORATION WITH ORIGINAL CHARTER; AND LOCAL GOVERNMENT UNITS

SUBJECT : **Guidelines for Availing of the Rehabilitation Privilege**

1.0 Purpose

This Joint Circular provides the guidelines for availing of the rehabilitation Privilege in accordance with humane, employee-friendly policies of government; clarifies certain issues; insure uniform policy interpretation; and fore-stalls the misuse of the privilege.

2.0 Coverage

All personnel with permanent, temporary, casual or contractual appointments, including those with fixed terms of offices, may avail themselves of the Rehabilitation Privilege during their employment with their agency and accordance or job order cannot avail themselves of the privileges because they are not government employees.

3.0 Guidelines

3.1 Officials and employees may be entitled to the Rehabilitation Privileges for a maximum period of six (6) months for wounds and/or injuries sustained while in the performance of official duties. The duration, frequency and terms of availing of the privilege shall be based on the recommendation of medical authority. Hence, availing of the privileges may be for less than six (6) months, or maybe on a half-time basis or an intermittent schedule as determined by medical authorities provided that the cumulative total period of availing of the privileges will not exceed six (6) months.

Illness or sickness resulting from or aggravated by working conditions or the environment cannot be a basis for availing of the Rehabilitation

Privilege even if the same may be compensable under the law and regulation of the Employees Compensation Commission (ECC)

3.2 For availing oneself of the rehabilitation Privilege, performance of duty means situations wherein the official or employee was already at work. The same privilege may be extended to officials and employee meets an accident while engaged in activities inherent to the performance of his/her duties, including being on Official Business outside of his/her work station, Official Travel, authorized Overtime, Detail Order, and Special Assignment Orders.

Injuries from accidents that occurred while the official or employee was going to work and going home at work considered sustained while in the performance of official or employee.

- 3.3 Absence from work during the period of Rehabilitation Privileges shall not be deducted from the accumulated sick vacation leave credits of the local or employee.

However, officials and employee while on Rehabilitation Privileges do not earn and accumulate vacation leave and sick leave credits.

- 3.4 Official and employee availing of the Rehabilitation Privilege shall receive their salaries and regular benefits such as personnel Economic Relief Allowance (PERA), Additional Compensation (AdCom), year-end bonus, and cash gift mandated by law.

They are not entitled however to benefits and privileges that are enjoyed based on the actual performance of duties of positions entitled to these benefit such as Representation and Transportation Allowances.

- 3.5 Claimants of Rehabilitation Privilege benefits are entitled to reimbursement by their agency for first-aid expenses, preferably in government facilities. Reimbursement is subject to the availability of funds and shall not exceed P5,000.00, unless expenditures beyond said amount are necessary as certified by medical authorities and approved by head of agency.

For this purpose, first said refers to the basic medical treatment immediately given to a person hurt in an accident.

4.0 Procedure

- 4.1 Application for Rehabilitation Privileges shall be made through a letter, supported by relevant reports such as the police report, if any, and medical certificate on the nature of the injuries, the course of treatment involved, and the need to undergo rest, recuperation, and rehabilitation, as the case may be.
Application should be made within one (1) week from the time of the accident except when a longer period is warranted. Application may be made for the injured official or employee by a member of his/her immediate family.
- 4.2 Written concurrence of a government physician should be obtained relative to the recommendation for rehabilitation if the attending physician is a private practitioner, particularly on the duration of the period of rehabilitation.

5.0 Responsibilities of the Agency Head

- 5.1 The agency head shall determined whether the injuries were incurred while in the performance of duties.
- 5.2 The agency head shall be held responsible and personally liable for any false or fraudulent claims and irregular availing of the privileges.
- 5.3 the agency head, through the agency medical staff and/or the HRMO, should monitor monthly the medical status of the employee undergoing rehabilitation.

6.0 Repealing clause

- 6.1 Section 55 of CSC MC No. 41, s. 1998 and other Civil Service Commission (CSC) issuance that are inconsistent herein are hereby repealed or amended.

7.0 Effectivity

This Circular shall take effect immediately.

(Sgd.) KARINA COSTANTINO-DAVID
Chairman
Civil Service Commission

(Sgd.) ROLANDO G. ANDAYA, JR.
Secretary
Department of Budget and Management

April 27, 2006

**CSC-DBM Joint Circular No. 1, s. 2006 was published on June 2, 006 in manila Standard Today*

MC No. 12, s. 2007
MEMORANDUM CIRCULAR

To : ALL HEADS OF CONSTITUTIONAL BODIES, DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENT UNITS, INCLUDING GOVERNMENT-OWNED OR CONTROLLED CORPORATION AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : **Clarification on Grant of Leave Benefits to Barangay Officials**

Pursuant to Section 80 of the Local Government Code of 1991 (Republic Act No. 7160) and Article 172 of its Implementing Rules, Commission and the department of Budget and Management (DBM) issued Joint Circular No.1, series of 2004 setting forth the guidelines in the grant of leave privileges for barangay officials. Said joint circular took effect on April 5, 2004.

The commission, in CSC Resolution No. 071247 dated June 22, 2007; issued clarification on the grant of said leave benefits, to wit:

1. Barangay officials are entitled to leave privileges under CSC-DBM Joint Circular No. 1, series of 2004 only upon the effectivity thereof (April 15, 2004) because it was only upon such date that the prescribed "standards" required by the law and the rules were issued for purposes of implementation. Moreover, CSC- DBM Joint Circular No. 1, series of 2004 explicitly provides its prospective application, hence, only the service of barangay officials rendered from April 15,2004 and thereafter shall earn leave credits subject to the requirements set forth in the said issuance.
2. Barangay official who rendered service from January 1, 1992 up to April 14, 2004 are not entitled to leave privileges under CSC-DBM Joint Circular No. 1, series of 2004. Pointedly, there were no existing "standards" on leave for barangay officials during said period. In addition, while the Local Government Code of 1991 was already effective during said period, Section 80 thereof, however, was not yet implementable for lack of implementing guidelines prescribed by the CSC. Section 80 of the local Government Code of 1991 is not self-executing provision.
3. Barangay official are not entitled to terminal leave benefits under CSC-DBM Joint Circular No.1, series of 2004. Terminal leave refers to the money value of the total accumulated leave credits of an employee upon retirement or separation from the service. Under the Joint circular, leave credits earned by barangay officials are cumulated up to one year only and the same shall be commuted yearly, hence, the same cannot be subject to any terminal leave benefits provided for under the said joint circular.
4. Barangay officials should file their claims/application for Commutation of their annual cumulated leave credits with the office of the Barangay Treasurer by January 15 of the following year.

(Sgd.) **KARINA COSTANTINO-DAVID**
Chairperson

24 July 2007

MC No. 13, s. 2007
MEMORANDUM CIRCULAR

To : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS; BUREAUS AND AGENCIES OF THE GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED AND CONTROLLED CORPORATION WITH ORIGINAL CHARTER; AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : **Amendment to section 63, rule xvi of the omnibus rules on leave, CSC Memorandum circular Nos. 41 and 14, series of 1998 and 1999, Respectively**

Section 63, Rule XVI of the Omnibus Rule on leave (CSC MC Nos. 41 and 14, s. 1998 and 999, respectively) provides that an officials/employee can be dropped from the rolls "only" if he/she incurs 30 working days of continued absence without official leave. However, there are instance wherein officials/employees knowingly circumvent the rule by reporting back to work for brief periods after incurring prolonged unauthorized absence just to break the continuity of their non- attendance.

In order to curb such practice, to promote efficiency and effective personnel administration in government and to obviate any prejudice to the service, the Civil Service Commission, pursuant to CSC Resolution No.07-0631 dated April 10,2007* hereby amends the above mentioned rule to read as follows:

Sec.63. Effect of absence without approved leave. An official or employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. **However, when it is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule by incurring substantial absence though less than thirty working (30) days 3x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.**

"If the number of unauthorized absence incurred is less than thirty (30) working days, a written Return-to-Work Order shall be served to him at his last known address on record. Failure on his part to report for work within the period stated in the Order shall be a valid ground to drop him from the rolls".

(Sgd.) **KARINA CONSTANTINO-DAVID**
Chairperson

25 July 2007

MC No. 23, s.2009
MEMORANDUM CIRCULAR

To : ALL HEADS OF CONSTITUTIONAL BODIES, DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS, GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT : **Interim Guidelines on the Use of Leave Credits for Absence Due to Self Quarantine and/or Treatment relative to the Influenza A (H1n1) Global Pandemic**

Pursuant to CSC Resolution No. 090920 dated June 26, 2009, the following interim guidelines on the use of vacation and sick leave credits for self-quarantine after travel due to the influenza A (H1N1) global pandemic are hereby prescribed for the guidance of all concerned:

1.0 Purpose

The Circular provides the guidelines for the procedure of availment of leave privileges for absence incurred in relation to self-quarantine for public sector officials and employees who have recently traveled or are planning/schedule to travel to other countries affected by the influenza A (H1N1) global pandemic.

The said Circular also seeks to` provide procedure upon returning to work after exhibiting flu-like symptoms, or after actually being treated for the Influenza A (H1N1) virus, applicable.

Moreover, said guidelines seek to ensure that the precautionary measures are employed in government agencies to avoid the spread of the said flu infection in the public sector workplace.

The set of guidelines is applicable for the duration of the Influenza A (H1N1) global pandemic until the said medical situation has been lifted by the proper health authorities.

2.0 Scope and Coverage

These guidelines apply to all public sector employees and officials, regardless of status of appointment.

For those profession covered by special leave laws, the following or an analogous to be promulgated by the proper authorities for the purpose may also apply taking into consideration the best interest of the service.

3.0 Guidelines

3.1 It is the responsibility of each government official /employee or any individual serving the public sector to ensure that he/she employs the necessary measures to prevent the spread of the Influenza A (H1N1) infection in the public sector workplace.

One who feels sick with Influenza-like symptoms or have been exposed to the Influenza A (H1N1) virus must immediately inform his/her supervisor; voluntary seek immediate medical attention and/or go on self-quarantine, as deemed necessary upon the advice and certification of a licensed government/private physician. This is in order to avert the

possible spread of the infection in the workplace.

- 3.2 All officials and employees in the public sector who have a history of travel to other countries affected by the Influenza A (H1N1) global pandemic per the WHO/DOH advisories starting two weeks prior to the promulgation of these guidelines shall ensure that upon their return to the Philippines, they shall have submitted themselves to “self-quarantine” in their homes or any appropriate health facility, as applicable.

As provided in the DOH health advisories, those who have a history of travel as reflected in these guidelines must “self-quarantine” for ten (10) calendar days upon arrival in this country.

1 Source.: According to the A (H1N1) flu infection information leaflet distributed by the Quezon City Epidemiology and Surveillance Unit of the QC Health Department, “a person infected with the new H1N1 virus will have influenza like illness i.e. fever associated with coughs/colds, muscle aches, fatigue, loss of appetite, nausea/vomiting and diarrhea

Officials and employees who have a history of travel abroad as qualified in this guidelines who may or may not exhibit flu-like systems (influenza-like illness i.e. fever associated with coughs/colds; muscle aches; fatigue; loss of appetite, nausea, vomiting and diarrhea), should not report back to work unless the said self-quarantine period has elapsed and/or they have been treated, and cleared as being fit to go back to work by the proper health authorities.

- 3.3 Absence from work due to the self -quarantine period and/or treatment of the A(H1N1) flu infection, as applicable, may be on official time or charged against one's leave credits, as follows:

Government Official/Employee's Circumstances	Nature of absence from Work; Applicable Leave of absence	Procedure Upon Return to Work
Individuals has a history of travel abroad as qualified in these guidelines and whose travel is on Official Business/Official Time due to a study grant, a study leave whose period of study is spent abroad, Scholarship, training/HR intervention, seminar, conference, for a, or other analogous circumstances	<p>Absence from work for ten (10) calendar days to ensure self-quarantine shall continue to be on <u>official time</u>.</p> <p>Should one eventually exhibit flu-like symptoms beyond the self-quarantine period and/or is treated for Influenza A(H1n1) infection after the aforecited 10-day period has elapsed, the prescribed period of observation and treatment shall be deducted from one's sick leave credits.</p>	<p><u>For those who have not exhibited flu-like symptoms:</u></p> <p>A medical Certificate to be Submitted to the agency's HR unit issued by any government/private physician that one has voluntary self-quarantine him/herself for 10 days upon arrival from the country and has exhibited no flu-like symptoms and is cleared to report back to work.</p> <p><u>For those who have exhibited flu-like symptoms but were not infected by the Influenza A (H1N1) virus:</u></p>
Individual has a history	Being a precautionary	

of travel abroad as qualified in these guidelines and those travel is due to personal reasons	measure, absence from work for ten (10) calendar days to ensure self-quarantine shall be charged against one's accumulated sick leave credit	
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Government Official/Employee's Circumstances	Nature of Absence from Work; Applicable Leave of Absence	Procedure Upon Return-to-Work
	<p>For employee or officials who have already exhausted his/her sick leave credits, Section 56 of the Omnibus Rules on Leave shall apply; as follows</p> <p>"Sec.56 x x x When an employee had already exhausted his sick leave credits, he can use his vacation leave credits but not vice versa".</p> <p>Should one eventually exhibit flu-like symptoms during the quarantine period and/or is treated for Influenza A(H1N1) infection, the prescribed period of observation and treatment shall be deducted from one's appropriate leave credits as qualified above.</p>	<p>A medical certificate to be submitted to the agency's HR unit issued by any government/private physician that one has been treated of his/her flu and is cleared to report back to work.</p> <p><u>For those who were infected by the Influenza A (H1N1) virus:</u></p> <p>A Medical Certificate to be submitted to the agency's HR unit issued by the government health facility responsible for the treatment of the said infection indicating that one has been treated and is cleared as being fit to report back to work</p> <p>Said health facilities, called Referral centers for emerging and Re-Emerging Infectious Diseases may be referred to in the DOH website, www.doh.gov.ph.</p>

Government Official/Employee's Circumstances	Nature of Absence from Work; applicable Leave of Absence	Procedure Upon Return to Work
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		A list of the said health facilities is also attached to these guidelines, for reference (Please see Annex A)
	<p>One who has been exposed to the said virus must also submit himself/herself to a period of quarantine as prescribed by the proper health authorities.</p> <p>Said period shall be charged to his/her leave credits in addition to the period of sick leave of absence spent while taking care of the sick family member/relative.</p>	<p>A medical Certificate to be submitted to the agency's HR unit issued by any government/private physician that one has self-quarantined him herself for the appropriate number of days and has not exhibited flu-like symptoms and is cleared to report back to work.</p> <p>The procedure upon return to work of one who has been infected by the virus may be referred to in the above matrix.</p>
Individual has contracted the Influenza A (H1n1) virus from sources other than having recent travel abroad (whether OB or personal) or from taking care of family members who have contracted the same.	<p>Leave of Absence shall be deducted against one's accumulated Sick Leave Credits.</p> <p>Section 56 of the Omnibus Rules on Leave shall also apply.</p>	<p>A Medical Certificate to be submitted to the agency's HR unit issued by the government health facilities</p> <p>(Please See Annex A)</p> <p>Responsible for the treatment of the said infection indicating that one has been treated of the influenza A (H1N1) virus and is cleared as being fit to report back to work.</p>

- 3.4 Those who serve in the public sector on job order basis, contracts of service, or through consultancy service are also refined from reporting to work after a history of recent travel abroad as qualified in these guidelines and/or exposure to or treatment from the Influenza A (H1N1) virus. The procedures upon return to work as provided in Item 3.3 of these guidelines shall also apply to individuals serving the public sector in the aforementioned capacities.

Agency heads who employ the service of job order contractors or consultants through Contracts of Service may amend or adjust the contract duration to consider the number of days or person hours lost for not being able to report for work as a result of one's being on self quarantine and/or period of observation/treatment for exposure/being infected with the Influenza A (H1N1) virus.

- 3.5 The applicable provisions of the aforementioned guidelines, as well as the corresponding procedures upon returning to work of one who has a forthcoming travel abroad (as qualified in these guidelines) on officials business/official time, whether on scholarship, on study grant, on study leave whose period of study is spent abroad; on training/HR intervention, seminar, conference,

for a ,or other analogous circumstances, shall be incorporated in the study leave contracts, office orders, and similar documents of concerned officials and employees to ensure proper enforcement of the same.

- 3.6 Those who have forthcoming travel abroad due to personal reasons as defined in this guidelines shall, upon application for vacation leave of absence, be oriented by their immediate supervisors/approving authorities of the prescribed procedure for return to work and the deduction of the appropriate leave credits for ones self-quarantine period/or period of treatment while the Influenza A (H1N1) global pandemic is enforced.
- 3.7 Office heads shall also ensure that the efficiency and productivity standards of work unit are met in such cases where periods of absence of concerned officials and staff may bring about setbacks in the delivery of public service.
- 3.8 Whenever necessary, the agency head, upon proper clearance from the Department of Health (DOH), may declare the suspension of office work to allow the DOH to investigate, make recommendations, and assist the Agency in containing the infection through measures such as the decontamination for the workplace and the self-quarantine of agency personnel.

Upon DOH's situational assessment and recommendation, the agency may declare whether the office suspension shall effect the entire work populate or only certain segments of it.

In case cases, internal measures shall be entitled in the said government agencies to compensate for the period of disruption of service delivery.

Suspension of office work in the aforecited instance shall not be charged against the official or employee's leave credits. However, they may be required to render service to compensate for the period office suspension as soon as normal office operation resume.

4.0 Responsibilities of the Agency Head

- 4.1 The agency head shall ensure that the aforecited guidelines re enforced in one's agency as a precautionary measures to avert the possible threat of the Influenza (H1N1) infection in the public sector workplace.
- 4.2 The agency shall also ensure that the workers providing essential service such as health advisories are disseminated to its officials and employees as well as clientele to keep them informed of the basic how-to's (**please see Annex A and DOH's Health Advisory**) in preventing the spread of the virus.
- 4.3 The agency head shall ensure that the workers providing essential service such as health workers, first responders, frontline service providers, and the like who may have potential contacts with the viral agents causing the said flu are given priority health invention/s (prophylaxis) as enunciated in Item III of DOH's Interim guidelines No. 1 (clinical Management and the Use of Anti-Virals for Influenza A (H1N1) Virus Infection
- 4.4 The agency head shall ensure the immediate promulgation of internal rules and regulation taking off from this set of general interim guidelines that will take into consideration the best interest of service and the over-all efficiency and effectivity of work units within their respective agencies.

5.0 Effectivity

This circular shall take effect immediately. A succeeding issuance shall be promulgate upon the declaration of proper health authorities of the end of the Influenza A H1N1 global pandemic.

However, government employees, officials and other public servants covered in these Guidelines whose periods of self-quarantine after recent travel abroad on Official Business/Official time were deducted against their leave credits prior to the issuance of these Guidelines can have the said leave credits restored through their respective agencies Human Resources/personnel office/s/Units.

(Sgd.) **RICARDO L. SALUDO**
Chairman

26 June 2009

Recent travel abroad as defined in these guidelines pertains to the period since the start of the spread of the Influenza A(H1N1) virus in April 2009.

Re: Policy on Undertime

RESOLUTION NO. 101357

WHEREAS, Section 1, Article XI of the 1987 Constitution, states that “Public officers and employees must at all time be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives”;

WHEREAS, part of such accountability, responsibility and efficiency of public officers and employees is the observance of the prescribed eight-hour work schedule in a given working day or 40-hour work per week;

WHEREAS, by incurring undertime, an officer or employee fails to observe the prescribed eight-hour work in a day;

WHEREAS, in the case of Yadao-Guno, Carmelita P. (CSC Resolution No. 00-0970 dated April 7, 2000), the commission defined undertime as “working time that is less than full time or the required minimum. This is usually incurred by an officer or employee who leaves or quits from work earlier than the usual eight-hour work schedule in a given working day;

WHEREAS, undertime is not considered as an administrative offense;

WHEREAS, it is the present practice to classify undertime as tardiness, thus, penalized under the offense of Habitual Tardiness;

WHEREAS, in the case of Caballes, Zenaida Z. (CSC Resolution No. 08-1198 dated June 23, 2008), citing the case of Yadao-Guno, Carmelita P., the Commission ruled that respondent is not liable for Habitual Tardiness because the “number of undertime that the respondent incurred cannot be classified as tardiness”;

WHEREAS, while undertime is not classified as tardiness and is not considered as an administrative offense, there is a need to set the limit as to the number of time as officer or employee is allowed to go on undertime;

WHEREAS, undertime for more than that allowed shall be considered as falling under the administrative offenses of Simple Misconduct and/or Conduct Prejudicial to the best Interest of the Service:

NOW, THEREFORE, the Civil Service Commission, as the central human resource institution of the government, resolves to promulgate the following guidelines on Undertime, as follows:

- 1 Any officer or employee who incurs undertime, regardless of the number of minutes/hours, ten(10) times a month for at least two months in a semester shall be liable for Simple Misconduct and/or Conduct Prejudicial to the Best Interest of the Service, as the case may be; and
- 2 Any officer or employee who incurs undertime, regardless of the number of minutes/hour, ten (10) times a month for at least two (2) consecutive months during the year shall be liable for Simple Misconduct and/or Conduct Prejudicial to the Best Interest of the Service, as the case may be.

RESOLVED FURTHER that these guidelines shall be prospective in application and shall take affect fifteen (15) days after its publication in a new paper of general circulation.

Quezon City, June 06, 2010

(Sgd.) **FRANCISCO T. DUQUE III**
Chairman

(Sgd.) **CESAR D. BUENAFLO**
Commissioner

(Sgd.) **MARY ANN Z. FERNANDEZ-MENDOZA**
Commissioner

Attested by:

(Sgd.) **DOLORES B. BONIFACIO**
Director IV
Commission Secretariat and Liaison Office

Re: Policy on Half Day Absence

RESOLUTION NO.101358

WHEREAS, Section 1, Article XI of the 1987 Constitution, State that “public Officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives”;

WHEREAS, part of such accountability, responsibility and efficiency of public officers and employee is the observance of the prescribed eight-hour work schedule in a given working day or 40- hour work per week;

WHEREAS, in the case of Yadao-Guno, Carmelita P. (CSC Resolution No. 00-0970 dated April 7, 2000), the commission ruled that “half-day absence is incurred when an officer or employee does not report for work either for the whole morning or the whole afternoon”;

WHEREAS, the Civil Service Law, Rule and Regulation are silent as to what constitute half day absence;

WHEREAS, there is a need to define how an officer or employee may be held administratively liable for his/her half day absences;

NOW, THEREFORE, the civil Service Commission, being the central human institution of the government, resolves to promulgate the following guidelines on Half Day Absence, as follows:

1. Any officer employee who is absent in the morning is considered to be tardy and is subject to the provision on Habitual Tardiness; and
2. Any officer or employee who is absent in the afternoon is considered to have incurred undertime, subject to the provision on Undertime.

RESOLVED FURTHER, that these guidelines shall be prospective in application and shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Quezon City, June 06 2010.

(Sgd.) **FRANCISCO T. DUQUE III**
Chairman

(Sgd.) **CESAR D. BUENAFLORES**
Commissioner

(Sgd.) **MARY ANN Z. FERNANDEZ-MENDOZA**
Commissioner

Attested by:

(Sgd.) **DOLORES B. BONIFACIO**
Director IV
Commission Secretariat and Liaison Office