

Part I

STAFF ORIENTATION PROGRAM MANUAL

1. What is RA 7611?

Republic Act 7611 is the Strategic Environmental Plan for Palawan Act which was signed into law on June 19, 1992.

2. What is SEP?

SEP or the Strategic Environmental Plan for Palawan is the comprehensive framework for the sustainable development of Palawan compatible with protecting and enhancing the natural resources and endangered environment of the province. It shall guide the local government of Palawan and the government agencies concerned in the formulation and implementation of plans, programs and projects affecting the province.

3. SEP Philosophy

- a) **Ecological Viability** - the physical and biological cycles that maintain the productivity of natural ecosystems must always be kept intact.
- b) **Social Acceptability** – the people themselves, through participatory process should be fully committed to support sustainable development activities by fostering equity in access to resources and the benefits derived from them.
- c) **Integrated Approach** – allows for a holistic view of problems and issues obtaining in the environment as well as opportunities for coordination and sharing that will eventually provide the resources and political will to actually implement and sustain SEP activities.

4. Main Strategy

Environmentally Critical Areas Network (ECAN) – is the main strategy of the SEP; a graded system of protection and development control, including tribal lands, forests, mines, agricultural areas, settlement

areas, small islands, mangroves, coral reefs, sea grass beds and the surrounding sea.

ECAN shall ensure the following:

- a) Forest conservation and protection
- b) Protection of watersheds
- c) Protection of biological diversity
- d) Protection of tribal people and the preservation of their culture
- e) Maintenance of maximum sustainable yield
- f) Protection of the rare and endangered species and their habitat
- g) Provision of areas for environmental and ecological research, education and training
- h) Provision of areas for tourism and recreation

5. Main Components of ECAN

- a) **Terrestrial** – consists of the mountains as well as ecologically important low hills and lowland areas.
- b) **Coastal / Marine Area** – includes the whole coastline up to the open sea; characterized by active fisheries and tourism activities.
- c) **Tribal Ancestral Lands** – areas traditionally occupied by the cultural communities.

6. Administrative Machinery for SEP Implementation

- a) **The Palawan Council for Sustainable Development (PCSD)** – is in-charge of governance, policy direction and guidance in the implementation of the SEP.

I. Composition of the Council

- 1) Members of the House of Representatives representing the province of Palawan
- 2) Deputy Director General of National Economic and Development Authority (NEDA)
- 3) Undersecretary of Department of Environment and Natural Resources (DENR)

- 4) Undersecretary for Special Concerns of the Department of Agriculture (DA)
- 5) Governor of Palawan
- 6) Mayor of Puerto Princesa City
- 7) President of the Mayor's League of Palawan
- 8) President of the Provincial Chapter of the Liga ng mga Barangay
- 9) Executive Director of the Palawan Council for Sustainable Development Staff (PCSD)
- 10) Other members:
 - Commanding General of the Western Command, AFP
 - NGO representative, with environment as its main concern*
 - Business Sector Representative*
 - Other members who may be identified by the Council

2. Powers and Functions of PCSD

- 1) Formulate plans and policies as may be necessary to carry out the provisions of RA 7611;
- 2) Coordinate with local governments to ensure that the latter's plans, programs and projects are aligned with the plans, programs and policies of the SEP;
- 3) Call on any department, bureau, office, agency or instrumentality of the Government, and on private entities and organizations for cooperation and assistance in the performance of its functions;
- 4) Arrange, negotiate for, accept donations, grants, gifts, loans and other funding from domestic and foreign sources to carry out the activities and purposes of the SEP;
- 5) Recommend to the Congress of the Philippines such matters that may require legislation in support of the objectives of the SEP;

* Provided he/she was elected from among the nominees submitted by recognized NGO/Business organization

- 6) Recommend to the Congress of the Philippines such matters that may require legislation in support of the objectives of the SEP;
- 7) Delegate any or all of its powers and functions to its support staff, except those which by provisions of law cannot be delegated;
- 8) Establish policies and guidelines for employment on the basis of merit, technical competence and moral character and prescribe compensation and staffing pattern;
- 9) Adopt, amend and rescind such rules and regulations and impose penalties therefore for the effective implementation of the SEP and other provisions of RA 7611;
- 10) Enforce the provisions of RA 7611 and other existing laws, rules and regulations similar to or complementary with the same;
- 11) Perform related functions which shall promote the development, conservation, management, protection and utilization of the natural resources of Palawan; and
- 12) Perform such other powers and functions as may be necessary in carrying out its functions, powers and the provisions of RA 7611.

b) The Palawan Council for Sustainable Development Staff (PCSDS) – is an office created under Sec. 20 of RA 7611; serving as the regular professional support staff of the PCSD and provides the machinery to coordinate the policy and functions, implement programs and organize such services as may be required by the PCSD in the exercise of its functions.

I. Functions of the PCSDS

- 1) Undertake continuing planning, policy research and related studies necessary to evolve plans and programs relative to the implementation of the SEP;

- 2) Initiate, review and recommend rules, regulations and issuances and/or changes/amendments of existing ones including penalties and sanctions;
- 3) Provide technical assistance to Local Government Units (LGUs) in the preparation of municipal and provincial development plans, policies and programs to ensure their conformity and consistency with the SEP;
- 4) Identify the possible areas of involvement of government agencies and private entities in the various aspects of implementation of the SEP;
- 5) Execute the internal management and administrative operations of the PCSDS;
- 6) Implement the ECAN, Resource Management programs and their support mechanisms and other programs and projects and operationalize detailed action plans and their implementation arrangement;
- 7) Prepare and package programs and projects for domestic and foreign funding; and
- 8) Prepare and submit to the Council measures requiring appropriate legislative action.

2. PCSDS Mission - To be the professional executing agency for the PCSD in pursuance of Republic Act 7611, the SEP, which aims to promote development, conservation, management, protection and utilization of the natural resources of Palawan for the present and future generations.

3. PCSDS Vision - To be united, committed and competent partner in development through holistic integration of environmental protection with relevant land use planning and rational use of Palawan's natural resources with the Strategic Environmental for Palawan (SEP) framework in order to improve the quality of life in Palawan.

4. **PCSDS Organizational Structure** - The PCSDS organisational is composed of the following offices/divisions/sections/units with their corresponding functions.

Office of the Executive Director (OED)

- 1) Directs and supervises the internal day-to-day operation and administration
- 2) Executes/implements the policies, programs and measures approved by the Council
- 3) Represents the Council in all dealings with other offices, agencies and government instrumentalities with regard to SEP implementation
- 4) Oversees image building activities of PCSD/S
- 5) Public relations, communications and promotions of PCSD/S
- 6) Evaluates environmentally critical projects
- 7) Co-management of protected areas
- 8) Scientific Advisory Panel

Chief of Staff/Secretariat - Legal assistance and secretariat works

Special Concerns (Eco-Tourism & Others) - Facilitates the implementation of special concerns

Manila Operations Unit (MOU) - Promotion, networking and fund sourcing

Finance and Administrative Division (FAD) - Provides general and administrative and logistic support services to PCSDS operations including Personnel/human resources management

ECAN Planning, Policy and Knowledge Management Department (EPPKMD)

ECAN Zones Management Division (EZMD)

ECAN Terrestrial

- 1) Core zone protection and conservation
- 2) Buffer zone management
- 3) Multiple-use zone management

ECAN Coastal/Marine

- 1) Integrated coastal management
- 2) Coastal stakeholders relations

ECAN Tribal Ancestral Lands

- 1) Cultural mapping
- 2) Indigenous community protection and conservation

Cross-cutting Functions (APPERCI)

- 1) Assessment of ecosystems and resources condition
- 2) Policy formulation
- 3) Plan formulation
- 4) Program and project development
- 5) ECAN stakeholder partnership and engagement
- 6) Researches (on physical and biological features of the environment and on policies and socio-economic questions)
- 7) Community organizing
- 8) Provide assistance in the implementation of ECAN Management Programs on the ground (including sustainable livelihood development).

***ECAN Plan Integration & Project Development Division
(EPIPDD)***

External Planning

Project Development

Special Ecosystems

- 1) Preparation of PCSD work plan and other plans
- 2) Formulation of ecosystem/resource management plans (Cave Management Plan, River Management Plan, Wetland Management Plan and other resource management plans)
- 3) Formulation of integrated ECAN Zoning Plans in partnership with city/municipal ECAN Boards
- 4) Lead the ECANization of CLUPs by the LGUs
- 5) Development of sustainable financing mechanisms to support ECAN management and implementation

***ECAN Policy, Monitoring & Knowledge Management Division
(EPMKMD)***

Geomatics and Knowledge Management

Environmental Monitoring

Policy Analysis

- 1) Policy formulation
- 2) Operation of E-MES to monitor achievement of SEP goals and success/achievement of E-CLUP implementation
- 3) Establishment of clearing house mechanism
- 4) Mapping/spatial analysis of and maintain Palawan Geoportal
- 5) Operation of environmental laboratory
- 6) Data generation (data collection and analysis)
- 7) Monitoring of impacts of plans and policies

ECAN Operations Department (EOD)

ECAN Education & Extension Division (EEED)

Environmental Education

- 1) Develop social marketing strategies to promote SEP/ ECAN and other environmental laws, policies and programs of PCSD/S
- 2) Undertake SMS activities with LGUs and partner stakeholders (other agencies and communities)
- 3) Package environmental information and education materials
- 4) Conduct environmental education and information campaigns

Extension and Livelihood

- 1) Conduct training needs assessment of communities and partner stakeholders
- 2) Provide training and other extension services to communities and partner stakeholders related to the implementation of SEP and other related laws
- 3) Strengthen capacity of ECAN Board
- 4) Develop proposals/Network with partner agencies in implementing livelihood projects

District Management Division (DMO)

DMO North (El Nido, Taytay, Roxas, San Vicente, Dumaran, Araceli)

DMO South (Narra, Quezon, Brooke's Point, Espanola, Rizal, Bataraza, Balabac)

DMO Calamianes (Busuanga, Coron, Culion, Linapacan)

DMO Central (Aborlan, Cuyo Group of Islands, Cagayancillo)

- 1) Coordinate and establish partnership with LGUs, concerned agencies & other stakeholders to implement SEP/ECAN and other special laws
- 2) Conduct field-based monitoring, evaluation and coordinate SEP-related programs/projects including projects for issuance of SEP Clearances and Accreditations

- 3) Facilitate the development, integration and implementation/ harmonization of local ECAN zones management plans with CLUPs
- 4) Implement special laws and projects on the conservation and development of environment and natural resources
- 5) Ensure the adoption and enforcement of approved ECAN Guidelines, PCSD Admin Orders and other laws
- 6) Serve as Secretariat to Environmental Boards and facilitate its operation
- 7) Provide support to implementation of ECAN Terrestrial, ECAN Coastal, ECAN Tribal/Ancestral and knowledge management concerns

ECAN Regulation and Enforcement Division (ERED)

Permitting

Monitoring

PCSD Adjudication Board (PAB)

Enforcement

Legal Service

ECAN Regulation and Enforcement

- 1) Ensure the enforcement of SEP Law, Wildlife, Caves and Chainsaw Acts, approved ECAN guidelines, PCSD Admin Orders, policies and other regulations
- 2) Provide technical review of the conditionalities of the evaluated projects prior to issuance of SEP Clearance, PCSD accreditation and other PCSD-issued permits
- 3) Monitor and document projects undertaken without the required SEP Clearance/permits/accreditations
- 4) Establish and maintain database on the existing grantees of SEP Clearance, Wildlife/Cave resource permits, Live Fish Accreditation and Chainsaw registration certificates

Legal Services

- 1) Provide secretariat work to PCSD Adjudication Board in the adjudication of cases for violation of PCSD Admin Orders
- 2) File admin and criminal cases before the PAB and the Regional Trial Court for violation of Admin Orders and special laws, respectively.

Part II

APPOINTMENT/PROMOTION/ INCENTIVES AND BENEFITS

I. Appointment

All appointments in the career service shall be made only according to merit and fitness to be determined as far as practicable by competitive examinations.

Any action denoting movement or progress of personnel in the civil service shall be known as personnel action. Such action shall include promotion, transfer, reinstatement, reemployment, detail, secondment, reassignment, demotion and separation. All original appointments and personnel actions shall be in accordance with the rules and with other regulations and standards that may be promulgated by the Civil Service Commission (CSC).

In the selection of personnel, the PCSDS Personnel Selection Board and the ultimate appointing authority shall be guided by the CSC rules.

When two or more applicants meet the minimum requirements for the position, objective criteria must be set to determine who is the most and

meritorious among all the applicants to ensure that the exercise of management discretion is not abused.

Except as otherwise provided herein, a person who meets all the requirements of the position including the appropriate civil service eligibility shall be appointed to a position in the first and second levels. However, when the immediate filling of a vacancy becomes necessary, taking into account the public interest, a person who meets the other requirements of the position even without the appropriate civil service eligibility may be appointed. His/her appointment shall be temporary for a period of not more than twelve (12) months and he/she may be replaced at any time with one who has appropriate civil service eligibility.

A vacancy in the career service may be filled by promotion, transfer of present employees in the government service, reinstatement, reemployment, or by certification of appropriate civil service eligible.

An appointment accepted by the appointee cannot be withdrawn or revoked by the appointing authority and shall remain in force and effect until disapproved by the Commission. However, an appointment may be void from the beginning due to fraud on the part of the appointee or because it was issued in violation of law.

An appointment issued in accordance with pertinent laws and rules shall take effect immediately upon its issuance by the appointing authority, and if the appointee has assumed the duties of the position, he shall be entitled to receive his salary at once without awaiting the approval of his appointment by the Commission. The appointment shall remain effective until disapproved by the Commission. In no case shall an appointment take effect earlier than the date of its issuance.

An appointment not submitted to the Commission within thirty (30) days from the date of issuance which shall be the date appearing on the face of the appointment, shall be ineffective. The appointing authority shall be liable for the salaries of the appointee whose appointment became ineffective. The

appointing authority shall likewise be liable for the payment of the salary of the appointee if the appointment is disapproved because the appointing authority has issued it in violation of existing laws or rules, making the appointment unlawful.

No new appointment shall be required for an adjustment in salary as a result of increase in pay level which does not involve a change in duties and responsibilities. However, a copy of the notice of salary adjustment shall be submitted to the Commission for record purposes.

Personnel appointment may either be permanent, contractual or job order:

A regular/permanent appointment is given when service is vital to the functions of the Agency, the position is in the staffing pattern/plantilla of personnel, and the appointee has met all the necessary requirements for the position, including the appropriate Civil Service eligibility.

Job order will not ensure a career in the civil service. This kind of employment is good only when such service is essential and the regular staff of the employing agency is insufficient to carry out the demands of the service.

2. What to Expect on Your First Working Day

On your first working day, you will have to report first to Personnel Unit, where you shall get your papers for your Oath of Office before the Executive Director. Immediately after this, the Personnel Unit shall orient you regarding PCSDS organization in general, as well as with its office rules and regulations.

Moreover, the Personnel Officer will personally welcome and introduce you to the people you will be working closely with and to the whole organization before you report to your immediate supervisor. Your immediate supervisor, on the other hand, will orient you with your assignment, and ascertain your individual commitment, which will be the basis for evaluating your performance.

3. Your First Six Months in the Service

Your first six (6) months in the service following your original appointment to a regular position shall serve as a probationary period. During this period, you will be evaluated on the basis of job performance and work attitude. Poor performance rating for the period will automatically cause your removal or dismissal from the service. However, such removal or dismissal is appealable to the CSC.

4. Promotion or Position Advancement

You may be promoted from your present position to a higher one with corresponding increase in responsibilities, as may be authorized by the PCSDS and the CSC. The bases for promotion are qualifications, fitness, and ability to perform the functions of the position being filled up.

In filling up a vacancy, preference is given to employees who occupy positions next-in-rank to the vacant one. A next-in-rank position is a position nearest to the vacant one based on organizational structure, classification, functional relationship, salary, and geographical location. If your position is one degree lower than the vacant position, and you are judged competent and qualified in addition to having the required Civil Service eligibility, you may be considered for promotion to the vacant position.

If you are next-in-rank but for some reasons you were not considered for the vacancy, you have the right to file with the appointing authority a protest against the appointment of the employee chosen for the post.

CRITERIA. On the basis of the following criteria, your Division/Unit Head, may include your name in the list of qualified personnel for promotion to a vacant position:

Performance. Your latest performance rating should be at least satisfactory.

Education and Training. This takes into account your formal college and university education, training course, scholarship grant and others which are relevant to the duties of the position to be filled.

Experience and Outstanding Accomplishments. These include work history, work experience and accomplishments worthy of special commendation.

Physical Characteristics and Personality Traits. These cover your fitness and attitude, which have a bearing on the position to be filled.

Potential. These refer to your capability to perform duties and responsibilities of the position to be filled.

Others. These include awards received for outstanding achievements which have benefited the Council.

Other employees within the PCSDS who are deemed qualified and competent maybe considered for promotion together with the incumbents of positions who are next-in-rank. A Promotion and Selection Board (PSB) shall evaluate your qualifications as well as those of other candidates to determine the most qualified and competent for the position.

PREFERENCES IN PROMOTION. If you hold a next-in-rank position and you are competent and qualified and possess the appropriate civil service eligibility, you are given preference in promotion.

PROTEST. If you are qualified next-in-rank employee who disagrees with the appointment of another candidate, you may file a formal protest. Failure to file the protest within fifteen (15) days period shall be considered a waiver of your right and no protest shall thereafter be entertained.

5. Benefits of PCSDS Regular Employees

- a) National government salary adjustments, if any

- b) Step increment for length of service: for every three years in a particular position
- c) Loyalty Bonus
- d) 13th Month pay: given not later than May 15 and November 15 in every year
- e) Cash gift: P 5,000.00
- f) Productivity Incentive Bonus: P 2,000.00, given in the first quarter of every year
- g) Uniform allowance: P 5,000.00, subject to increase depending upon the General Appropriation Act
- h) Monetization of leave credits: subject to the availability of funds
- i) GSIS Benefits: consolidated, housing, calamity and policy loans
- j) PAG-IBIG Benefits: salary, housing and calamity loans
- k) PhilHealth Benefits: medical care
- l) Employee Compensation Commission (ECC) Benefits: work-connected illness filed with the GSIS
- m) Retirement Benefits

6. Hospitalization and Death Benefits for PCSDS Employees

a) Hospitalization/Accident

- 1. Phil Health: a certain percentage mandated by law will be deducted from the total hospital bill of a bonafide PCSDS employee

b) Death Benefits

- 1. GSIS Burial Benefit: P 20,000.00, if the employee is a current member
- 2. Pag-IBIG Fund Burial Benefit: P 6,000.00

7. PCSDS Program on Awards and Incentives for Service Excellence (PCSDS PRAISE)

The PCSDS Program on Awards and Incentives for Service Excellence (PRAISE) system is designed to encourage creativity, innovativeness, efficiency, integrity and productivity in the public service, by rewarding officials and

employees, individually or by groups, for their suggestions, inventions, superior accomplishments, and sacrifices for the service.

PRAISE assumes great significance particularly in a setting where the health and lives of PCSDS officials and employees are at risk.

8. PCSDS Grievance Machinery

The PCSDS unified grievance machinery is the best way to resolve grievances among officials and employees. Grievance is a work-related issue giving rise to employee dissatisfaction.

A grievance may be presented verbally or in writing by the aggrieved party to his immediate supervisor. The supervisor shall, within the next three working days, inform the aggrieved party, verbally or in writing, of the corresponding action taken.

If the party complained of is the immediate supervisor, the grievance shall be presented to the next higher supervisor. The following cases shall be acted upon through the grievance machinery:

- a) Non-implementation of policies, practices and procedures on economic and financial issues and other terms and conditions of employment fixed by law, including salaries, incentives, working hours, and leave benefits
- b) Non-implementation of policies, practices and procedures which affect employees, from recruitment to promotion, detail, transfer, retirement, termination, lay-offs and other related issues
- c) Physical working conditions
 - i. Interpersonal relationships and linkages
- d) Protest on appointments
- e) All other matters giving rise to employee dissatisfaction and discontent

On the other hand, the following cases are beyond the jurisdiction of the grievance machinery:

- a) Disciplinary cases, which shall be resolved pursuant to the Uniform Rules on Administrative Cases
- b) Sexual harassment cases
- c) Union-related issues and concerns
- d) Complaints concerning the Performance Evaluation System

CIVIL SERVICE COMMISSION (CSC) ISSUANCES

DISCIPLINE

CSC-MC No. 2, S. 1998: Amendment of Section 15, Rule XIV of the Omnibus Rules, Book V of the Revised Administrative Code of 1987:

“A reprimand whether given by the CSC or the Head of the Agency shall be considered a penalty. However, a warning admonition shall not be considered a penalty.”

“The penalty or reprimand does not include any necessary penalty, nor entail the forfeiture of leave credits, retirement benefits and bonuses that may be granted.”

AWARDS

CSC-MC No. 3, s. 1998: Search for Outstanding Officials and Employees, Award for Outstanding Work Performance, pursuant to E.O. No. 508 as amended by E.O. No. 77 and E.O. No. 292.

PRESIDENTIAL LINGKOD BAYAN AWARD

This is conferred on an individual for consistent dedicated performance exemplifying the best in any of the professions or occupations, resulting in the successful implementation of an idea, or performance which is of significant impact on the public or which principally affects the national interest, security and patrimony. The recipients of this award are entitled to automatic promotion to the next higher position.

PAGASA AWARD

This award is conferred on a group that has demonstrated outstanding teamwork which resulted in the successful achievement of goals and greatly improved and facilitated the delivery of public service, effected economy in government operations, improved working conditions, or otherwise benefited the government.

OUTSTANDING ETHICAL BEHAVIOUR

The Outstanding Public Service Award, or the Dangal ng Bayan Award, is conferred on officials and employees for consistent observance of one or more of the eight norms of conduct and ethical standards for public officials and employees as follows:

1. Commitment to public interest
2. Professionalism
3. Justness and sincerity
4. Political neutrality
5. Responsive to the public
6. Nationalism and patriotism
7. Commitment to democracy
8. Simple living

CSC-MC No. 07, S. 1998: Adoption of “Salamat-Paalam Program” in honour of retiring officials and employees in the Civil Service.

The Salamat-Paalam Program is a simple but meaningful ceremony held in honor of retirees. The retirement may be optional or compulsory. The ceremony must be held not later than their scheduled date of retirement. During the ceremony, all retirees may be given a plaque of appreciation or recognition signed by the head of the agency, and other awards and/or tokens as the office concerned may deem proper. The office or agency shall likewise ensure that the retirees are issued their retirement benefits under the “Maginhawang Pagreretiro Program,” either during the ceremony or on the date of their retirement.

BLOOD TYPE IN EMPLOYEE RECORDS

CSC-MC No. 35, S. 1998: Inclusion of Blood Type in Employee Records. The CSC has identified the following vital documents where the blood type should be indicated:

1. Employee Identification (ID) Card issued by the agency
2. Personal Data Sheet (PDS) or CSC Form 212
3. Medical Certificate or CSC Form 211

COMPUTERIZED PREPARATION OF APPOINTMENTS AND SERVICE RECORDS

CSC-MC No. 36, S. 1998: Career Service-Wide Computerized Preparation of Appointments and Service Records in Government.

KOMPUSERB System Software Informer, an information technology system is a Civil Service-Wide systems enhancement project which aims to systematize the recording of the service records of civil servants, from their entry into the government, until their retirement, through the computerized preparation of their appointments and service records at the agency level.

The project specifically aims to:

1. Facilitate the preparation and release of appointments and service records.
2. Allow regeneration of original copies of appointments and service records and facilitate the issuance of duplicate copies.
3. Establish a comprehensive and complete data bank on government personnel.
4. Improve electronic records management in the Civil Service.

DEFINITION OF TERMS

Employment Status in General

Permanent – issued to a person who meets all the minimum qualification requirements of the position to which he/she is being appointed, including the prescribed eligibility.

Temporary – issued to a person who meets the education, experience, and training requirements for the position, but lacks the eligibility prescribed for the position. A temporary appointment may be made only in the absence of a qualified eligible, as certified by the CSC Regional Director or Field Officer.

A temporary appointment shall not exceed 12 months, reckoned from the date it was issued. However, the appointee may be replaced sooner if a qualified eligible that is willing to accept the appointment becomes actually available.

Substitute – issued when the regular incumbent of a position is temporarily unable to perform its duties, as when he/she is on approved leave of absence or is under suspension, or is on scholarship grant, or is on secondment to another agency. Said leave of absence should be for at least three months, except in the case of teachers.

A substitute appointment is effective only until the return of the former incumbent.

Coterminous – issued to a person whose entrance into and continuity in the service is based on the trust and confidence of the appointing authority or head of the organizational unit. The appointment is co-existent with the period for which an agency or office was created. The categories are:

1. Coterminous with the appointing authority
2. Coterminous with the head of the organizational unit where appointee is assigned.
3. Coterminous with the incumbent

- a) Coterminus to the project
- b) Coterminous with the agency's lifespan

Appointments of personnel under foreign-assisted projects shall be issued and approved as coterminous with the project, that is, they are considered employees for the duration of the project, in which case, the name of the project and its completion date shall be indicated in the appointment.

Contractual – issued to a person who shall undertake a specific work or job for a limited period not to exceed one year. The appointing authority shall indicate the inclusive period of the appointment, for the purpose of crediting services.

Nature of Appointments

Original – refers to the initial entry into the Career Service of persons who meet all the requirements of the position. It is understood that the first six months of service following an original appointment will be probationary in nature and the appointee shall undergo a thorough character investigation. A probationary may be dropped from the service for poor conduct or want of capacity anytime before the expiration of the probationary period, provided that such action is appealable to the Commission.

Initial – refers to all other appointments of persons entering the government service for the first time (whether Career or Non-Career), which are not covered by the definition of original appointment.

Promotion – is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary. It may be from one department or agency to another or from one organizational unit to another within the same department or agency.

Transfer – is the movement of an employee from one position to another which is of equivalent rank, level or salary, without break in service involving the issuance of the appointment.

Reemployment – is the appointment of a person who has been previously appointed to a position in the Career Service under permanent status, but was separated therefrom as a result of reduction in force, reorganization, retirement, voluntary resignation, or any non-disciplinary actions such as dropping from the rolls. Reemployment presupposes a gap in the service.

No prior authority shall be required for the reemployment of a person who has been previously retired provided he/she has not reached the compulsory age of 65.

Reinstatement – is the issuance of an appointment to a person who has been previously appointed to permanent position in the career service and who has, through no delinquency or misconduct, been separated therefrom, or to one who has been exonerated of administrative charges unless the decision exonerating him specifies restoration to his previous position. Reinstatement is to a position in the same level, for which he or she is qualified.

Change of Status

Temporary to permanent - issued to a temporary employee when he or she acquires the appropriate eligibility or becomes fully qualified for the position to which he or she is appointed.

Demotion – is the movement of an employee from one position to another with reduction in duties, responsibilities, status or rank which may or may not involve reduction in salary and is not disciplinary in nature.

In case a demotion involves reduction in salary but is non-disciplinary, a written consent shall be secured from the employee.

Appointment as a result of voluntary demotion shall be at the hiring rate for the class of the position.

Upgrading/Reclassification – refers to the change in position title with the corresponding increase in salary grade. Positions are upgraded in order to attain effectively the functions and duties attached to the position and for the employee to perform an all-around adaptability in meeting work assignments. This requires the issuance of an appointment.

Date of Signing of Appointment - the date of signing, which is the date of issuance of the appointment shall be indicated below the signatures and the initials of the appointing authority.

Nature of Appointment - the correct nature of the appointment which may be Original, Initial, Promotion, Transfer, Reemployment, Reappointment, Reinstatement, Renewal, Change of Status, or Demolition shall be indicated in the space provided for the purpose.

Publication of Vacancy – vacant positions to be filled shall be published in accordance with R.A. No. 7041 and its implementing guidelines, except for the following positions:

1. Primarily confidential
2. Positions which are policy determining
3. Highly technical
4. Other non-career
5. Third level positions (Career Executive Service)
6. Positions to be filled by existing regular employees in the agency in case of reorganization

Contract of Service/Job Orders

Individual Contract of Service/Job Order – refers to employment described as follows:

1. The contract covers lump sum work or services such as janitorial, security or consultancy, where no employee-employer relationship exists between the individual and the government.
2. The job order covers a piece of work or intermittent job of short duration not exceeding 6 months on a daily basis.
3. The contracts of services and job orders are not covered by rules of Commission on Audit (COA).
4. The employees involved in the contract of services or job order do not enjoy the benefits granted to government employees (e.g. PERA, ACA, RATA and other benefits).
5. Services rendered thereunder are not considered government service.

Institutional Contract of Services – refer to a contract of services entered into between the hiring government agency and a private firm or non-governmental agency, through public bidding or negotiated contract and subject to pertinent rules and regulations of the COA.

Execution of Contract of Services or Job Order

The employment referred to in Section a.I requires the execution of either a contract of services or memorandum of agreement (MOA) or job order between the government agency concerned and the individual, in accordance with the rules and regulations of the COA.

The contract of services, MOA, or job order shall not contain the following provisions:

1. The employee performs work or a regular function that is necessary and essential to the agency concerned, or work also performed by the regular personnel of the hiring agency.
2. The employee is required to report to the office and render service during the agency's prescribed office hours from 8:00 a.m to 5:00 p.m. or 40 hours in a week.
3. The employee is entitled to benefits enjoyed by government employees such as ACA, PERA, RATA, Uniform Allowance, Productivity and other

benefits given by the agency such as, midyear bonus, productivity incentive, Christmas bonus and cash gifts.

Provision – the following are prohibited from being hired under a contract of service or job order:

1. Those who have been previously dismissed from the service due to the commission of an administrative offense.
2. Those who are covered under the rules on nepotism
3. Those who are being hired to perform functions pertaining to vacant regular plantilla positions.
4. Those who have reached the compulsory retirement age of 65 except as to consultancy services.

Effect on Existing Contracts or Job Order - all existing contracts of service or job orders which are in any way inconsistent with these guidelines shall continue to be effective until their termination or expiration. However, they may not be renewed unless they comply with the guidelines herein.

Certain Modes of Separation: Documents Required for Record Purposes

Resignation

The following documents shall be submitted to the Commission for record purposes:

1. The voluntary written notice of the employee informing the appointing authority that he/she is relinquishing his/her position and the effectivity date of said resignation.
2. The acceptance of the resignation in writing by the agency head or appointing authority, which shall indicate the date of the effectivity of the resignation.

An officer or employee under investigation may be allowed to resign pending the resolution of his/her case, without prejudice to the continuation of the proceedings until finally terminated.

Dropping from the Rolls

Officers and employees who are either habitually absent or have unsatisfactory or poor performance, or have been shown to be physically and mentally unfit to perform their duties, may be dropped from the rolls subject to the following procedures:

1. An officer or employee who is continuously absent without approved leave (AWOL) for at least 30 calendar days shall be separated from the service or dropped from the rolls without prior notice. He/she shall, however be informed of his/her separation from the service not later than five days from effectivity of the separation, which notification shall be sent to the address appearing in his/her 201 file; and
2. If the number of unauthorized absences incurred is less than 30 calendar days, a written Return-to-Work Order shall be served on him/her at his/her last known address on record. Failure on his/her part to report for work within the period stated in the order shall be a valid ground to drop him/her from the rolls.

Unsatisfactory or Poor Performance

1. An officer or employee who is given two consecutive unsatisfactory ratings may be dropped from the rolls after due notice. Notice shall mean that the officer or employee concerned is informed in writing of his/her unsatisfactory performance for a semester; such notice shall provide sufficient information as may enable the employee to prepare an explanation.
2. An officer or employee who is rated poor in one performance evaluation period may be dropped from the rolls after due notice. Due notice means that the officer or employee is warned in writing no later than the fourth month of the rating period, to improve his/her performance within the remainder of the semester, or else face separation from the service. Such notice shall contain sufficient information as may enable the employee to prepare an explanation.

Physical and Mental Unfitness

1. An officer or employee who is continuously absent for more than one year by reason of illness may be declared physically unfit to perform his/

her duties. The head of office, in the exercise of sound judgment, may consequently drop him/her from the rolls.

2. An officer or employee who is behaving abnormally for an extended period, manifesting continuing mental disorder and incapacity to work, as reported by co-workers or his/her immediate supervisor and confirmed by the head of the office, may likewise be dropped from the rolls.

In both instances described in two immediately preceding paragraphs, written notice shall be given to the officer/employee, containing a brief statement of the nature of his/her incapacity to work.

An officer/employee who is separated from the service through any of the modes above has the right to appeal his/her case to the CSC or its CSCRO within 15 days from receipt of this order or notice of separation. However, the order of separation is immediately executory pending appeal, unless the CSC on meritorious grounds directs otherwise.

The mode of separation from the service, for unauthorized absences or unsatisfactory rating or poor performance or physical and mental incapacity is non-disciplinary in nature and shall not result in the forfeiture of any benefits of the officer or employee concerned. Nor shall it result in disqualifying him/her from reemployment in the government service.

The written notice in the preceding paragraphs may be signed by the person exercising immediate supervision over the officer or employee. However, the notice of separation shall be signed by the appointing authority or head of the office.

Dismissal

A certified true copy of the decision rendered where the penalty imposed is dismissal, shall be submitted to the CSC.

Other Modes

For other modes of separation from the service, such as termination, expiration of temporary appointment, retirement, or death, a notice stating the date of such separation shall be submitted to the CSC

PROHIBITIONS

1. No appointive official shall hold any other office or employment in the government unless otherwise allowed by law or by the primary functions of his/her position.
2. No elective official shall be eligible for appointment in any capacity to any public office or position during his tenure.
3. No elective appointive public official or employee shall receive additional, double, or indirect compensation, unless specifically authorized by law, nor except without the consent of Congress (the President, in the RAC), any present, emolument, office or title of any from any foreign government. However, pensions and gratuities shall not be considered as additional, double, or indirect compensation.
4. A person who lost in an election (except a barangay election) shall not be eligible for appointment or reemployment to any office in the government or to any government – owned or controlled corporation within one year following such election.
5. An employee who files a certificate of candidacy for elective office shall be considered resigned, even if subsequently he/she withdraw such candidacy or is disqualified.
6. An employee who resigns from the government service during the three months preceding an election, to promote the candidacy of another, shall not be reemployed until after six months following such election.
7. No detail or reassignment shall be made within three months before any election, except with the permission of the COMELEC.
8. No officer or employee in the Civil Service, including members of the Armed Forces, shall engage directly or indirectly in any partisan political activity or take part in any election, except to vote. Nor shall he/she use his/her authority or influence to coerce the political activity of any person or body. Nothing provided in the Provisions shall be understood to

prevent any officer or employee from expressing his/her views on current political problems or issues, or from mentioning the names of candidates for public office that he/she supports.

9. Nepotism: the rule against nepotism covers all kinds of appointments (original, promotion, transfer, and reemployment), regardless of status (including casuals and contractuels), except consultants and employed in a confidential capacity. Nepotism refers to the appointment of a person who is related within the third degree of consanguinity or affinity to the commending or appointing authority, or to the chief of the bureau or office, or to the person exercising immediate authority over him or her.
10. The appointing authority shall neither withdraw nor revoke an appointment already accepted by the appointee. Such appointment shall remain in force and effect until disapproved by the CSC. However, in the event that an appointment is declared void from the beginning due to fraud on the part of the appointee or because it was issued in violation of the law, the proper appointing authority may request the Commission for its withdrawal or revocation.
11. No person who has been dismissed or perpetually excluded or disqualified from the government service shall be appointed or reemployed.
12. No person who has reached the compulsory retirement age of 65 years can be appointed to any position in the government, except to primarily confidential positions, provided that the appointment shall be temporary in status.
13. No person appointed to a position in the Non-Career Service shall perform duties properly belonging to any position in the Career Service.
14. No consultant, contractual or Non-Career employee shall be designated to a position exercising control or supervision over regular and career personnel.

LEAVES

Leave of Absence – a right granted to officials and employees not to work, with or without pay, as may be provided by law.

Commutation of Leave Credits - refers to the conversion of unused leave credits to their corresponding money value.

Accumulation of Leave Credits - refers to the incremental acquisition of unused leave credits by an official or employee.

Sick Leave – refers to the leave of absence granted only on account of illness or disability on the part of the applicant employee or of any member of the immediate family. For purposes of sick leave, “immediate family” refers to the spouse, children, parents, unmarried brothers and sisters, and any relative living under the same roof as the employee and dependent upon said employee for support.

Vacation Leave – refers to leave of absence granted for personal reasons, the approval of which is contingent upon the necessities of the service.

Monetization – refers to the payment in advance, under prescribed limits and subject to the specified terms and conditions, of the money value of the leave credits of an employee, upon his/her request and without actually going on leave.

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.

Maternity Leave – refers to leave of absence granted to female government employees legally entitled to it, in addition to vacation and sick leaves.

Paternity Leave – refers to the privilege granted to a married male employee, allowing him not to report for work for seven days while continuing to earn his compensation, on the condition that the legitimate spouse has delivered a child or suffered a miscarriage, for the purpose 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 new child.

Terminal Leave – refers to the money value of the total leave credits of an employee based on the highest salary rate received prior to or upon the date of retirement or voluntary separation.

Special Leave Privileges – refers to leave of absence which may be availed of for a maximum of three days annually, over and above the vacation, sick, maternity and paternity leaves, to mark personal milestones and/or to attend to filial and domestic responsibilities.

Relocation Leave – refers to special leave privilege granted to an official/employee whenever he/she transfers of residence.

Guidelines on Leave of Absence

<p>1. Vacation - refers to leave of absence granted to officials and employees for personal reasons, the approval of which is contingent upon the necessities of the service.</p>	<ul style="list-style-type: none"> - 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 by CSC MC No. 41, s. 1998). - The grant of vacation leave shall be at the discretion of the head of the department / agency (Amended by CSC MC No. 41, s. 1998).
<p>2. Sick Leave – refers to the leave of absence granted only on account of sickness or disability on the part of the employee concerned or any member of his immediate family.</p>	<ul style="list-style-type: none"> - All applications for sick leave of absence for one (1) 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 of leave in excess of five (5) consecutive days shall be accompanied by a proper medical certificate. - Sick leave may be applied for in advance in cases when the official or

	<p>employee will undergo medical examination or operation or advised to rest in view of ill health duly supported by a medical certificate.</p> <ul style="list-style-type: none">- In ordinary application for sick leave already taken not exceeding five (5) days, the head of department or agency concerned may duly determine whether or not the granting of sick leave is proper under the circumstances. In case of doubt, a medical certificate may be acquired (Amended by CSC MC No. 41, s. 1998).- Sick leave shall be granted only on account of sickness or disability on the part of the employee concerned or 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. Unreasonable delay in the approval or non-approval without justifiable reason shall be ground for appropriate sanction against the official concerned (Amended by CSC Nos. 41, s. 1998 and 14, s. 1999).
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3. Married and Unmarried

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

- Maternity leave 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 less than one (1) year shall be entitled to 60 days maternity leave with half pay. Every woman, married or unmarried, may be granted maternity leave (more than once a year) in every instance of pregnancy irrespective of its frequency. 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 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 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 services rendered effective the day she reports for work.

- Every woman in government service is also entitled to maternity leave of absence with pay even if she has a pending administrative case.

<p>4. Paternity Leave - every married male 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.</p> <p>5. Forced Leave – all officials/ 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.</p>	<ul style="list-style-type: none"> - Maternity leave is also granted even if the delivery occurs not more than 15 calendar days after the termination of employee's service as her right thereto has already accrued (CSC MC No. 41, s. 1998). - Paternity leave of seven (7) days shall be non-commutative and strictly non-convertible to cash. - The mandatory annual 5-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 required 5-day mandatory vacation leave.
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<p>6. Special Leave - in addition to the vacation, sick, maternity and paternity leaves, officials and employees are granted the following special leave privileges:</p> <ul style="list-style-type: none"> - Personal Milestone - Parental Obligation - Filial Obligations - Personal transactions - Birthday - Relocation Leave - Graduation Leave <p>7. Rehabilitative Leave - for job-related injuries</p>	<ul style="list-style-type: none"> - The special annual 3-day leave shall be forfeited if not taken during the year. - 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 hard evidence showing that the wounds or injuries were incurred in the performance of duty. - Absence of an employee during his period of disability shall be on full pay, but not to exceed six (6) months and shall not be charged against sick leave or vacation leave, if there are any.
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<p>8. Solo Parent Leave – is a parental leave of seven (7) days in addition to existing leave privileges granted to any solo parent employee. A solo parent is:</p> <ul style="list-style-type: none"> ■ 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 the child; ■ Parent left solo or alone with the responsibility of parenthood due to any of the following circumstances: <ul style="list-style-type: none"> ■ Unmarried person who has preferred to keep and rear the children instead of having others care for them or give them to a welfare institution; ■ Any 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; 	<ul style="list-style-type: none"> - The solo parent must have rendered government service for at least one (1) year, whether continuous or broken, reckoned at the time of effectivity of RA 8972 on September 22, 2002 and regardless of employment status. 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 privilege shall be forfeited within the same year. - The parental leave shall be availed of on a staggered or continuous basis, subject to the approval of the head of agency. 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. - The solo parent employee may avail of parental leave under any of the following circumstances: <ul style="list-style-type: none"> - Attend to personal milestones such as birthdays, 1st communion, graduations and similar events; - Attend to medical, social, spiritual and recreational needs of the child;
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<ul style="list-style-type: none"> ▪ Any family member who assumes the responsibility as head of family as a result of death, abandonment, disappearance, or absence that lasts for at least one (1) year. <p>9. Terminal Leave - is applied for by an official or employee who intends to sever his connection with his employer.</p>	<ul style="list-style-type: none"> - Other similar circumstances necessary in the performance of parental duties and responsibilities, where physical presence of a parent is required. - The filing of terminal leave requires the employee's resignation, retirement or separation from the service without any fault on his part. - It must be shown first that public employment was ceased by any of the said modes of severances. <p>Clearance from the Ombudsman is no longer required for processing and payments of terminal leave. Such clearance is needed only for payment of retirement benefits (Amended by CSC MC No. 41, s. 1998); however, agency clearance is a requirement prior to processing of claims.</p> <ul style="list-style-type: none"> - Request for payment of terminal leave benefits must be brought within ten (10) years from the time the right of action accrues.
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	<ul style="list-style-type: none">- Payment of terminal leave for purposes of retirement or voluntary resignation shall be based on the highest monthly salary received at anytime during his period of employment in the government service and not on his latest salary, unless the latter is the highest received (Amended by CSC MC No. 41, s. 1998). - Terminal Leave Benefits (TLB). Terminal Leave Benefits shall be computed as follows: $TLB = S \times D \times CF$ - Where: TLB = total terminal leave benefits D = No. of days of accumulated vacation and sick leave credits S = Highest monthly salary received by the person CF= Constant Factor of .0478087
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<p>10. Leave without Pay – all absences of an official/employee in excess of his accumulated vacation or sick leave credits earned shall be without pay.</p>	<ul style="list-style-type: none">- Limit of leave without pay – leave without pay not exceeding one year may be granted, in addition to the vacation and/or sick leave earned. Leave without pay in excess of one month shall require the clearance of the head of the department or agency. - If an official or employee who is on leave without pay 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)
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OTHER INFORMATION ON LEAVES

Monetization of Leave Credits

1. Officials and employees in the Career Service and the Non-Career Service, whether permanent, temporary, casual or coterminous, who have accumulated 15 days of vacation leave credits, shall be allowed to monetize a maximum of ten days. At least five days shall be retained after monetization. A maximum of thirty (30) days may be monetized in a given year.
2. Monetization of fifty percent (50%) of vacation/sick leave credits.
3. Monetization of 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 or 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 incurred for the benefit of the employee and his/her immediate family.
 - e) Cases of extreme financial necessity of the employee or his/her immediate family, where the present sources of income are not enough to satisfy basic needs such as food, shelter and clothing.
 - f) Other analogous cases, as may be determined by the CSC.
4. Monetization of 50% of all the accumulated leave credits may be allowed for valid and justifiable reasons subject to the discretion of the agency head and the availability of funds.

Accumulation of Vacation and Sick Leaves

1. Vacation and sick leaves shall be accumulated, 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/her own, he/she shall be entitled to the commutation of all accumulated vacation and/or sick leave credits, exclusive of Saturdays, Sundays and holidays, without limitation as to the number of days of vacation and sick leaves that he/she may accumulate, provided that his/her leave benefits are not covered by special law.

2. When a person whose leaves were commuted following separation from the service is reemployed in the government, before the expiration of the leaves commuted, he/she shall no longer refund the money value of the unexpired portion of said leaves.

Actual Service

Actual service refers to the period of continuous service since the appointment of the official or employee, including the period/s 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. However, in computing the length of service of an employee paid on a daily-wage basis, inclusive Saturdays and holidays shall be considered as part of the period of service, although the employee was not paid on those days inasmuch as his/her services were not then required.

Computation of Leaves for Employees Observing Flexible Working Hours

Employees observing flexible working hours who render less than eight hours of work per day but who complete 40 hours of work in a week shall be subject to the deduction from their leave credits of the minimum number of hours required to be served in a day but which were not served. Any absence incurred must be charged in proportion to the number of hours required for a day's work.

Commutation of Salary Prior to Leave

The proper head of department has the discretion to authorize the commutation of the salary of any appointive official and employee that would be received during the period of vacation and sick leaves, and to direct its payment at the beginning of such leaves from the PS fund out of which the salary would have been paid.

Absence on a Regular Day for which Suspension of Work is Announced

Where an official or employee fails to report for work on a day on which suspension of work is declared after the start of regular working hours, he/she shall not be considered absent for the whole day. Instead, he/she shall only be deducted leave credits or the amount corresponding to the time between the start of official working hours up to the time of work suspension announcement.

Leave of Absence Without Pay on a Day Immediately Preceding or Succeeding Saturday, Sunday, or Holiday

When an employee, regardless of whether he/she has leave credits or none, is absent on a day preceding or succeeding a Saturday, Sunday, or Holiday, he/she shall not be considered absent on said day. However, this provision is applicable only to intermittent or broken absences incurred by an employee, and not to continuous or uninterrupted absences without pay exceeding seven (7) calendar days.

Tardiness and Undertime

1. Tardiness and undertime are deducted from vacation leave credits and shall not be charged against sick leave credits unless the undertime is for health reasons, supported by medical certificate and application for leave.
2. 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.

3. MC No. 4 s. 1991 defines the following:
 - a) Habitual Absenteeism – unauthorized absences exceeding the allowable 2.5 days monthly leave credit under the leave law for at least 3 months in a semester or at least 3 consecutive months during the year.
 - b) Habitual Tardiness – if he incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least 2 months in a semester or at least 2 consecutive months during the year.

4. Sanctions for Habitual Absenteeism/Tardiness:
 - a) **First Violation** – after due proceedings, shall be meted the penalty of 6 months and 1 day to 1 year suspension without pay.
 - b) **Second Violation** – after due proceedings, he shall be dismissed from service.

5. Effect of **ABSENCES 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. He shall, however, be informed at his address appearing in the 201 files or at his last known address, of his separation from the service, not later than five (5) days from its effectivity.

6. If the number of unauthorized absences incurred is less than thirty (30) working days, a written Return-to-Work Order (RWO) 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 MC Nos. 42, s. 1998 and 14, s. 1999).

Part III

OFFICE RULES AND REGULATIONS

I. Working Hours/Work Schedule

The Civil Service Commission requires all government employees to render 40 hours of service in a week or eight (8) working hours daily for five (5) days in a week exclusive of lunch break. Office hours start at 8:00 a.m. and end at 5:00 p.m., with one-hour lunch break from 12:00 noon to 1:00 p.m. However, management may allow employees to adopt a flexible time (flexitime or flextime) schedule, for greater efficiency and prompt delivery of public service. Employees who need or desire to avail of flexitime schedule must individually seek the approval of their respective Division Head, and has to duly advise the timekeeper of the Personnel Unit of the approved flexitime schedule in writing.

Falsification or irregularities in the keeping of time records will render the guilty officer or employee administratively liable without prejudice to criminal prosecution as the circumstances warrant.

Biometrics machine shall be used to record time in and time out instead of bundy clock. The 15-minute allowance is not allowed by Civil Service Commission, hence there will be no more consideration for late arrivals. Departure and arrival for lunch break are also required to be registered.

Only presidential appointees and consultants are exempted from using the biometrics machine, however all absences of such officers must be recorded. Keep your time record free from irregularities or falsification. Employees who violate this rule will be subjected to disciplinary action.

Flexible time – provision is set in Section 6, Rule XVII of the Omnibus Rules Implementing Book V of the Administrative Code of 1987 which allows the observance of flexible working hours provided that the prescribed forty hours every week is not reduced.

Flexible hours in the office start as early as 7:00 AM and ends at 6:00 PM. Personnel shall have a fixed time of arrival and departure with the following choices:

- 7:00 – 11:00 AM; 12:00 – 4:00 PM
- 7:30 – 11:30 AM; 12:30 – 4:30 PM
- 8:00 – 12:00 PM; 1:00 – 5:00 PM
- 8:30 – 12:30 PM; 1:30 – 5:30 PM
- 9:00 – 1:00 PM; 2:00 – 6:00 PM
- 8:00 – 12:00 PM; 1:30 – 5:30 PM

Fixed time of arrival shall remain constant for at least three (3) months before any change of schedule may be made by the staff.

Office personnel may opt to report earlier than their fixed time of arrival; provided that only up to a maximum of thirty (30) minutes of services rendered before the fixed time of arrival may be credited as part of the hours worked for the rest of the day. For instance, an employee whose fixed time of arrival is 8:00 AM arrives for work as early as 7:00 AM, only thirty (30) minutes, or from 7:30 – 8:00 AM will be credited as additional hours worked for that day. Services rendered in excess of thirty (30) minutes in the morning from 7:00 – 7:30 AM shall not be credited.

Officers and employees, drivers, utility workers and other employees performing similar functions are not covered by the flexitime schedule. Utility workers should arrive earlier and be directed to observe a schedule as deemed appropriate to the nature of their respective functions.

It shall be the duty of each division head to require all officers and employees under him to strictly observe the prescribed office hours including safekeeping of a daily record of all employees under his/her division and those in the field to be kept on the proper form and, whenever possible, registered on the biometrics machine. Officers and employees of all divisions shall render not less than eight (8) hours of work a day for five (5) days a week or a total of forty (40) hours a week, exclusive of time for lunch.

The heads of divisions shall be responsible for the consistent and equitable implementation of the flexitime policy. Thus, they shall perform the following functions and responsibilities:

- a) Given the opportunity for employees to choose their fixed time of arrival/departure; provided adequate staff members in each division are present to attend to clients' needs between regular office hours from 8:00 AM – 5:00 PM.
- b) Approve/disapprove employees' fixed time of arrival/departure and any changes and deviations thereof, ensuring non-disruption of service delivery.
- c) Advise employees as regard proper observance of the fixed time of arrival/departure and lunch break.
- d) Require employees to report outside their regular time schedules in the exigency of service.

2. Going Out on Official Time

No official or employee should leave the office without a pass slip duly signed by the immediate supervisor indicating the purpose, time of departure and time of return of the employee.

3. Wearing of Uniform

All PCSDS officials and employees are required to wear their prescribed uniforms and identification cards upon entering PCSDS premises. Wearing of IDs is important not only for easy identification but also for security purposes. Pregnant and Job Order Contractors are exempted from wearing prescribed office uniform.

Non-compliance shall be subject to a corresponding penalty of P 25.00/ day which shall be deducted from the salary of the concerned staff on a monthly basis. No half day offense will be honored.

The wearing of tight jeans, spaghetti-strap blouses, plunging necklines, backless dresses, or the like, is not appropriate for office work for lady employees.

All employees are requested to refrain from wearing slippers in the office. Also, it is a must for all employees to be properly dressed and neatly groomed at all times.

4. Participation in Flag Ceremony

Everyone is required to attend and actively participate in the flag raising ceremony every Monday, at 8:00 AM and flag-lowering ceremony every Friday at 5 PM. A division/unit will be assigned to lead in the said ceremonies. Willful and repeated absence from these ceremonies is a ground for disciplinary action.

5. Office and Business Etiquette

All employees are required to observe proper behavior reflective of the institution you are working for. The following are office taboos which you should avoid:

- a) Giving oneself a manicure/pedicure during office hours.
- b) Wearing and walking around with rollers on your hair.
- c) Entertaining friends for unreasonable length of time.
- d) Playing cards, computer games, mahjong, etc. during office hours.
- e) Studying or working on a school paper.
- f) Reading newspapers, magazine during office hours.
- g) Smoking is not tolerated inside the office. There is designated place for such purpose outside the office.
- h) Improper use of internet facilities.
- i) Loitering at the lobby or its premises during office hours.
- j) Peddling of merchandise especially to clients/or project proponents and engaging in personal business within PCSDS premises.

Business Etiquette. Correct behavior in meeting and dealing with people in business is a must that should be observed by every employee or official. The following rules during introductions should be observed:

- a) A younger person is presented to an elder person.
- b) Regardless of age, a gentleman is always presented to a lady.
- c) No woman is ever presented to a man unless he is the recognized head of a country, a member of a royalty or a cardinal or other high church officials.
- d) The name of the older or more notable person is pronounced first—except a woman's name should precede a man's.
- e) When introducing your spouse, never say “the wife...” but “Mr. Ramos, I would like you to meet my wife.”
- f) When introduced, you should say, “How do you do?” or “I'm very glad to meet you.”

Personal Business. Regardless of your employment status, you are not to engage in the private practice of your profession if such practice will conflict with your official functions.

Similarly, prohibited is transacting personal matters during regular office hours. This time no longer belongs to you for your personal use but to the taxpayers whom you have to serve. Attending to personal affairs is highly improper and unethical.

You cannot convert for your own use what properly belongs to the people or the government. Hence, only in very exceptional cases should you attend to your personal concerns during office hours like going to the doctor for emergency treatment or taking a sick member of your family to the hospital. Less pressing personal matters like following up the transactions of your relatives or friends with your own agency or going to the bank to withdraw cash or payments of due amortization obligations need prior permission from your immediate supervisor. Granting you the permission is discretionary on his part. What must always prevail is the interest of the office.

6. Use of Office Telephone

How you answer office telephone calls and use the phone tells a lot about you and your office. Basic courtesy and decency are all it takes to project a positive image of your office. Here are some reminders:

The office telephone is for official use. Minimize personal calls during office hours and limit these to three (3) minutes.

Only official long distance telephone calls (domestic/overseas) should be charged against PCSDS funds after prior clearance is secured from the Executive Director. Permission slips are available at the Director's office. All unauthorized domestic and overseas telephone calls shall be charged to the account of the personnel concerned deductible from his salary.

Telephone Etiquette

- a) Answer telephone calls promptly. Avoid waiting for the third ring.
- b) Lift the receiver only when you are ready to talk. If you are conversing with another person, stop it before lifting the receiver.
- c) Speak with the person, not at the telephone in a modulated voice; do not shout.
- d) Be on the line when the called party answers.
- e) Politely identify yourself/and or your office. In answering calls, say "PCSDS, Good morning," or "Office of the Director, Ms. Caabay speaking."
- f) Avoid letting the caller wait on the line. If the caller has to wait, tell him so. Say: "do you mind waiting while I go look for him?"
- g) Be attentive and ask questions tactfully. Use natural expressions such as "I understand," "of course," to indicate your attentiveness and presence on the line.
- i) When a wrong call is placed, don't bark "Wrong Number" and slam the receiver down. Be as courteous as possible.
- j) When you get a call, handle it if you can. If you cannot, inform the caller that you will refer him to the right party.
- k) Fulfill all your promises to call back.

- l) Use the phrase “thank you,” “you’re welcome” and “goodbye” in ending your telephone conversation and place the receiver gently on the cradle.
- m) Be polite when you get wrong number by simply saying “I’m sorry, you dialed the wrong number.” Offer the correct number if you know it.

7. Maintenance of Office Equipment/Properties

- a) Use of office equipment with care and prudence. Whether this equipment is issued under your name or somebody else’s, you are expected to use them with care. Refer to the user’s manual when in doubt about operating instructions.
- b) Always keep machines clean. Turn them off and keep them covered when not in use. Unplug electrical equipment after use especially on Fridays.
- c) Protect office equipment, surroundings and buildings from vandalism.
- d) Make sure that electrical equipment is properly installed before using them.
- e) Immediately report to administrative officer or his designated officer any defective machines, or parts thereof, for repair.
- f) Prudence for the use of computers is enjoined. Make sure there is always an e-file of important documents. Refrain from using computers for games especially during office hours.
- g) To avoid losses, be sure to arrange and keep all documents, papers and other office materials and equipment in safe places, e.g. cabinets and drawers.

8. Cleanliness and Energy Conservation

- a) Keep surroundings clean and orderly at all times. Segregate solid waste/litter and properly place them in appropriate garbage bins.
- b) Help conserve energy. Put off lights and aircon during break time. Reduce the number of lighted lamps when working overtime, and put them off before leaving.
- c) Lower the aircon thermostat when the temperature has already stabilized at the desired level.

- d) Close faucets in the rest rooms tightly after use to prevent drips. Use a glass when brushing your teeth to conserve water.
- e) Service vehicles are available upon request to facilitate personnel mobility. They are, however, to be used strictly for official business and emergency cases only. The use of these vehicles requires the prior approval of the department head/admin officer.

Part IV

EMPLOYEE DISCIPLINE

I. Personnel Discipline

Constitutional Command – Article XI, Section 1 of the 1987 Constitution provides: “Public office is a public trust. 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”.

Civil Service Decree – Article VI, Section 14 of Presidential Decree 807 (Civil Service Decree) states: “*Duty of Public Officers* – Public office is a public trust. Public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty, and efficiency, and shall remain accountable to the people.”

To add teeth to this provision, Article IX, Section 36 enumerates the grounds for disciplinary action. On the other hand, to protect the interest of the public servant, it is also therein declared that no officer or employee in the Civil Service shall be suspended or dismissed except for cause as provided by law and after due process.

2. Grounds for Disciplinary Action

Pursuant to Section 36 of P.D. 807/Revised Administrative Code of 1987, the grounds for disciplinary action are as follows:

- 1) Dishonesty
- 2) Oppression
- 3) Neglect of duty
- 4) Misconduct
- 5) Disgraceful and immoral conduct
- 6) Being notoriously undesirable
- 7) Discourtesy in the course of official duties
- 8) Inefficiency and incompetence in the performance of official duties
- 9) Receiving for personal use, a fee, gift, or other valuable thing in the course of official duties or in connection therewith when such fee, gift, or other valuable thing is given by any person in the hope or expectation of receiving a favor or better treatment than that accorded other persons, on committing acts punishable under the anti-graft laws
- 10) Conviction of a crime involving moral turpitude
- 11) Improper or unauthorized solicitation of contributions from subordinate employees
- 12) Violation of existing Civil Service Law and rules or reasonable office regulations
- 13) Falsification of official documents
- 14) Frequent unauthorized absences or tardiness in reporting for duty, loafing or frequently unauthorized absences from duty during regular office hours
- 15) Habitual drunkenness
- 16) Gambling prohibited by law
- 17) Refusal to perform official duty or render overtime service
- 18) Disgraceful, immoral or dishonest conduct prior to entering the service
- 19) Physical or mental incapacity or disability due to immoral or vicious habits
- 20) Borrowing money by superior from subordinates or lending by subordinates to superior officers
- 21) Lending money at usurious rates of interest
- 22) Willful failure to pay just debts or willful failure to pay taxes due to the government

- 23) Contracting loans of money or other property from persons with whom the office of the employee concerned has business relations
- 24) Pursuit of private business, vocation or profession without the permission required by Civil Service rules and regulations
- 25) Insubordination
- 26) Engaging directly or indirectly in partisan political activities by one holding non-political office
- 27) Conduct prejudicial to the best interest of the service
- 28) Lobbying for personal interest or gain in legislative halls and offices without authority
- 29) Promoting the sale of tickets in behalf of private enterprises that are not intended for charitable or public welfare purposes and even in the latter cases if there is no prior authority
- 30) Nepotism as defined in Section 49 of this decree

3. Office Decorum

Courtesy to Visitors

PCSDS is a service regulatory agency. As such, its foremost concern should be the efficient delivery of services to all segments of the public. Thus, courtesy in dealing with them must be observed at all times.

As soon as a visitor comes in, greet him promptly and inquire about his needs, "Good morning. May I help you?" Facilitate his request/inquiry whether by acting on his request within your capacity or referring him to the proper person. If the proper person is not available, try to know what time he will be back and inform the visitor about it. If he is willing to wait, make him as comfortable as possible, e.g. by giving him a newspaper to read. If the visitor intends to come back, inform the proper person of the inquiry through a note. Never allow an important visitor to find his way out of your office by himself.

Office Relations

Good relations should not only be observed with visitors but primarily with your officemates. Thus, you should always show mutual respect to and

understanding of your officemates, particularly your superiors. Remember that an atmosphere of cordiality and friendliness should always prevail between and among co-workers. Rivalries, petty bickering and intrigues among subordinates and supervisors must be avoided.

If you are a supervisor, conduct yourself in an exemplary manner. You should be courteous and considerate, especially toward subordinates who need recognition for meritorious services and inspiration for future undertakings.

If you are a subordinate, you should realize that your superior is charged with the duty of properly administering the office and maintaining the highest degree of efficiency. You should also follow his instructions carefully to the best of your abilities, keeping in mind interest of the service.

You and Your Supervisor

You and all others in the civil service have superiors to work with. It is proper that you relate with your own immediate superior on a long-term basis as life is never transitory in the pursuance of a career. Your immediate superior holds in his hands the future of your career and is responsible to a great degree for your enjoyment of the best and highest quality of work life.

Respect your superior. He deserves this as much as you deserve the same respect from anyone else.

Respect his intelligence, his values as a manager and as a leader and his sense of direction. He is in charge. You must therefore follow all his legitimate instructions, accept his counsel and believe in his leadership competence. Never upstage him. He runs the show so to speak. And your role and that of your peers is that of providing essential support.

As a government employee committed to public service, you are to develop a deep sense of loyalty, integrity and devotion to duty and to show proper work attitude worthy of the faith, trust and confidence of the public.

You are employed by the office precisely to do certain tasks. You are expected to carry on with your tasks with dedication and serve the public courteously, justly and impartially regardless of whether they are rich or poor, Christian or non-Christian, pro-administration and anti-administration. If you can say honestly to yourself at the end of the working day that you have earned your pay, then you have worked well.

As part of an organization, you have to relate to several persons, your clients, peers, subordinates and superiors. You cannot perform your work in isolation.

As a member of a team, you are expected to contribute to the completion of assigned tasks. Do not permit petty bickering, intrigues, and professional jealousy to get into harmonious relationships. Make your working environment as pleasant as possible. Below are some guides to a harmonious working relationship with fellow employees:

1. Bear in mind the golden rule - "Do unto others what you want others to do unto you".
2. Extend help whenever you can.
3. Be pleasant, be friendly. It does not take much effort to say "Good afternoon", "Please" and "Thank you". Be generous with sincere praise.
4. Do not be a complainer. Everybody has problems of their own. Once in a while, you can tell them your work and/or personal problems, but your co-workers will resent your repetitive account of personal matters.
5. Be careful about office gossip. You may end up in trouble over misquoted words.
6. Employees with similar interests are drawn together and may form groups or cliques. Cliques are not bad; it is only bad when they lead to jealousy and dissension among employees. Do not make your group so exclusive.
7. Observe the rules of your office, do not expose yourself to criticisms. Set a good example.
8. In the performance of duties, you are under obligation to:
 - 1) Act promptly on letters and requests within 15 working days from their receipts and respond to letters or other means of

communications sent by the public. Your reply must contain the action on the request.

- 2) Submit actual performance report within 45 working days from the end of the year to enable your agency to tender its performance report for public reading. Process documents and papers expeditiously by having not more than three signatures of their completion.
- 3) Act immediately on the public's personal transactions by attending to anyone who wants to avail himself of the services of your agency.
- 4) Make documents readily available for inspection by the public within reasonable working hours.

Part V

CODE OF CONDUCT AND ETHICAL STANDARDS

NORMS OF CONDUCT AND ETHICAL STANDARDS

Republic Act No. 6713, also known as the Code of Conduct and Ethical Standards for Public Officials and Employees, declares in Section 2: "It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest."

Enumerated in section 4 of this Code are the norms of conduct of public sector employees, as follows:

I. On Commitment to Public Interest

Public officials shall uphold the public interest over and above personal interest. All government resources and powers of their respective offices must

be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.

2. On Professionalism

Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discharge wrong perceptions of their roles as dispensers or peddlers of undue patronage.

3. Justness and Sincerity

Public officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favours on account of their office to their relatives whether by consanguinity or affinity except with respect to appointment of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are co-terminus with theirs.

4. Political Neutrality

Public officials and employees shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.

5. Responsive to the Public

Public officials and employees shall extend prompt, courteous and adequate service to the public. Unless otherwise provided by law or when required by the public interest, public officials and employees shall provide information on their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedure, avoid red tape and develop an understanding and

appreciation of the socio-economic conditions prevailing in the country, especially in the depressed rural and urban areas.

6. On Nationalism and Patriotism

Public officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of locally-produced goods, resources and technology and encourage appreciation and pride of our country and people.

7. Commitment to Democracy

Public officials and employees shall commit themselves to the democratic way of life and values, maintain the principle of public accountability, and manifest by deeds the supremacy of civilian authority over the military. They shall at all times uphold the Constitution and put loyalty to our country above persons or party.

8. Simple Living

Public officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

Part VI

PROHIBITED ACTS AND TRANSACTIONS OF PUBLIC OFFICIALS AND EMPLOYEES (Section 7, RA 6713)

I. Financial and Material Interest

Public officials and employees shall not directly or indirectly have any financial or material interest in any transaction requiring the approval of their office.

Outside employment and other activities related thereto - Public officials and employees during their incumbency shall not:

- a) Own, control, manage or accept employment as an officer, employee, consultant, counsel, broker, agent, trustee or nominee in any private enterprise regulated, supervised or licensed by their office unless expressly allowed by law;
- b) Engage in the private practice of their profession unless authorized by the Constitution or law, provided that such practice will not conflict with their official functions; or
- c) Recommend any person to any position in a private enterprise which has a regular or pending official transaction with their office.

These prohibitions shall continue to apply for a period of one year after resignation, retirement or separation from public office, except in the case of (b) above, but the professional concerned cannot practice his profession in connection with any matter before the office he used to be with, in which case the one-year prohibition shall likewise apply.

2. Disclosure and/or Misuse of Confidential Information

Public officials and employees shall not use or divulge, confidential or classified information officially known to them by reason of their office and not made available to the public, either:

- a) To further their private interests, or give undue patronage to anyone;
or
- b) To prejudice the public interest.

3. On Solicitations or Acceptance of Gifts

Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office. As to gifts, grants from foreign governments, the Congress consents to:

- a) The acceptance and retention by a public official or employee a gift of nominal value tendered and received as a souvenir or mark of courtesy;
- b) The acceptance by a public official or employee of travel grants or expenses for travel taking place entirely outside the Philippines (such as allowances, transportation, food and lodging) of more than nominal value if such acceptance is appropriate or consistent with the interests of the Philippines, and permitted by the head of office, branch or agency to which he belongs.

Part VII

YOUR RIGHTS AND PRIVILEGES

I. Security of Tenure

Under the Civil Service Law, government officers and employees in the Career Service are protected from dismissal or removal from the service except for cause as provided by law and after due process.

The due process mantle of protection, however, is limited to permanent/regular employees only. Those belonging to the Non-Career Service (casuals, contractual, temporary employees, and presidential appointees) are not covered by such protection, they possess no vested right to their positions, including security of tenure, and may be separated from the service upon termination of contract or when their services are no longer essential or necessary.

2. Promotion

The advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary. It may be from one department or agency to another or from one organizational unit to another in the same department or agency. Whenever a position in the first level becomes vacant,

the employees in the department or agency who occupy positions deemed to be next-in-rank to the vacancy shall be considered for promotion. In the second level, those employees in the government service who occupy next-in-rank positions shall be considered for promotion to the vacancy.

A next-in-rank position refers to a position which, by reason of the hierarchical arrangement of positions in the department or agency or in the government, is determined to be in the nearest degree of relationship to a higher position as contained in the agency's System of Ranking Positions.

An employee who holds a next-in-rank position who is deemed the most competent and qualified, possesses an appropriate civil service eligibility, and meets the other conditions for promotion may be promoted to the higher position when it becomes vacant.

However, the appointing authority may promote an employee who is not next-in-rank but, who possesses superior qualifications and competence compared to next-in-rank employee who merely meets the minimum requirements for the position.

The comparative degree of competence and qualification of employees shall be determined by the extent to which they meet the following requirements at the time of the appointment: *Performance, education and training, experience and outstanding accomplishments, physical characteristics and personality traits and potential.*

The appointing authority may promote an employee who far exceeds the requirements of the position compared to one who merely meets the minimum requirements of the position.

In cases where the qualifications of employees are comparatively at par, preference may be given to the employee in the organizational unit where the vacant position is or in the department or agency where the vacancy is, in the case of second level positions.

No other civil service eligibility shall be required for promotion to higher position in the same level and within the same of functionally related grouping of positions. Agencies shall not be precluded from prescribing their own internal standards for purposes of promotion.

To ensure objectivity in promotion, a Selection/Promotion Board shall be established in every department or agency which shall be responsible for the adoption of a formal screening procedure and formulation of criteria for the evaluation of candidates for promotion.

Reasonable and valid standards and methods of evaluating the competence and qualifications of all employees competing for a particular position shall be established and applied fairly and consistently. The criteria established for evaluation of qualification of candidates for promotion must suit the job requirements of the position.

The Selection/Promotion Board shall then evaluate the qualifications of an employee being considered for promotion in accordance with the department or agency Merit Promotion Plan.

The Selection/Promotion Board shall likewise determine *en banc* the list of employees recommended for promotion from which the appointing authority may choose the employee to be promoted. As soon as the promotional appointment is issued, a notice announcing the promotion shall be posted by the head of the Personnel Division on the bulletin board of the agency or regional offices concerned.

The Selection/Promotion Board shall maintain records of deliberations which shall be available for inspection by the Commission or its duly authorized representatives.

3. Compensation

SALARIES. Your salary is based on your position title which is allocated a certain salary grade in accordance with Republic Act No. 6758 (An Act Prescribing Revised Compensation and Position Classification System in the Government). Salaries are given in two equal monthly installments, usually on the 15th and 30th.

Every month, a certain amount is deducted from your salary for the following purposes: GSIS contribution, withholding tax, medicare and other deductions you may authorize such as amortizations to a policy, salary or housing loans.

Your salary shall be paid using an ATM from the Office's Depository Bank which in the case of PCSDS is the Land Bank of the Philippines and cannot be withdrawn by anyone but you. If due to valid circumstances, you could not receive your pay, you may authorize in writing another person to get it for you.

First Salary Requirements

The processing of your first salary as a regular employee requires the following supporting documents:

- a) Certified true copy of your appointment
- b) Oath of Office
- c) Assumption of Duty
- d) Statement of Assets and Liabilities
- e) Time record
- f) Certificate/Notice of assumption to office
- g) Opening of an Automated Teller Machine (ATM) with LBP

Job order should submit their daily time record (DTR), accomplishment report and signed contract before they can claim their salaries or wages.

4. Databank and Library Services

The library is the repository of all information materials and reports received and generated by the PCSDS. It makes available a classified collection of reference materials that actively supports research needs of the staff and assists in the professional growth of the employees by making them aware of new trends in the various fields of knowledge. The library also supports students and NGOs in their research projects.

The PCSDS Environmental Library caters to academe, NGOs, other government institutions by providing well-stocked materials pertinent to PCSDS mandate and other concerns. Its catalog is computerized to make it easier and quicker for researchers to locate listed books and other materials. The databank includes different books as well as various reports, newspapers, magazines and journals.

5. Other Benefits and Privileges

GSIS MEMBERSHIP. You are a compulsory member of the Government Service Insurance System (GSIS) if you are a permanent or contractual employee. Your membership shall take effect upon your assumption to duty, following a valid appointment.

In exchange for your contribution, you shall be covered with life insurance and social security protection including retirement, disability, survivorship, separations and unemployment benefits, and such other benefits and protection as may be extended by GSIS.

Pagtutulungan sa Kinabukasan – Ikaw, Bangko, Industriya, Gobyerno (PAG-IBIG) – Home Development Mutual Fund. This fund was set-up mainly to provide its members with adequate housing and an effective saving scheme. Specific benefits that can be derived from being a PAG-IBIG Member are as follows:

- a) Provident Savings Benefit from saving with Pag-Ibig fund - shall enjoy double your savings feature, tax free dividend earnings, Portability of Savings and government guaranteed savings.
- b) Housing Loan Benefit – a member is eligible to borrow funds from PAG-IBIG to be used for the following:
 - 1. Lot purchase
 - 2. House construction
 - 3. House and lot package
 - 4. Lot purchase and house construction
 - 5. Refinancing and redemption of a foreclosed property lot or house and lot loan
 - 6. Multipurpose Loan Program (MLP)

6. Separation from Service

- a) **Voluntary Separation.** You can leave the civil service voluntarily through:
 - 1. Resignation
 - 2. Optional retirement
 - 3. Filing of certificate of candidacy
 - 4. Abandonment of office

Your resignation must be put in writing. Action on it by the Executive Director shall be deferred if you are facing an administrative charge. After due investigation and once your resignation has been accepted, you may collect payment for the money value of your accumulated leave, your retirement benefits and insurance benefits. You may also retain the privilege to be reinstated.

You may retire optionally too, provided you qualify and comply with the retirement rules for the mode of separation from the service.

If you are holding an appointive position, you cease to be an employee on the day you file your certificate of candidacy.

Abandoning your office and corresponding functions and responsibilities may cause your separation from the service. This happens when you fail to report back to duty after the expiration of your leave of absence.

Should you just disappear or fail to report for work for more than one month without accordingly informing your agency, you shall be dropped from the rolls and separated from the service pursuant to Rule XVI of the Omnibus Rules Implementing Book V of EO 292, Section 63. However, this is not considered a disciplinary manner of separation.

b) Involuntary Separation. You can also be forced to leave the civil service. The grounds for this include:

1. Compulsory retirement
2. Separation for disciplinary reason
3. Abolition of the office or of your position
4. Reduction in force
5. Reorganization
6. The expiration or termination of your service contract
7. Disability
8. Death

Reduction on personnel, which can include you, may take place due to lack of funds for continued operations or upon effectivity of reorganization. Should you be one of those to be laid off, you shall be given a 30-day notice which indicates your last day of office.

And whether for a cause or not, your separation from the service does not disqualify you from receiving benefits that you have earned so far, unless the terms of your separation provide otherwise.

Sports

A sports fest is scheduled every Friday of the week and held in the PCSDS ground/other designated areas. Four teams composed of four colors

will compete/participate in selected sports and games. All staff are encouraged to join these events.

Part VIII

ADMIN AND ACCOUNTING RULES ON OFFICIAL TRAVEL

An official or employee may have to travel on official business for the Department/Office. This may be necessitated by the demands of the job, training, other educational pursuits, and attendance in conferences. If you travel on official business, the PCSDS will defray your transportation, subsistence and lodging expenses or, in lieu of these, your per diems or daily allowances and, if necessary, representation allowances. The allowable transportation expenses are based on the most economical actual fare at the prevailing rate for the authorized mode of transport. Per diems, on the other hand, are based on your salary and the classification of your place of destination.

Upon the completion of travel, you are required to submit for liquidation purposes the original copy of your travel itinerary, a certificate of appearance of equivalent evidence of your trip, a certificate of travel completed, and transportation tickets. You are also expected to submit a back-to-office report of your travel to your supervisor.

The documents needed when going on authorized domestic or local travel are as follows:

- I. Before the trip, the following documents must be prepared:
 - a) Approved Travel Order
 - b) Approved Itinerary of Travel
 - c) Travel voucher; in case of air transportation, with a separate disbursement voucher payable to the airline.
 - d) Obligation Request

2. After the trip, the concerned staff must submit the following:
 - a) Certificate of appearance, or its equivalent
 - b) Certificate of travel completed
 - c) Used transportation tickets
 - d) Back to office report
 - e) Copy of paid voucher
 - f) Daily Time Record (DTR)

3. Reimbursement or Liquidation of Travel Expenses
 - a) **Regular Official Travel** - To facilitate reimbursement/liquidation of travel expenses, the concerned staff should submit the following to the Accounting Unit.
 1. Approved Travel Order
 2. Approved Itinerary of Travel Completed
 3. Certificate of Appearance
 4. Airline/Bus tickets
 5. Approved airline travel order, with airline validation
 6. Obligation Request
 7. Daily Time Record (DTR)

For international travel, an international airline ticket may be secured by presenting (1) an airline transportation order and (2) the approved authority to travel abroad. The other documents required for submission are the following:

1. Approved Authority to Travel Abroad
 2. Approved Authority to Hold Cash Advance
 3. Letter of invitation to recipient country, if any
-
- b) **Special Travel Expenses** - For officials or employees subpoenaed as government witness in any civil case to which they are not parties, or as witness to any criminal case, claims for travel expenses must be supported by the following documents:
 1. Certificate of attendance in court or any legal proceedings
 2. Copy of subpoena

3. Certification that the employee is a witness for the government and he/she is not a party to the case
4. In the case of an ex-employee subpoenaed as a government witness, a certification that he/she was cited by reason of his/her knowledge of the case while he/she was still in the service.

Part IX

CAREER AND EMPLOYMENT DEVELOPMENT

I. Performance Appraisal

The PCSDS has adopted a Performance Evaluation System (PES) to review and assess your performance as an employee. The PES aims to identify your strengths and weaknesses, and the assistance needed for the improvement. It establishes linkages between your performance evaluation, training and promotion.

The PES focuses on your accomplishments, rather than on how you made or make them. It helps establish your objectives and targets, which serve as the most practical measures of your accomplishments. Your supervisor will assist you in appraising yourself and in setting your targets; he or she will advise you on the perfect work pace for meeting your targets. The appraisal also includes your potential for training and career development.

The results of the PES are linked to personnel actions such as:

- a) Placement and/or Reassignment:** your strong qualities shall be utilized in duty assignments as may be appropriate.
- b) Promotion:** a PES rating of "Very Satisfactory" or better shall be required to earn you a promotion.
- c) Training:** the results of your appraisal serve to identify what kind of training would help you improve.
- d) Incentive Award:** a PES rating of "Outstanding" or "Highly Meritorious" merits this award.

- e) Disciplinary Action:** an employee whose periodic rating is “Unsatisfactory” or “Poor” may face disciplinary action.

Performance evaluation is done annually. The results should be submitted on or before January 15, of the succeeding year.

If you feel that you were not rated properly, you may appeal your rating. This will require a discussion between you and your immediate supervisor. It is a requirement that your supervisor discusses with you the plan by which you shall be rated.

2. Training and Development

The PCSDS provides annual training programs for the professional growth of its employees. You may be sent to trainings and seminars to make you more perceptive and knowledgeable of the government’s development goals. Considerable benefits will accrue to you in terms of career and personal development.

Successful completion of approved training courses is credited for purposes of selection in personnel actions such as appointment, promotion and transfer, as well as for admission to such Civil Service examinations as where training may be relevant.

TRAINING APPROACHES. A range of training course, seminars, self-instructional activities and tutorial is available. The core approaches are:

- a) Internal Trainings.** PCSDS conducts internal training and development programs which develop your capabilities, productivity and career growth potential within PCSDS. These programs support such other developmental activities as career counselling, on the job training, job rotation, and requirements identified during periodic performance evaluations or during the course of the year.

I. Selection of Courses. The provision of courses is based on:

- 1) training needs survey
- 2) information from the Performance Review Report
- 3) evaluation results of past courses

- 4) current developments which affect PCSDS operations

2. Selection of Participants. Selection is based on the personal needs of the staff as well as the PCSDS operational requirements. Your nomination must meet the following criteria before your participation is confirmed:

- 1) You must be recommended by your Division Head to attend the course.
- 2) You must meet the seminar prerequisites which are included in the seminar announcements.
- 3) You must choose course suited to your needs. In case where a seminar covers a specific skill, e.g. project administration, nominees whose jobs require these skills will be given priority.

b) External Trainings. PCSDS internal training programs may not be sufficient to meet all training needs. You may also, from time to time need to acquire specialized knowledge or skills externally. PCSDS will help you to keep abreast of new development within your field of specialization program.

1. Selection of Courses. Generally, the justification for an external training course or seminar is the responsibility of your Division Chief. The selection of a course should meet the following criteria:

- 1) No suitable in-house course is available.
- 2) The course is conducted by a reputable organization.
- 3) The course program has well-defined training objectives and is distinct from a general professional conference.
- 4) The objectives of the course meet the identified training needs.
- 5) There are funds available for external training.

2) Selection of Participants. You must meet the following criteria to be eligible for external training:

- 1) The course must be relevant to your present job responsibilities or anticipated future work assignments.
- 2) You must be performing satisfactory in your present job.
- 3) Your qualification must meet the prerequisites of the course.

- 3) Nomination Process.** The nomination process involves the following steps:
- 1) The External Training Request Form is completed by your Division Chief.
 - 2) The proposed training is justified by your Division Chief in terms of the selection criteria listed above.
 - 3) Executive Director approves the nomination based on the justification offered; budget availability and PCSDS work priorities.
- 4) Scholarships.** Qualified and deserving staff is entitled to a local or international scholarship either for completion of formal education or pursuit of technological courses or higher studies.

You may avail of Scholarship to enrol in courses for higher learning and technical skills for development based on availability of Scholarship from partner agencies.

Foreign scholarships are available only upon invitation by sponsor countries or companies, involving countries with which the Philippines have bilateral agreements. A foreign-assisted project in the Philippines may also include a technology transfer or education component, which may include international scholarships.

Your supervisor may nominate you for such scholarships if the courses offered would benefit you and your division or department.

During a local scholarship, if you happen to accept a scholarship, fellowship or training grant abroad, the local scholarship grant may be deferred until you return from you studies.

For more information on scholarship, you may inquire at the PCSDS Human Resource Management and Development Unit (HRMDU).

Part X

PROCUREMENT PLANNING AND BUDGETING AND OTHER ADMINISTRATIVE GUIDELINES

Based on the Implementing Rules & Regulations of Republic Act. No. 9184: Government Procurement Reform Act specifically on the Rules for the Procurement of Goods, all procurement of supplies and materials should be within the approved plan and budget of the procuring entity. No government procurement shall be undertaken unless it is in accordance with the agency's approved Annual Procurement Plan or APP.

Annual Procurement Plan (APP)

It is a consolidation of all Procurement Project Management Plans of the procuring entity scheduled for procurement for a calendar year that include projects considered crucial to the efficient discharge of government functions, those required for the day to day operations and provisions for foreseeable emergencies based on historical data/records in pursuit of the principal mandate of the procuring entity. The implementation of projects not included in the APP shall not be allowed.

It is consistent with the approved yearly budget of the procuring entity and duly approved by the head of the procuring entity or a designated second-ranking official.

Procurement Project Management Plan (PPMP)

It is a procurement plan for goods, infrastructure projects and consulting services that shall specify the type of contract to be employed, extent/size of contract, scope/packages, the procurement methods to be adapted (indicating if the procurement task is to be "outsourced"), time schedule for each procurement activity and the estimated budget for each procurement. The Project Management Offices (PMOs) or end users prepare the PPMPs to be consolidated by the Bids and Awards Committee (BAC) Secretariat into an APP. The Head of Agency approves the APP.

Procurement of Goods and Services

The Preparation for the Procurement of Goods and Services involves:

- I. Procurement Planning.** The factors to consider in planning for the procurement of goods are as follows:
 - a) Nature of the Goods to be procured
 1. Common-use supplies
 2. Inventory items
 3. Non-common use supplies
 4. Services
 - b) Availability of Goods/ Service in the Market
 - c) Obsolescence, operation and maintenance of equipment/non-consumable goods
 - d) Technical Specifications - refer to the physical description of the Goods/Services as well as the Procuring Entity's requirements in terms of:
 1. Description
 2. Environmental Interface
 3. Design

Goods include the following:

- a) Supplies, materials
- b) Equipment, furniture
- c) Vehicles, facilities
- d) Services (janitorial, security)
- e) Lease, advertisements
- f) Other related or analogous services

Factors to consider in Determining Approved Budget for the Contract (ABC):

- a) Cost of market of the product or services
- b) Incidental expenses (freight, insurance, taxes installation costs, training costs if necessary, cost of inspection)
- c) Inflationary factor

- d) Quantities
- e) Supply of spare parts and/or maintenance services

- 2. Conduct of Pre-Procurement Conference.** The factors to be considered are the following:
- a) Should be undertaken prior to advertising of Invitation to Bid
 - b) To be submitted by BAC Secretariat
 - c) General purpose is to determine readiness of procurement and criteria
 - d) Not required for goods costing P 2M and below

- 3. Preparation of Bidding Documents.** The following must participate in the preparation of bidding documents:
- a) Bids and Awards Committee
 - b) Technical Working Group
 - c) End-user unit/Project Management Office
 - d) Consultants, if any
 - e) BAC Secretariat/Procurement Unit

The Bidding documents should define:

- a) Objectives, scope and expected outputs/results of contract
- b) Technical specifications of Goods to be procured
- c) Expected contract duration, estimated quantity for goods, delivery schedule and time frame
- d) Obligations of winning bidder
- e) Minimum eligibility requirements of bidders

Procedural Steps for the Procurement of Goods/Services - Public Bidding

- I. Advertise/Post Invitation to Bid (ITB). Goods costing P 2M and below should be advertised in conspicuous places in the agency premises (certified by Head of BAC Secretariat), in the G-EPS and in agency website (if any) and its service provider (if any). Goods costing above P 2M should be advertised in newspapers, in addition to the above-mentioned advertisements.

2. Issue Bidding Documents. The bidding documents (BDs) must be made available to the prospective bidders (PBs) from the time the ITB is first advertised until immediately before the deadline for the submission of bids (Sec. 17.5). The BAC Secretariat issues the BDs to the PBs that may wish to secure the said documents, or if they are for sale, to PBs that may wish to purchase same.
3. Call/Hold Pre - Bid conference
4. Receive the two Envelopes
 - a) Open Technical Envelope (with eligibility documents)
 - b) Open Financial Envelope
5. Evaluate and Rank Bids
6. Submission of Additional Requirements
7. Post qualify - Lowest Calculated Bids (LCB)
8. Approve Resolution/Issue Notice of Award - LCRB
9. Prepare and Sign Contract
10. Issue Notice to Proceed

Procurement of Infrastructure Projects

1. Procurement Planning includes:
 - a) Detailed Engineering
 - b) Technical Specifications
 - c) The "Approved Budget for the Contract"
2. Preparation of the Bidding Documents involves:
 - a) Submission of Bidding Documents
 - b) Contents of Bidding Documents
 - c) Timeline for the Preparation of the Bidding Documents
 - d) Procedure for the Preparation of the Bidding Documents
 - e) Various Types and Sizes of Contracts that may be provided in the Bidding Documents
3. Pre-procurement Conference

Procedural Steps for Procurement of Infrastructure Projects

1. Advertise/Post ITB. Projects costing P 5M and below should be advertised in conspicuous places in the agency premises (certified by

Head of BAC Secretariat), in the G-EPS and in agency website (if any) and its service provider (if any). Projects costing above P 5M should be advertised in newspapers, in addition to the above-mentioned advertisements.

2. Issue Bidding Documents. The BDs may be sold for a price determined by the BAC and approved by the Head of Procuring Entity (HOPE) based on the cost of its preparation and development.
3. Call a Pre - Bid conference and, if necessary, issue Supplemental/Bid Bulletins
4. Receive and Open the Technical and Financial Envelopes
5. Evaluate the Bids
6. Post qualify
7. Award the Contract
8. Sign/Approve the Contract
9. Issue Notice to Proceed

General Services

The following services are being provided:

1. Motor Pool Services - In-house repair of motor vehicles, regular maintenance and checkup of Land Rovers, trucks and L200 vehicles
2. Messengerial Services - Regular pouch and mailing services to Manila Operations Unit and partner agencies
3. Production Services - Photocopying, lamination and risograph
4. Building Maintenance
5. Office Equipment Maintenance

Part XI

SALIENT LAWS, POLICIES, PROVISIONS AND OTHER ISSUANCES

DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) CONCERNS AND ISSUANCES

CSC-DBM Joint Circular No. 2, Series of 2004

Subject: Non-Monetary Remuneration of Overtime Services Rendered

To provide a uniform policy on the availment of compensatory time-off, in lieu of overtime pay, pursuant to Section I (d) of Administrative Order No. 103, "Directing the Continued Adoption of Austerity Measures in the Government".

COVERAGE

The circular shall cover incumbents in positions of chief of division and below under permanent, temporary, or casual status, or contractual personnel whose employment is in the nature of regular employee.

EXEMPTIONS

This circular shall not cover the following government personnel:

1. Those occupying positions whose ranks are higher than chiefs of divisions;
2. Those appointed to positions in the Career Executive Service (CES);
3. Elective officials; and
4. Military and uniformed personnel.

Definition of Terms:

Compensatory Overtime Credit (COC) – refers to the accrued number of hours that an employee earns as a result of services rendered beyond

regular working hours, and/or those rendered on Saturdays, Sundays, holidays or scheduled days-off without the benefit of overtime pay.

Compensatory Time-Off (CTO) – refers to the number of hours or days that an employee is excused from reporting for work with full pay and benefits. It is non-monetary benefit provided to an employee in lieu of overtime pay.

Guidelines:

1. Employees are required to render forty (40) hours of work in a week, subject to the work schedule adopted by the agency. In the exigency of the service, employees may be required to render services beyond regular working hours.
2. The Head of the Office shall determine the need for overtime services. In this regard, the office concerned shall issue an office order specifying the date and time for rendition of overtime, and its purpose.
3. Overtime services may be authorized for the following activities:
 - a) Completion of infrastructure and other projects with set deadlines, when due to unforeseen events the deadline cannot be met without resorting to overtime work;
 - b) Relief, rehabilitation, reconstruction, and other related work or services during calamities and disasters;
 - c) Work related to school graduation/registration where the additional work cannot be handled by existing personnel during regular working hours;
 - d) Work involving the preparation for and administration of government examinations including the prompt correction and release of results thereof where the existing personnel are not adequate to handle such work during regular working hours;
 - e) Seasonal work such as budget preparation and rendition of annual reports to meet scheduled deadlines;
 - f) Preparation of special, financial and/or accountability reports required occasionally by central monitoring agencies like the Congress of the Philippines, Office of the President, Commission

on Audit, Department of Budget and Management, and National Economic and Development Authority;

- g) The provision of essential public services during emergency situations, such as power and energy, water, distribution and control of basic staples, communication and transportation, medical and health services, peace and order, and security;
 - h) Implementation of special programs/projects embodied in Presidential directives and authorizations, and with specific duties to complete, which are in addition to the regular duties of the employees;
 - i) Legal services to facilitate the dissolution of cases, resolutions or decisions;
 - j) Services rendered by drivers and other immediate staff of officials when required to keep the same working hours as their superiors; and
 - k) Such other activities as may be determined by the head of the agency.
4. Employees who are absent on Fridays cannot render overtime services on Saturdays or holidays immediately following said absence.
 5. Employees who have reported for work, specifically after 8:00 a.m. during Mondays or at 9:00 a.m. during Thursday through Fridays, are not allowed to render overtime services.
 6. The request for overtime services shall be supported by a justification on the urgency and necessity, Work Plan (Annex A) showing the specific activities and/or individual targets, and expected outputs of personnel who render overtime services.
 7. Employees performing overtime services during Saturdays and holidays are required to record in a guard's log book upon arrival and departure. They are required to punch their daily timecard during lunch break.
 8. The following officials shall be authorized to approve or grant overtime authority:

Recommending Official – Immediate Supervisor
Approving Official – Head of the Agency

9. The Personnel Unit, Administrative Division and/or Personnel Officer shall be responsible for the administration of personnel records, computation and issuance of certificate of Compensatory Overtime Credits (COC) earned and the monitoring of Compensatory Time-Off (CTO). Forms for this certifications may be availed of at your respective personnel/ administrative division and/from Administrative Officer.
10. The approval of COC certification shall be done by the Personnel Officer.
11. The CTO may be availed of in blocks of four hours (half day) or eight hours (whole day) up to the maximum of five consecutive days per single availment or on staggered basis within the year. In no instance, however, shall the unexpended balance of COCs exceed 120 hours.
12. The COC shall be used as time-off within the year. Hence, unutilized COC will not be carried over into the ensuing year, or are non-cumulative.
13. The procedure for the availment of COCs is as follows:
 - a) Accomplishment of application for availment of CTO by concerned employee. The request shall be prepared in two copies: the original for the Personnel Unit and the duplicate for the concerned official/ employee.
 - b) Signature of immediate supervisor or division chief, recommending approval of the request.
 - c) Certification of COC by the Personnel Officer on the number of hours earned.
 - d) Approval of request by the following designated approving officials:

Immediate Supervisor and Head of the Agency

14. An overtime accomplishment report shall be prepared and submitted by the concerned division chief or head of the office to the immediate supervisor, in order to determine the status of work assignment.

Computation of COCs

The COC is expressed in number of hours, computed as follows:

1. For overtime service rendered on weekdays or scheduled workdays:
 $\text{COC} = \text{Number of hours of overtime services} \times 1.0$
2. For overtime service rendered on weekends, holidays, or scheduled days off: $\text{COC} = \text{number of hours of overtime services} \times 1.$

Accrual Use of COCs

1. Each employee may accrue not more than 40 hours of COCs in a month. In no instance, however, shall the unexpended balance exceed 120 hrs. in a year.
2. The COCs shall be used as time-off within the year that these are earned. The unutilized COCs should not be carried over into the ensuing year. Hence, they are non-cumulative.
3. The COCs shall be considered as official time for the following purposes:
 - a) Compliance with the compensation rules related to the entitlement to PERA, additional compensation, year-end benefits and other benefits received on regular basis; and
 - b) Computation of service hours for entitlement to sick and vacation leave credits and step increment due to length of service.

Limitations on the Use of COCs

1. The COCs cannot be used to offset undertime/tardiness incurred by the employee during regular working days.
2. The COCs earned cannot be converted to cash and hence are non-commutative.
3. The COCs will not be added to the regular leave credits of the employee. Hence, they are not part of the accumulated leave credits that are paid out to the employee.

Effect on Personnel Movement

1. In cases of resignation, retirement or separation from the service, the unutilized COCs are deemed forfeited.
2. In case of detail, secondment or transfer to another agency, the COCs earned in one agency cannot be transferred to another agency. Nor could the employee receive the monetary equivalent thereof.

Issuance of Certificate of COC Earned

An employee who has earned COCs shall be granted a certificate of COCs earned, duly approved and signed by the head of the office. The certificate indicates the number of hours of COCs earned by the employee in a month. The certificate will be issued at the end of each month.

Availment of CTO

1. The CTO may be availed of in blocks of four or eight hours. Agencies adopting alternative work schedules should make parallel adjustments in the equivalent blocks, equivalent to either a half or full day leave from work.
2. The employee must first obtain approval from the head of office or an authorized official regarding the schedule of availment of CTO. The management shall accommodate, to the extent practicable, all applications for availment of CTO at the time requested by the employee. In the exigency of the service, however, the schedule may be recalled and subsequently rescheduled within the year by the head of office or authorized official.

Procedures

The following procedures shall be observed in the rendition of overtime service and availment of compensatory time off:

1. The head of office or an authorized official issues an office order authorizing the rendition of overtime services and indicating the tasks to be completed and the expected time of completion.
2. The employee renders overtime services stipulated in the office order.
3. The Human Resources Development Unit prepares a summary of overtime services rendered in a month, and computes the equivalent COCs for the purpose of issuing the COC certificate.
4. The head of the office issues the certificate of COCs earned in a month.
5. The employee requests approval from the head of the office on the schedule of CTO.

6. The employee avails of the CTO

Duties and Responsibilities

Head of the Office

1. Authorized employees to render services beyond regular working hours in accordance with these guidelines and the rules and regulations on overtime service.
2. Grant certificate of COC earned, concurrently setting safeguard measures to prevent any form of fraud and/or duplicity.
3. Approve/disapprove schedule of CTO as required by the employee without compromising the delivery of services to clientele.
4. Ensure proper implementation of these guidelines, and act accordingly should violations or irregularities be committed.

Employees

1. Observe properly the procedures in earning of COC and availment of CTO.
2. Request approval from the head of the office on the schedule of CTO.
3. Maintain the balance of earned COCs vis-à-vis CTOs availed of.

Human Resource Management Unit/Officer Concerned

1. Reflect on the timecard the application for CTO filed by the employee
2. Submit to the head of the office a monthly report on summary of overtime services rendered and the equivalent COCs, and report official incidents or observations.
3. Recommend measures to improve the implementation of the guidelines on the grant of COCs and availment of CTOs.

Saving Clause

Issues or conflicts arising from the implementation of this circular shall be resolved by the CSC.

Forms

All forms relative to the following can be secured at the Personnel Unit/ Administrative Division:

1. Overtime Work Plan
2. Certificate of COC Earned
3. Application for availment of compensatory time-off (CTO)
4. Overtime Accomplishment Report

GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS) ACT OF 1997 IMPLEMENTING RULES AND REGULATIONS

COVERAGE

Membership in the GSIS is compulsory for all government employees receiving compensation, irrespective of employment status, who have not reached the compulsory retirement age at the time of appointment.

Contractual, casual and other employees with an employee relationship to an employer are also included under compulsory coverage, provided that the following conditions determinative of an employer-employee relationship exist:

1. The employer pays the salary to the employee as an individual.
2. The employer has the power of dismissal.
3. The employer has the power to control the means and the result of the work to be done.

BENEFITS COVERAGE

All GSIS members are covered with life insurance and social security protection, including retirement, disability, survivorship, separation and unemployment benefit.

BENEFITS ENTITLEMENT

1. Active Members

These members are still in the service and are paying the integrated premium prescribed under R.A 8291. These members are covered for the entire package of benefits and privileges being extended by the GSIS.

2. Policy Holders

These members are covered for life insurance only and are entitled to the specific benefits accruing for the life insurance coverage. They can avail of policy loan privilege only.

3. Separated Members

These members are former active members who have been separated from the government service. They are still covered by the GSIS under the 'once a member, always a member' principle. As such, unless the terms of their separation provide otherwise, they shall be entitled to receive future benefits under P.D. 1146 in the event of compensable contingency, such as old age (60 years), disability, survivorship, and death. However, they are not entitled to any loan privilege.

4. Retired Members

These members are former active members who have retired from the government service and are already enjoying the corresponding retirement benefits applied for. They are not entitled to any loan privilege.

Effectivity of Membership

Membership in the GSIS takes effect upon the employee's actual assumption of duty pursuant to a valid appointment and oath of office.

**Collection and Remittance of Contributions and other
Amounts (Effective January 01, 2003)**

Effectivity Date	Monthly Contribution (MC)	Employee's Share	Employer's Share
Effective June 24, 1997-December 31, 1998	10,000.00 below over 10,000.00	9% of MC + 2% of MC-10,000.00	12% of MC
Starting January 1, 1999-December 31, 1999	11,000.00 below over 11,000.00	9% of MC + 2% of MC-11,000.00	12% of MC
Starting January 1, 2000-December 31, 2000	12,000.00 below over 12,000.00	9% of MC + 2% of MC-12,000.00	12% of MC
Starting January 1, 2001-December 31, 2001	14,000.00 below over 14,000.00	9% of MC + 2% of MC-14,000.00	12% of MC
Starting January 1, 2002-December 31, 2002	16,000.00 below over 16,000.00	9% of MC + 2% of MC-16,000.00	12% of MC
Starting January 1, 2003	Regardless of amount	9% of MC	12% of MC

RETIREMENT

Retirement Benefit – there are two options from which to choose:

1. Lump sum equivalent to 60 months of basic monthly pension, payable at the time of retirement, plus an old-age pension benefit equal to the basic monthly pension payable for life upon the expiration of the five-year period covered by the lump sum; or
2. A cash payment equivalent to 18 times the retiree's basic monthly pension plus monthly pension for life, payable immediately.

Entitlement to Retirement Benefits

A member shall be entitled to retirement benefit if:

1. He/she has rendered at least 15 years of service.
2. He/she is at least 60 years old at the time of retirement.
3. He/she is not receiving a monthly pension benefit from permanent total disability.

Compulsory Retirement Age

Unless the service is extended by appropriate authorities, retirement shall be compulsory for an employee with at least 15 years of service at 65 years of age. If the employee has less than 15 years of service, he/she may be allowed to continue in the service, in accordance with the existing Civil Service rules and regulations.

Notification by Employer

The employee-retiree shall be notified by his/her Personnel Unit at least 90 days in advance of the date of the compulsory retirement.

Conflicts in Date of Birth

The date reflected in the "Information for Membership" shall be adopted. In case of conflicting dates, the date in the birth certificate or baptismal certificate will prevail.

Effect of Re-Employment

When a retiree is re-employed, his/her previous services at the time of retirement shall be considered a new entrant.

Designation, Change of Beneficiaries

A member shall designate his/her beneficiaries in the "Information for Membership". He/she may change or designate additional beneficiaries at any time during his lifetime while his/her insurance is in force, by filing prescribed form with the GSIS.

Life Insurance Benefits: To Whom Payable

- 1. Maturity Benefit** – the member shall be paid the face value amount, less any indebtedness against the policy, upon maturity of life insurance.
- 2. Death Benefit** – the GSIS shall pay the designated beneficiaries or his/her legal heirs, the face value amount less indebtedness, when a member dies prior to the maturity of his/her insurance and during its continuance.
- 3. Accidental Death Benefit** – the GSIS shall pay the designated beneficiaries or his/her legal heirs, the face value amount less indebtedness, if cause of death of the member is due to accident.
- 4. Cash Surrender Value** – a member separated from the service prior to the maturity of the insurance may be paid the cash value less any indebtedness, after his/her insurance shall have been in force for one year.
- 5. Insurance Loans** – a member who has been insured for at least 1 year may be granted an insurance loan in an amount not exceeding 50% of the cash value of the insurance policy at the time of application.
- 6. Dividends** – all members of the GSIS whose life insurance has been in force for at least one year, based on GSIS records, may be granted an annual dividend.

PHILHEALTH

The Philippine Health Insurance Corporation, or PhilHealth, makes medical care available to those under its coverage, including government employees.

PhilHealth coverage may be compulsory or voluntary, depending on a person's employment status. All employees subject to compulsory coverage by the Government Service Insurance System (GSIS) are automatically compulsory covered by PhilHealth. Also, covered, subject to the PCSD's recommendation, are temporary, contractual employees who are expected to remain in the service for at least one year from the date of their coverage. All retirees with gratuity benefits under R.A. 1616, who are 60 years of age or older, are extended free PhilHealth coverage.

PhilHealth allows a member and his/her qualified dependents 45 days of hospital within the 45 days of hospitalization allowed, you shall be entitled to surgical express benefits, taking into account the nature and complexity of the surgery.

Section 16 of R.A. 7875 empowers the Corporation to formulate and implement guidelines on contribution and benefits. As such, PhilHealth Board Resolution No. 1571, s-2011 sanctioned the increase of premium contribution in various PhilHealth membership categories. However, due to public clamor against such increase brought about by simultaneous increases on fees, tolls, taxes and rates on social security contributions authorized by the government, PhilHealth Board Resolution No. 1677, s-2012, partially deferred the implementation of the full increases in premium contributions across all membership sectors for CY 2013. By virtue thereof and through the authority of PhilHealth Board Resolution No. 1842, s-2013, this Circular is hereby issued to prescribe new premium contribution effective January 2014.

Monthly Salary Bracket	Monthly Salary Range	Salary Base (SB)	Total Monthly Contribution (TMC)	Employee (EeS) Ees=50%x TMC	Employer (ErS) ErS=50%x TMC
1	8,999.99 below	8,000.00	200.00	100.00	100.00
2	9,000.00 to 9,999.99	9,000.00	225.00	112.50	112.50
3	10,000.00 to 10,999.99	10,000.00	250.00	125.00	125.00
4	11,000.00 to 11,999.99	11,000.00	275.00	137.50	137.50
5	12,000.00 to 12,999.99	12,000.00	300.00	150.00	150.00
6	13,000.00 to 13,999.99	13,000.00	325.00	162.50	162.50
7	14,000.00 to 14,999.99	14,000.00	350.00	175.00	175.00
8	15,000.00 to 15,999.99	15,000.00	375.00	187.50	187.50
9	16,000.00 to 16,999.99	16,000.00	400.00	200.00	200.00
10	17,000.00 to 17,999.99	17,000.00	425.00	212.50	212.50

Monthly Salary Bracket	Monthly Salary Range	Salary Base (SB)	Total Monthly Contribution (TMC)	Employee (EeS) Ees=50%x TMC	Employer (ErS) ErS=50%x TMC
11	18,000.00 to 18,999.99	18,000.00	450.00	225.00	225.00
12	19,000.00 to 19,999.99	19,000.00	475.00	237.50	237.50
13	20,000.00 to 20,999.99	20,000.00	500.00	250.00	250.00
14	21,000.00 to 21,999.99	21,000.00	525.00	262.50	262.50
15	22,000.00 to 22,999.99	22,000.00	550.00	275.00	275.00
16	23,000.00 to 23,999.99	23,000.00	575.00	287.50	287.50
17	24,000.00 to 24,999.99	24,000.00	600.00	300.00	300.00
18	25,000.00 to 25,999.99	25,000.00	625.00	312.50	312.50
19	26,000.00 to 26,999.99	26,000.00	650.00	325.00	325.00
20	27,000.00 to 27,999.99	27,000.00	675.00	337.50	337.50

Monthly Salary Bracket	Monthly Salary Range	Salary Base (SB)	Total Monthly Contribution (TMC)	Employee (EeS) Ees=50%x TMC	Employer (ErS) ErS=50%x TMC
21	28,000.00 to 28,999.99	28,000.00	700.00	350.00	350.00
22	29,000.00 to 29,999.99	29,000.00	725.00	362.50	362.50
23	30,000.00 to 30,999.99	30,000.00	750.00	375.00	375.00
24	31,000.00 to 31,999.99	31,000.00	775.00	387.50	387.50
25	32,000.00 to 32,999.99	32,000.00	800.00	400.00	400.00
26	33,000.00 to 33,999.99	33,000.00	825.00	412.50	412.50
27	34,000.00 to 34,999.99	34,000.00	850.00	425.00	425.00
28	35,000.00 to and up	35,000.00	875.00	475.50	475.50

PAG-IBIG MEMBERSHIP

The PCSDS is a participating agency in the government's Pag-IBIG or Home Development Mutual Fund (HDMF) Program. If you are a permanent and contractual employee, you may apply for membership in this program. As a member, you contribute a fixed percentage of your monthly salary, while the PCSDS makes a corresponding contribution; these contributions are kept and administered by the Pag-IBIG Fund. The membership policy matures in 20 years, after which you get 100% of your contribution and the corresponding share of the Department, in addition to accrued dividends, if any.

Aside from granting you a housing loan to finance the acquisition of a house-and-lot package, or a lot alone, or the construction or improvement of a house, the Pag-IBIG Fund offers the following benefits:

1. Payment of Total Accumulated Value (TAV): this will be paid to you upon the maturity or termination of your membership, such as when you retire, or emigrate permanently. The TAV is the total of your and your employer's contributions.
2. Death dividends: these are granted to your beneficiaries upon your death, in addition to your total accumulated savings and dividends earned.
3. Loans: other kinds of loans, salary and calamity loan, aside from the housing loan, include provident loans and appliance and furniture loans.
4. Rehabilitation services: these are granted in the event of permanent disability, in addition to the monthly cash income benefit.

CIVIL SERVICE COMMISSION MEMORANDUM CIRCULAR NO. 3, Series of 2012 Program to Institutionalize Meritocracy and Excellence in Human Resource Management (PRIME-HRM)

The Civil Service Commission, pursuant to CSC Resolution No. 1200241 dated February 1, 2012, adopts the following guidelines on the implementation of the Program to Institutionalize Meritocracy and Excellence in Human Resource Management (PRIME-HRM)

A. Rationale - The PRIME-HRM is a program that integrates and enhances the Personnel Management Assessment and Assistance Program (PMAAP) and the CSC Agency Accreditation Program (CSCAAP). It is a mechanism to continuously capacitate agencies in the performance of their human resource management functions; recognize best practices in the various areas of human resource management; and serve as a venue of exchange and development of expertise in human resource management in the Philippine public service.

B. Objectives - PRIME-HRM is a program to inculcate meritocracy and excellence in the public service human resource management through a program of reward, recognition, empowerment and continuous development. Specifically, the program aims to:

1. Assess the human resource management practices and capabilities of agencies;
2. Serve as search mechanism for best practices in the human resource management;
3. Promote and serve as a venue for exchange and development of expertise in the area of human resource management between and among government agencies;
4. Empower agencies in the performance of human resource management functions; and;
5. Promote and reward excellent human resource management practices.

C. Scope and Coverage of the Program - The program shall cover all national and local government agencies including government-owned and controlled corporations (GOCCs) with original charter and state universities and colleges (SUCs), as well as regional offices of agencies with existing Regional HR offices/units. The program shall involve all HRMOs, heads of agencies and rank and file employees. PRIME-HRM shall cover the following:

1. Assessment of the human resource management systems standards, management of human resource records, other systems and programs;
2. Assessment of competency level of the agency's Human Resource Management Officers (HRMOs) (self-assessment for the HRMOs as well as 360 degree validation);

3. Survey of agency Human Resource Management climate;
4. Customized technical assistance developmental interventions according to the determined needs of the agency; and
5. Review of decisions made and actions taken on appointments, rewards/incentives, performance ratings, leave, employee welfare/benefits, administrative discipline, grievance and other human resource management matters.

D. The PRIME-HRM Components - The following programs for assistance shall be the component of the PRIME-HRM:

- I. Comprehensive HRM Assistance, Review and Monitoring (CHARM). CHARM is a detailed appraisal of the human resource management systems and standards, management of human resource records, other systems and programs, and the competence of the HRMOs, initially undertaken to Regulated agencies to determine their readiness for level II- Accredited status and/or ascertain the strengths and weaknesses of the agency HRM.

For Level II accredited agencies, CHARM shall be done only when there is a valid ground such as repeated/serious violation of the Terms and Conditions of Accreditation; change of administration in the case of LGUs, or any analogous cases.

Areas Covered by CHARM:

- a. Human Resource Management Records Management
 - a.1. 201 File includes
 - CS Form 212 (Personal Data Sheet)
 - CS Form 33 (Appointment Form)
 - Position Description Form (for all types of appointment)
 - Medical Certificate (for original appointment and reemployment)
 - Clearances (NBI clearance for original appointment and reemployment)

- Clearance from financial obligations and property accountability for transfer (reemployment)
- Neuropsychiatric Examination (for original appointments to positions which involve the maintenance of peace and order and the protection of life and property)
- Licenses, if necessary
- Performance Evaluation Documents
- Commendation, Certificate of Achievement, Award, etc.
- Other employee records (e.g. written consent of demoted employee)
- a.2. Plantilla Entries vis-à-vis Appointments
- a.3. Attendance Records
- a.4. Leave Records
- a.5. Service Records
- a.6. Other Human Resource Management Records (Minutes of Meetings/Resolution, office issuances, policies on human resource management, etc.)
- b. HR Management Systems and Programs
 - b.1. HR Plan with the following basic components:
 - Organizational Profile
 - Agency Mandate, Vision, Mission and Strategic Goals
 - Organization Chart/Functional Chart/Personnel Chart
 - Job Description of all position
 - HR Systems
 - Recruitment/Promotion
 - Qualification Standards (QS)
 - Merit Promotion/Selection Plan or Merit System (for Closed-Career)
 - Personnel Selection Board
 - Succession Planning
 - Retention
 - Performance Management System (PMS)
 - Training and Development
 - Career Pathing Program
 - Employee Welfare
 - Rewards and Recognition

- Program on Awards and Incentives for Service Excellence (PRAISE)
- Retirement
 - Pre-retirement Program
- Employee Relations
 - Grievances Machinery
- Employee Health and Wellness Program
- Employee Discipline
 - Committee on Decorum and Investigation (CODI)
- Human Resource Information System
- c. Competency Level and Qualifications of the Human Resource Management Officer (HRMO)

2. Continuing Assistance and Review for Excellent Human Resource Management (CARE-HRM). CARE-HRM is a continuing program to assist agencies in implementing the recommendations contained in the CHARM or CARE-HRM report, as the case may be. For Level II-Accredited and Level III-Deregulated agencies in good standing, CARE HRM shall be done at least once every two years.

For Level I - Regulated agencies, strict monitoring of the recommendations from the CHARM shall be conducted. Assistance shall be provided within a period of six (6) months for agencies which could not implement the recommendations for valid reasons, e. g. no appointed HRMO, or any procedural issues. The semi-annual CARE-HRM report will be the basis for recommendations to Level II - Accredited Status, or possible conferment of Center for Excellence recognition. However, should an agency continue to be non-compliant or commit flagrant violation of civil service law and rules despite the assistance rendered by the Commission, said agency shall be dealt with administratively.

3. Special Program for Evaluation and Assessment as Required/Requested (SPEAR) - The Commission may, upon its initiative or upon request of concerned parties conduct a special assessment on all or certain areas of an agency HRM. This covers specific areas or partakes of the nature of particular inquiry made to verify urgently needed information. It may be

done within any regular assessment period or apart from it. A Memorandum of Undertaking shall be executed between the agency and the CSC and an audit engagement fee maybe charged for this purpose.

E. Agency Status and Recognition under PRIME-HRM - PRIME-HRM shall be used as a tool to recognize agencies with best practices in human resources management. Agency initiated innovations, enhancement or remarkable development in HR Management program and system shall be given recognition to motivate agencies to aspire for excellence. The recognition/status may be conferred on agencies meeting the standards set by the Commission:

1. Level I (Regulated) - agencies that have not fully complied with the requirement for Level II-Accredited status. These agencies shall be subjected to regular monitoring/assistance by the Civil Service Commission.
2. Level II (Accredited) - agencies satisfactorily implementing CSC human resource management systems/programs shall be granted Authority to take final action on appointments.
3. Level III (Deregulated) - agencies which consistently complied with the Terms and Conditions for Level II Accredited status and/or initiated innovations/enhancements or remarkable development in HR management programs and systems shall be given Authority to take final action on appointments and to implement HR programs and systems without the need for prior approval by the Civil Service Commission.
4. Center for Excellence in HRM - a recognition conferred by the Civil Service Commission to agencies with best practices in some or all human resource management areas, subject to the recommendation of a Certifying Board composed of HR practitioners/experts representing the various sectors.
5. Seal of Excellence in HRM - the highest recognition conferred on institutions or individuals which have been conferred Center for Excellence in and/or played pivotal role in the development/innovation of

three or more HR areas, subject to the recommendation of a Certifying Board composed of HR practitioners/experts representing the various sectors.

F. Transition from PMAAP/CSCAAP to PRIME-HRM - Prior to the implementation of the PRIME-HRM the following transitory activities shall be undertaken:

1. CSCFOs shall validate and update list of accredited and non-accredited agencies in their area of jurisdiction.
2. HR Climate Scanning shall be conducted from March to June 2012. All agency HRM be subjected to 360 assessment, the results of which shall be the bases for prioritization of agencies for affirmation of accreditation; and recommendation for conferment of Center for Excellence and/or Seal of Excellence in HRM award.
 - a. Level II accredited agencies under the PMAAP shall be reassessed using the PMAAP standards for purposes of revalidation of Level II accreditation status. Those who pass the revalidation shall be given a period of one year to fully comply with the additional/enhanced requirements under the PRIME-HRM to maintain their accreditation status.
 - b. The Level II Accreditation status of agencies which will not pass the reassessment/revalidation shall be suspended or revoked, hence these agencies will be reverted to Regulated status.

G. Composition of Certifying Board - A Certifying Board to be composed of HR practitioners from respected/recognized HR organizations, practitioners in the academe, private sector, public service, CPO officials, and CSI Director shall be appointed by the CSC Chair to assess and recommend agencies for recognition as Center for Excellence in HRM and/or conferment of Seal of Excellence in HRM award.

The Certifying Board shall recommend criteria and standards for the Center for Excellence status and the conferment of Seal of Excellence award. The Board shall likewise recommend to the Commission the grant/conferment of the recognition/award.

CSCROs shall be tasked to convene and chair a counterpart group for this purpose to act as the Regional Evaluation Committee, using the criteria/standards formulated by the Certifying Board and approved by the Commission. The Regional Evaluation Committee's recommendations shall be reviewed by the Certifying Board for final recommendation to the Commission.

H. PRIME-HRM Reports - The following reports shall be prepared/maintained:

1. CHARM/CARE-HRM Report stating the objectives and the summary of findings and recommendations. The report shall contain an Executive Brief, the matrix of findings and recommendations and the Assessment form. The report shall be prepared by the PRIME-HRM Team and approved by the CSCRO Director.

The CHARM/CARE Report shall be attached to the CSCRO Recommendations for Level II-Accredited or Level III-Deregulated status forwarded to the Personnel Policies and Standards Office (PPSO-CSC-CO).

2. Agency Capability Evaluation Card on annual basis. The Agency Capability Evaluation Card shall reflect the agency's status relative to appointments issued and acted upon during the year; status of human resource management mechanism, competency and qualifications of HRMO with the intervention provided (if any) and other pertinent concerns that need to be addressed. This evaluation card shall be regularly updated by the CSCFO as part of their monitoring function. The agency, its mother agency and CSCRO shall be furnished with copies of the Agency Capability Evaluation Card.
3. PRIME-HRM Annual Report. A consolidated annual report of the CHARM/CARE and Agency Capability shall be prepared by the CSCRO-PSSED for submission to the PPSO every end of the first quarter of the succeeding year. The PPSO shall consolidate the CSCRO reports and

incorporate the findings/date in the Annual State of HRM in the public Service Report.

I. Responsibility and Accountabilities - The CSCRO/CSCFO, the agency head/appointing authority and the HRMO, as partners shall be responsible for the implementation of the revised policies on PRIME-HRM.

The Commission holds the agency heads accountable for the exercise of their delegated authorities in compliance with CS Law and rules, while providing them with an opportunity to demonstrate leadership to improve their HR management.

Continuing evaluation of the extent of observance of the other terms and conditions of accreditation shall be made and monitored by the Commission through the regular conduct of CARE-HRM at least once every two years.

Agencies that deliberately and continually violate or deviate from Civil Service Law and the rules despite regular assistance provided by the PRIME-HRM Team may have their accreditation suspended or revoked. In case of violations, appropriate disciplinary action shall be proceeded with against the person(s) responsible in accordance with the Revised Rules on Administrative Cases in the Civil Service.

J. Manual of Operations - A Manual of operations shall be developed incorporating the Operational Guidelines on the PRIME-HRM.

REPUBLIC ACT NO. 8972 (SOLO PARENT ACT)
AN ACT PROVIDING FOR BENEFITS AND PRIVILEGES
TO SOLO PARENTS AND THEIR CHILDREN,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

*Be it enacted by the Senate and House of Representatives of the
Philippines Congress assembled:*

Section 1. Title. - This Act shall be known as the "Solo Parents' Welfare Act of 2000."

Section 2. Declaration of Policy. - of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), that it is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education, Culture and Sports (DECS), the Department of Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor and Employment (DOLE) and other related government and non-government agencies.

Section 3. Definition of Terms. - Whenever used in this Act, the following terms shall mean as follows:

(a) "Solo parent" - any individual who falls under any of the following categories:

(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 alone with the responsibility of parenthood due to death of spouse;

- (3) Parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
- (4) Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
- (5) Parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children;
- (6) Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children;
- (7) Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;
- (8) Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institution;
- (9) Any other person who solely provides parental care and support to a child or children;
- (10) 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.

A change in the status or circumstance of the parent claiming benefits under this Act, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for these benefits.

(b) "Children" - refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and not more than eighteen (18) years of age, or even over eighteen (18) years but are incapable of self-support because of mental and/or physical defect/disability.

(c) "Parental responsibility" - with respect to their 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."

(d) "Parental leave" - shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required.

(e) "Flexible work schedule" - is the right granted to a solo parent employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer.

Section 4. Criteria for Support. - Any solo parent whose income in the place of domicile falls below the poverty threshold as set by the National Economic and Development Authority (NEDA) and subject to the assessment of the DSWD worker in the area shall be eligible for assistance: *Provided, however,* That any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in Sections 6, 7 and 8 of this Act.

Section 5. Comprehensive Package of Social Development and Welfare Services. - A comprehensive package of social development and welfare services for solo parents and their families will be developed by the DSWD, DOH, DECS, CHED, TESDA, DOLE, NHA and DILG, in coordination with local government units and a non-governmental organization with proven track record in providing services for solo parents.

The DSWD shall coordinate with concerned agencies the implementation of the comprehensive package of social development and welfare services for solo parents and their families. The package will initially include:

(a) Livelihood development services which include trainings on livelihood skills, basic business management, value orientation and the provision of seed capital or job placement.

(b) Counselling services which include individual, peer group or family counselling. This will focus on the resolution of personal relationship and role conflicts.

(c) Parent effectiveness services which include the provision and expansion of knowledge and skills of the solo parent on early childhood development, behavior management, health care, rights and duties of parents and children.

(d) Critical incidence stress debriefing which includes preventive stress management strategy designed to assist solo parents in coping with crisis situations and cases of abuse.

(e) Special projects for individuals in need of protection which include temporary shelter, counselling, legal assistance, medical care, self-concept or ego-building, crisis management and spiritual enrichment.

Section 6. Flexible Work Schedule. - The employer shall provide for a flexible working schedule for solo parents: Provided, That the same shall not affect individual and company productivity: *Provided, further,* That any employer may request exemption from the above requirements from the DOLE on certain meritorious grounds.

Section 7. Work Discrimination. - No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his/her status.

Section 8. Parental Leave. - In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least one (1) year:

Section 9. Educational Benefits. - The DECS, CHED and TESDA shall provide the following benefits and privileges:

(1) Scholarship programs for qualified solo parents and their children in institutions of basic, tertiary and technical/skills education; and

(2) Non-formal education programs appropriate for solo parents and their children.

The DECS, CHED and TESDA shall promulgate rules and regulations for the proper implementation of this program.

Section 10. Housing Benefits. - Solo parents shall be given allocation in housing projects and shall be provided with liberal terms of payment on said

government low-cost housing projects in accordance with housing law provisions prioritizing applicants below the poverty line as declared by the NEDA.

Section 11. Medical Assistance. - The DOH shall develop a comprehensive health care program for solo parents and their children. The program shall be implemented by the DOH through their retained hospitals and medical centers and the local government units (LGUs) through their provincial/district/city/municipal hospitals and rural health units (RHUs).

Section 12. Additional Powers and Functions of the DSWD. - The DSWD shall perform the following additional powers and functions relative to the welfare of solo parents and their families:

(a) Conduct research necessary to: (1) develop a new body of knowledge on solo parents; (2) define executive and legislative measures needed to promote and protect the interest of solo parents and their children; and (3) assess the effectiveness of programs designed for disadvantaged solo parents and their children;

(b) Coordinate the activities of various governmental and non-governmental organizations engaged in promoting and protecting the interests of solo parents and their children; and

(c) Monitor the implementation of the provisions of this Act and suggest mechanisms by which such provisions are effectively implemented.

Section 13. Implementing Rules and Regulations. - An interagency committee headed by the DSWD, in coordination with the DOH, DECS, CHED, TESDA, DOLE, NHA, and DILG is hereby established which shall formulate, within ninety (90) days upon the effectivity of this Act, the implementing rules and regulations in consultation with the local government units, non-government organizations and people's organizations.

Section 14. Appropriations. - The amount necessary to carry out the provisions of this Act shall be included in the budget of concerned government agencies in the General Appropriations Act of the year following its enactment into law and thereafter. *lawphil.net*

Section 15. Repealing Clause. - All laws, decrees, executive orders, administrative orders or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 16. Separability Clause. - If any provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

Section 17. Effectivity Clause. - This Act shall take effect fifteen (15) days following its complete publication in the *Official Gazette* or in at least two (2) newspaper of general circulation.

Approved.

Solo Parent Act – Application Procedure

The benefits under the Solo Parent Act (RA 8972) do not apply automatically. Any solo parent falling within the purview of the law may apply for support following Sections 7 and 8 which states that:

Section 1. Criteria for Support – Any solo parent whose income in the place of domicile falls equal to or below the poverty threshold as set by the NSCB and subject to the assessment of the duly appointed or designated social worker in the area shall be eligible for assistance. Provided, however, that any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in Sections 16, 17, 18, 19, 20, 21 and 23 of these Rules. For purposes of the Act and these Rules, the place of domicile shall refer to the residence mentioned in Section 8(a) of these Rules.

Section 2. Qualifications of Solo Parent – A solo parent seeking benefits other than those provided for under Sections 16, 17, 18, 19, 20, 21 and 23 of these Rules shall be qualified on the basis of the following: (a) A resident of the area where the assistance is sought as certified by the barangay captain; (b) With an income level equal to or below the poverty threshold as set

forth by NSCB and assessed by a social worker as provided for under Section 7 of these Rules.

The law further states that an applicant who manifests the need for assistance under the Act is subject to assessment by a social worker at the city/municipal Social Welfare and Development Office. The assessment shall cover, but not be limited to, the following: (a) Determination of the applicant's category as enumerated in Article III Section 6 paragraph (b) of these Rules; (b) Evaluation of the needs of the applicant and his/her children as basis for provision of the appropriate service and intervention; (c) Identification of the level of readiness of the applicant to receive a particular service/assistance, which shall serve as basis for the conduct of social preparation activities prior to the provision of such service/assistance; and (d) Identification of existing and potentially available resources that may support the applicant and his/her children.

The procedure is easy. Any Solo parent for that matter who needs assistance under the Act shall comply with the following process:

STEP ONE - Visit the Social Welfare and Development Office of the city or municipality of her/his residence to manifest her/his need for assistance;

STEP TWO - Fill up application form for the assistance indicating, but not limited to, the following information: 1. Name, 2. Age, 3. Address/Area of Domicile, 4. Income per month, 5. Source/s of Income, 6. Number of children, 7. Circumstances of being solo.

STEP THREE - Undergo the necessary assessment process as stipulated by law and that may be further explained by the Social Welfare Officer:

STEP FOUR - A social Case Study Report shall be prepared by the social worker based on the information/data provided for by the applicant, as well as his/her assessment of said applicant, indicating therein the appropriate services needed.

STEP FIVE - The Social Case Study Report, together with a referral letter prepared by the social worker, shall be forwarded by the Office of the City/ Municipal Social Welfare and Development Office to the agency concerned providing the appropriate assistance/service.

STEP SIX - The social worker shall inform the solo parent of the status of his/her application within thirty (30) working days from the filing of such and shall require him/her to visit the agency/institution providing the assistance. In case the applicant is not qualified for services under this Act, he/she will be referred to the appropriate agency/program for assistance.

STEP SEVEN - Upon the favorable evaluation of the social worker, a Solo Parent Identification Card shall be issued to the solo parent within 30 days upon application duly signed by the city/municipal Social Welfare Officer and the city/municipal mayor. The Solo Parent Identification Card is necessary for the availment of benefits under the Act and these Rules. Such Identification Card shall be valid for only one (1) year, but may be renewed subject to a new assessment and evaluation.

STEP EIGHT - For the public's information and guidance, a list of persons who applied and those who were able to avail of the benefits under this Act shall be made available by the concerned city/municipal social welfare and development office which processed their applications.

An applicant does not have to know the 8-step process by heart. The most important act is to take the first step of making a little effort to go through **STEP ONE**, the step which required the solo parent to visit the Social Welfare and Development Office of the city or municipality of her/his residence to manifest her/his need for assistance. Just be prepared to bring the documents mentioned in this article.

REPUBLIC ACT NO. 9710 (MAGNA CARTA FOR WOMEN)

AN ACT PROVIDING FOR THE MAGNA CARTA OF WOMEN

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled

Section 1. Short Title. - This Act shall be known as "*The Magna Carta of Women*".

Section 2. Declaration of Policy. - Recognizing that the economic, political, and sociocultural realities affect women's current condition, the State affirms the role of women in nation building and ensures the substantive equality of women and men. It shall promote empowerment of women and pursue equal opportunities for women and men and ensure equal access to resources and to development results and outcomes. Further, the State realizes that equality of men and women entails the abolition of the unequal structures and practices that perpetuate discrimination and inequality. To realize this, the State shall endeavor to develop plans, policies, programs, measures, and mechanisms to address discrimination and inequality in the economic, political, social, and cultural life of women and men.

The State condemns discrimination against women in all its forms and pursues by all appropriate means and without delay the policy of eliminating discrimination against women in keeping with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other international instruments consistent with Philippine law. The State shall accord women the rights, protection, and opportunities available to every member of society.

The State affirms women's rights as human rights and shall intensify its efforts to fulfill its duties under international and domestic law to recognize, respect, protect, fulfill, and promote all human rights and fundamental freedoms of women, especially marginalized women, in the economic, social, political, cultural, and other fields without distinction or discrimination on account of class, age, sex, gender, language, ethnicity, religion, ideology, disability, education,

and status. The State shall provide the necessary mechanisms to enforce women's rights and adopt and undertake all legal measures necessary to foster and promote the equal opportunity for women to participate in and contribute to the development of the political, economic, social, and cultural realms.

The State, in ensuring the full integration of women's concerns in the mainstream of development, shall provide ample opportunities to enhance and develop their skills, acquire productive employment and contribute to their families and communities to the fullest of their capabilities.

In pursuance of this policy, the State reaffirms the right of women in all sectors to participate in policy formulation, planning, organization, implementation, management, monitoring, and evaluation of all programs, projects, and services. It shall support policies, researches, technology, and training programs and other support services such as financing, production, and marketing to encourage active participation of women in national development.

Section 3. Principles of Human Rights of Women. - Human rights are universal and inalienable. All people in the world are entitled to them. The universality of human rights is encompassed in the words of Article 1 of the Universal Declaration of Human Rights, which states that all human beings are free and equal in dignity and rights.

Human rights are indivisible. Human rights are inherent to the dignity of every human being whether they relate to civil, cultural, economic, political, or social issues.

Human rights are interdependent and interrelated. The fulfillment of one right often depends, wholly or in part, upon the fulfillment of others.

All individuals are equal as human beings by virtue of the inherent dignity of each human person. No one, therefore, should suffer discrimination on the basis of ethnicity, gender, age, language, sexual orientation, race, color, religion, political, or other opinion, national, social, or geographical origin, disability, property, birth, or other status as established by human rights standards.

All people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being. Rights-

based approaches require a high degree of participation by communities, civil society, minorities, women, young people, indigenous peoples, and other identified groups.

States and other duty-bearers are answerable for the observance of human rights. They have to comply with the legal norms and standards enshrined in international human rights instruments in accordance with the Philippine Constitution. Where they fail to do so, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law.

CHAPTER II DEFINITION OF TERMS

Section 4. Definitions. - For purposes of this Act, the following terms shall mean:

(a) "Women Empowerment" refers to the provision, availability, and accessibility of opportunities, services, and observance of human rights which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society.

(b) "Discrimination against Women" refers to any gender-based distinction, exclusion, or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.

It includes any act or omission, including by law; policy, administrative measure, or practice, that directly or indirectly excludes or restricts women in the recognition and promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges.

A measure or practice of general application is discrimination against women if it fails to provide for mechanisms to offset or address sex or gender-based disadvantages or limitations of women, as a result of which women are denied or restricted in the recognition and protection of their rights and in their access to and enjoyment of opportunities, benefits, or privileges; or women, more than men, are shown to have suffered the greater adverse effects of those measures or practices.

Provided, finally, that discrimination compounded by or intersecting with other grounds, status, or condition, such as ethnicity, age, poverty, or religion shall be considered discrimination against women under this Act.

(c) "Marginalization" refers to a condition where a whole category of people is excluded from useful and meaningful participation in political, economic, social, and cultural life.

(d) "Marginalized" refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure; and the justice system.

These include, but are not limited to, women in the following sectors and groups:

(1) "Small Farmers and Rural Workers" refers to those who are engaged directly or indirectly in small farms and forest areas, workers in commercial farms and plantations, whether paid or unpaid, regular or season-bound. These shall include, but are not limited to, (a) small farmers who own or are still amortizing for lands that is not more than three (3) hectares, tenants, leaseholders, and stewards; and (b) rural workers who are either wage earners, self-employed, unpaid family workers directly and personally engaged in agriculture, small-scale mining, handicrafts, and other related farm and off-farm activities;

(2) "Fisherfolk" refers to those directly or indirectly engaged in taking, culturing, or processing fishery or aquatic resources. These include, but are not to be limited to, women engaged in fishing in municipal waters, coastal and marine areas, women workers in commercial fishing and

aquaculture, vendors and processors of fish and coastal products, and subsistence producers such as shell-gatherers, managers, and producers of mangrove resources, and other related producers;

(3) "Urban Poor" refers to those residing in urban and urbanizable slum or blighted areas, with or without the benefit of security of abode, where the income of the head of the family cannot afford in a sustained manner to provide for the family's basic needs of food, health, education, housing, and other essentials in life;

(4) "Workers in the Formal Economy" refers to those who are employed by any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the government and all its branches, subdivisions, and instrumentalities, all government-owned and controlled corporations and institutions, as well as non-profit private institutions or organizations;

(5) "Workers in the Informal Economy" refers to self-employed, occasionally or personally hired, subcontracted, paid and unpaid family workers in household incorporated and unincorporated enterprises, including home workers, micro-entrepreneurs and producers, and operators of sari-sari stores and all other categories who suffer from violation of workers' rights;

(6) "Migrant Workers" refer to Filipinos who are to be engaged, are engaged, or have been engaged in a remunerated activity in a State of which they are not legal residents, whether documented or undocumented;

(7) "Indigenous Peoples" refers to a group of people or homogenous societies identified by self-ascription and ascription by others who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied; possessed customs, tradition, and other distinctive cultural traits, or who have, through resistance to political, social, and cultural inroads of colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos. They shall likewise include peoples who are regarded as indigenous on account of

their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural, and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains as defined under Section 3(h), Chapter II of Republic Act No. 8371, otherwise known as "The Indigenous Peoples Rights Act of 1997" (IPRA of 1997);

(8) "Moro" refers to native peoples who have historically inhabited Mindanao, Palawan, and Sulu, and who are largely of the Islamic faith;

(9) "Children" refer to those who are below eighteen (18) years of age or over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition;

(10) "Senior Citizens" refer to those sixty (60) years of age and above;

(11) "Persons with Disabilities" refer to those who are suffering from restriction or different abilities, as a result of a mental, physical, or sensory impairment to perform an activity in the manner or within the range considered normal for a human being; and

(12) "Solo Parents" refer to those who fall under the category of a solo parent defined under Republic Act No. 8972, otherwise known as the "Solo Parents Welfare Act of 2000".

(e) "Substantive Equality" refers to the full and equal enjoyment of rights and freedoms contemplated under this Act. It encompasses *de jure* and *de facto* equality and also equality in outcomes.

(f) "Gender Equality" refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.

(g) "Gender Equity" refers to the policies, instruments, programs, services, and actions that address the disadvantaged position of women in society by providing preferential treatment and affirmative action. Such temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. These measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

(h) "Gender and Development (GAD)" refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.

(i) "Gender Mainstreaming" refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.

(j) "Temporary Special Measures" refer to a variety of legislative, executive, administrative, and regulatory instruments, policies, and practices aimed at accelerating this *de facto* equality of women in specific areas. These measures shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. They shall be discontinued when their objectives have been achieved.

(k) "Violence Against Women" refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or

suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass, but not limited to, the following:

- (1) Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation;
- (2) Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and elsewhere, trafficking in women, and prostitution; and
- (3) Physical, sexual, and psychological violence perpetrated or condoned by the State, wherever it occurs.

It also includes acts of violence against women as defused in Republic Acts No. 9208 and 9262.

(l) "Women in the Military" refers to women employed in the military, both in the major and technical services, who are performing combat and/or noncombat functions, providing security to the State, and protecting the people from various forms of threat. It also includes women trainees in all military training institutions.

(m) "Social Protection" refers to policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status and rights of all women, especially the marginalized by promoting and protecting livelihood and employment, protecting against hazards and sudden loss of income, and improving people's capacity to manage risk. Its components are labor market programs, social insurance, social welfare, and social safety nets.

CHAPTER III

DUTIES RELATED TO THE HUMAN RIGHTS OF WOMEN

The State, private sector, society in general, and all individuals shall contribute to the recognition, respect, and promotion of the rights of women defined and guaranteed under this Act.

Section 5. *The State as the Primary Duty-Bearer.* - The State, as the primary duty-bearer, shall:

- (a) Refrain from discriminating against women and violating their rights;
- (b) Protect women against discrimination and from violation of their rights by private corporations, entities, and individuals; and
- (c) Promote and fulfill the rights of women in all spheres, including their rights to substantive equality and non-discrimination.

The State shall fulfill these duties through law, policy, regulatory instruments, administrative guidelines, and other appropriate measures, including temporary special measures.

Recognizing the interrelation of the human rights of women, the State shall take measures and establish mechanisms to promote the coherent and integrated implementation, and enforcement of this Act and related laws, policies, or other measures to effectively stop discrimination against and advance the rights of women.

The State shall keep abreast with and be guided by progressive developments in human rights of women under international law and design of policies, laws, and other measures to promote the objectives of this Act.

Section 6. *Duties of the State Agencies and Instrumentalities.* - These duties of the State shall extend to all state agencies, offices, and instrumentalities at all levels and government-owned and controlled corporations, subject to the Constitution and pertinent laws, policies, or administrative guidelines that define specific duties of state agencies and entities concerned.

Section 7. *Supplementary Effect.* - This chapter shall be deemed integrated into and be supplementary to other provisions of this Act, particularly those that guarantee specific rights to women and define specific roles and require specific conduct of state organs.

CHAPTER IV RIGHTS AND EMPOWERMENT

Section 8. *Human Rights of Women.* - All rights in the Constitution and those rights recognized under international instruments duly signed and ratified by the Philippines, in consonance with Philippine law, shall be rights of women under this Act to be enjoyed without discrimination.

Section 9. *Protection from Violence.* - The State shall ensure that all women shall be protected from all forms of violence as provided for in existing laws. Agencies of government shall give priority to the defense and protection of women against gender-based offenses and help women attain justice and healing.

Towards this end, measures to prosecute and reform offenders shall likewise be pursued.

(a) Within the next five (5) years, there shall be an incremental increase in the recruitment and training of women in the police force, forensics and medico-legal, legal services, and social work services availed of by women who are victims of gender-related offenses until fifty percent (50%) of the personnel thereof shall be women.

(b) Women shall have the right to protection and security in situations of armed conflict and militarization. Towards this end, they shall be protected from all forms of gender-based violence, particularly rape and other forms of sexual abuse, and all forms of violence in situations of armed conflict. The State shall observe international standards for the protection of civilian population in circumstances of emergency and armed conflict. It shall not force women, especially indigenous peoples, to abandon their lands, territories, and means of subsistence, or relocate them in special centers for military purposes under any discriminatory condition.

(c) All government personnel involved in the protection and defense of women against gender-based violence shall undergo a mandatory training on human rights and gender sensitivity pursuant to this Act.

(d) All local government units shall establish a Violence Against Women's Desk in every barangay to ensure that violence against women cases are fully addressed in a gender-responsive manner.

Section 10. Women Affected by Disasters, Calamities, and Other Crisis Situations. - Women have the right to protection and security in times of disasters, calamities, and other crisis situations especially in all phases of relief, recovery, rehabilitation, and construction efforts. The State shall provide for immediate humanitarian assistance, allocation of resources, and early resettlement, if necessary. It shall also address the particular needs of women from a gender perspective to ensure their full protection from sexual exploitation and other sexual and gender-based violence committed against them. Responses to disaster situations shall include the provision of services, such as psychosocial support, livelihood support, education, psychological health, and comprehensive health services, including protection during pregnancy.

Section 11. Participation and Representation. - The State shall undertake temporary special measures to accelerate the participation and equitable representation of women in all spheres of society particularly in the decision-making and policy-making processes in government and private entities to fully realize their role as agents and beneficiaries of development.

The State shall institute the following affirmative action mechanisms so that women can participate meaningfully in the formulation, implementation, and evaluation of policies, plans, and programs for national, regional, and local development:

(a) Empowerment within the Civil Service. - Within the next five (5) years, the number of women in third (3rd) level positions in government shall be incrementally increased to achieve a fifty-fifty (50-50) gender balance;

(b) Development Councils and Planning Bodies. - To ensure the participation of women in all levels of development planning and program implementation, at least forty percent (40%) of membership of all development councils from

the regional, provincial, city, municipal and barangay levels shall be composed of women;

(c) Other Policy and Decision-Making Bodies. - Women's groups shall also be represented in international, national, and local special and decision-making bodies;

(d) International Bodies. - The State shall take all appropriate measures to ensure the opportunity of women, on equal terms with men and without any discrimination, to represent their governments at the international level and to participate in the work of international organizations;

(e) Integration of Women in Political Parties. - The State shall provide incentives to political parties with women's agenda. It shall likewise encourage the integration of women in their leadership hierarchy, internal policy-making structures, appointive, and electoral nominating processes; and

(f) Private Sector. - The State shall take measures to encourage women leadership in the private sector in the form of incentives.

Section 12. Equal Treatment Before the Law. - The State shall take steps to review and, when necessary, amend and/or repeal existing laws that are discriminatory to women within three (3) years from the effectivity of this Act.

Section 13. Equal Access and Elimination of Discrimination in Education, Scholarships, and Training.

(a) The State shall ensure that gender stereotypes and images in educational materials and curricula are adequately and appropriately revised. Gender-sensitive language shall be used at all times. Capacity-building on gender and development (GAD), peace and human rights, education for teachers, and all those involved in the education sector shall be pursued toward this end. Partnerships between and among players of the education sector, including the private sector, churches, and faith groups shall be encouraged.

(b) Enrolment of women in nontraditional skills training in vocational and tertiary levels shall be encouraged.

(c) Expulsion and non-readmission of women faculty due to pregnancy; outside of marriage shall be outlawed. No school shall turn out or refuse

admission to a female student solely on the account of her having contracted pregnancy outside of marriage during her term in school.

Section 14. Women in Sports. - The State shall develop, establish, and strengthen programs for the participation of women and girl-children in competitive and noncompetitive sports as a means to achieve excellence, promote physical and social well-being, eliminate gender-role stereotyping, and provide equal access to the full benefits of development for all persons regardless of sex, gender identity, and other similar factors.

For this purpose, all sports-related organizations shall create guidelines that will establish and integrate affirmative action as a strategy and gender equality as a framework in planning and implementing their policies, budgets, programs, and activities relating to the participation of women and girls in sports.

The State will also provide material and nonmaterial incentives to local government units, media organizations, and the private sector for promoting, training, and preparing women and girls for participation in competitive and noncompetitive sports, especially in local and international events, including, but not limited to, the Palarong Pambansa, Southeast Asian Games, Asian Games, and the Olympics.

No sports event or tournament will offer or award a different sports prize, with respect to its amount or value, to women and men winners in the same sports category: *Provided*, that the said tournament, contest, race, match, event, or game is open to both sexes: *Provided, further*, that the sports event or tournament is divided into male or female divisions.

The State shall also ensure the safety and well-being of all women and girls participating in sports, especially, but not limited to, trainees, reserve members, members, coaches, and mentors of national sports teams, whether in studying, training, or performance phases, by providing them comprehensive health and medical insurance coverage, as well as integrated medical, nutritional, and healthcare services.

Schools, colleges, universities, or any other learning institution shall take into account its total women student population in granting athletic scholarship. There shall be a *pro rata* representation of women in the athletic scholarship

program based on the percentage of women in the whole student population.

Section 15. *Women in the Military.* - The State shall pursue appropriate measures to eliminate discrimination of women in the military, police, and other similar services, including revising or abolishing policies and practices that restrict women from availing of both combat and noncombat training that are open to men, or from taking on functions other than administrative tasks, such as engaging in combat, security-related, or field operations. Women in the military shall be accorded the same promotional privileges and opportunities as men, including pay increases, additional remunerations and benefits, and awards based on their competency and quality of performance. Towards this end, the State shall ensure that the personal dignity of women shall always be respected.

Women in the military, police, and other similar services shall be provided with the same right to employment as men on equal conditions. Equally, they shall be accorded the same capacity as men to act in and enter into contracts, including marriage.

Further, women in the military, police; and other similar services shall be entitled to leave benefits such as maternity leave, as provided for by existing laws.

Section 16. *Non-discriminatory and Non-derogatory Portrayal of Women in Media and Film.* - The State shall formulate policies and programs for the advancement of women in collaboration with government and non-government media-related organizations. It shall likewise endeavor to raise the consciousness of the general public in recognizing the dignity of women and the role and contribution of women in the family; community, and the society through the strategic use of mass media.

For this purpose, the State shall ensure allocation of space; airtime, and resources, strengthen programming, production, and image-making that appropriately present women's needs, issues, and concerns in all forms of media, communication, information dissemination, and advertising.

The State, in cooperation with all schools of journalism, information, and communication, as well as the national media federations and associations,

shall require all media organizations and corporations to integrate into their human resource development components regular training on gender equality and gender-based discrimination, create and use gender equality guidelines in all aspects of management, training, production, information, dissemination, communication, and programming; and convene a gender equality committee that will promote gender mainstreaming as a framework and affirmative action as a strategy, and monitor and evaluate the implementation of gender equality guidelines.

Section 17. Women's Right to Health.

(a) Comprehensive Health Services. - The State shall, at all times, provide for a comprehensive, culture-sensitive, and gender-responsive health services and programs covering all stages of a woman's life cycle and which addresses the major causes of women's mortality and morbidity: *Provided*, that in the provision for comprehensive health services, due respect shall be accorded to women's religious convictions, the rights of the spouses to found a family in accordance with their religious convictions, and the demands of responsible parenthood, and the right of women to protection from hazardous drugs, devices, interventions, and substances.

Access to the following services shall be ensured:

- (1) Maternal care to include pre-and post-natal services to address pregnancy and infant health and nutrition;
- (2) Promotion of breastfeeding;
- (3) Responsible, ethical, legal, safe, and effective methods of family planning;
- (4) Family and State collaboration in youth sexuality education and health services without prejudice to the primary right and duty of parents to educate their children;
- (5) Prevention and management of reproductive tract infections, including sexually transmitted diseases, HIV, and AIDS;
- (6) Prevention and management of reproductive tract cancers like breast and cervical cancers, and other gynecological conditions and disorders;

(7) Prevention of abortion and management of pregnancy-related complications;

(8) In cases of violence against women and children, women and children victims and survivors shall be provided with comprehensive health services that include psychosocial, therapeutic, medical, and legal interventions and assistance towards healing, recovery, and empowerment;

(9) Prevention and management of infertility and sexual dysfunction pursuant to ethical norms and medical standards;

(10) Care of the elderly women beyond their child-bearing years; and

(11) Management, treatment, and intervention of mental health problems of women and girls. In addition, healthy lifestyle activities are encouraged and promoted through programs and projects as strategies in the prevention of diseases.

(b) Comprehensive Health Information and Education. - The State shall provide women in all sectors with appropriate, timely, complete, and accurate information and education on all the above-stated aspects of women's health in government education and training programs, with due regard to the following:

(1) The natural and primary right and duty of parents in the rearing of the youth and the development of moral character and the right of children to be brought up in an atmosphere of morality and rectitude for the enrichment and strengthening of character;

(2) The formation of a person's sexuality that affirms human dignity; and

(3) Ethical, legal, safe, and effective family planning methods including fertility awareness.

Section 18. Special Leave Benefits for Women. - A woman employee having rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months shall be entitled to a special leave benefit of two (2) months with full pay based on her gross monthly compensation following surgery caused by gynecological disorders.

Section 19. Equal Rights in All Matters Relating to Marriage and Family Relations.

- The State shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and shall ensure:

(a) the same rights to enter into and leave marriages or common law relationships referred to under the Family Code without prejudice to personal or religious beliefs;

(b) the same rights to choose freely a spouse and to enter into marriage only with their free and full consent. The betrothal and the marriage of a child shall have no legal effect;

(c) the joint decision on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

(d) the same personal rights between spouses or common law spouses including the right to choose freely a profession and an occupation;

(e) the same rights for both spouses or common law spouses in respect of the ownership, acquisition, management, administration, enjoyment, and disposition of property;

(f) the same rights to properties and resources, whether titled or not, and inheritance, whether formal or customary; and

(g) women shall have equal rights with men to acquire, change, or retain their nationality. The State shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband. Various statutes of other countries concerning dual citizenship that may be enjoyed equally by women and men shall likewise be considered.

Customary laws shall be respected: *Provided, however,* that they do not discriminate against women.

CHAPTER V

RIGHTS AND EMPOWERMENT OF MARGINALIZED SECTORS

Women in marginalized sectors are hereby guaranteed all civil, political, social, and economic rights recognized, promoted, and protected under existing laws including, but not limited to, the Indigenous Peoples Rights Act, the Urban Development and Housing Act, the Comprehensive Agrarian Reform Law, the Fisheries Code, the Labor Code, the Migrant Workers Act, the Solo Parents Welfare Act, and the Social Reform and Poverty Alleviation Act.

Section 20. Food Security and Productive Resources. - The State recognizes the contribution of women to food production and shall ensure its sustainability and sufficiency with the active participation of women. Towards this end, the State shall guarantee, at all times, the availability in the market of safe and health-giving food to satisfy the dietary needs of the population, giving particular attention to the specific needs of poor girl-children and marginalized women, especially pregnant and lactating mothers and their young children. To further address this, the State shall ensure:

(a) **Right to Food.** - The State shall guarantee the availability of food in quantity and quality sufficient to satisfy the dietary needs of individuals, the physical and economic accessibility for everyone to adequate food that is culturally acceptable and free from unsafe substances and culturally accepted, and the accurate and substantial information to the availability of food, including the right to full, accurate, and truthful information about safe and health-giving foods and how to produce and have regular and easy access to them;

(b) **Right to Resources for Food Production.** - The State shall guarantee women a vital role in food production by giving priority to their rights to land, credit, and infrastructure support, technical training, and technological and marketing assistance. The State shall promote women-friendly technology as a high priority activity in agriculture and shall promote the right to adequate food by proactively engaging in activities intended to strengthen access to, utilization of, and receipt of accurate and substantial information on resources and means to ensure women's livelihood, including food security:

- (1) Equal status shall be given to women and men, whether married or not, in the titling of the land and issuance of stewardship contracts and patents;
- (2) Equal treatment shall be given to women and men beneficiaries of the agrarian reform program, wherein the vested right of a woman agrarian reform beneficiary is defined by a woman's relationship to tillage, *i.e.*, her direct and indirect contribution to the development of the land;
- (3) Customary rights of women to the land, including access to and control of the fruits and benefits, shall be recognized in circumstances where private ownership is not possible, such as ancestral domain claims;
- (4) Information and assistance in claiming rights to the land shall be made available to women at all times;
- (5) Equal rights to women to the enjoyment, use, and management of land, water, and other natural resources within their communities or ancestral domains;
- (6) Equal access to the use and management of fisheries and aquatic resources, and all the rights and benefits accruing to stakeholders in the fishing industry;
- (7) Equal status shall be given to women and men in the issuance of stewardship or lease agreements and other fishery rights that may be granted for the use and management of coastal and aquatic resources. In the same manner, women's organizations shall be given equal treatment as with other marginalized fishers organizations in the issuance of stewardship or lease agreements or other fishery rights for the use and management of such coastal and aquatic resources which may include providing support to women-engaged coastal resources;
- (8) There shall be no discrimination against women in the deputization of fish wardens;
- (9) Women-friendly and sustainable agriculture technology shall be designed based on accessibility and viability in consultation with women's organizations;

(10) Access to small farmer-based and controlled seeds production and distribution shall be ensured and protected;

(11) Indigenous practices of women in seed storage and cultivation shall be recognized, encouraged, and protected;

(12) Equal rights shall be given to women to be members of farmers' organizations to ensure wider access to and control of the means of production;

(13) Provide opportunities for empowering women fishers to be involved in the control and management, not only of the catch and production of aquamarine resources but also, to engage in entrepreneurial activities which will add value to production and marketing ventures; and

(14) Provide economic opportunities for the indigenous women, particularly access to market for their produce.

In the enforcement of the foregoing, the requirements of law shall be observed at all times.

Section 21. Right to Housing. - The State shall develop housing programs for women that are localized, simple, accessible, with potable water, and electricity, secure, with viable employment opportunities and affordable amortization. In this regard, the State shall consult women and involve them in community planning and development, especially in matters pertaining to land use, zoning, and relocation.

Section 22. Right to Decent Work. - The State shall progressively realize and ensure decent work standards for women that involve the creation of jobs of acceptable quality in conditions of freedom, equity, security, and human dignity.

(a) Decent work involves opportunities for work that are productive and fairly remunerative as family living wage, security in the workplace, and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize, participate in the decisions that affect their lives, and equality of opportunity and treatment for all women and men.

(b) The State shall further ensure:

- (1) Support services and gears to protect them from occupational and health hazards taking into account women's maternal functions;
- (2) Support services that will enable women to balance their family obligations and work responsibilities including, but not limited to, the establishment of day care centers and breast-feeding stations at the workplace, and providing maternity leave pursuant to the Labor Code and other pertinent laws;
- (3) Membership in unions regardless of status of employment and place of employment; and
- (4) Respect for the observance of indigenous peoples' cultural practices even in the workplace.

(c) In recognition of the temporary nature of overseas work, the State shall exert all efforts to address the causes of out-migration by developing local employment and other economic opportunities for women and by introducing measures to curb violence and forced and involuntary displacement of local women. The State shall ensure the protection and promotion of the rights and welfare of migrant women regardless of their work status, and protect them against discrimination in wages, conditions of work, and employment opportunities in host countries.

Section 23. Right to Livelihood, Credit, Capital, and Technology. - The State shall ensure that women are provided with the following:

- (a) Equal access to formal sources of credit and capital;
- (b) Equal share to the produce of farms and aquatic resources; and
- (c) Employment opportunities for returning women migrant workers taking into account their skills and qualifications. Corollarily, the State shall also promote skills and entrepreneurship development of returning women migrant workers.

Section 24. Right to Education and Training. - The State shall ensure the following:

(a) Women migrant workers have the opportunity to undergo skills training, if they so desire, before taking on a foreign job, and possible retraining upon return to the country:

(b) Gender-sensitive training and seminars; and

(c) Equal opportunities in scholarships based on merit and fitness, especially to those interested in research and development aimed towards women-friendly farm technology.

Section 25. Right to Representation and Participation. - The State shall ensure women's participation in policy-making or decision-making bodies in the regional, national, and international levels. It shall also ensure the participation of grassroots women leaders in decision and policy-making bodies in their respective sectors including, but not limited to, the Presidential Agrarian Reform Council (PARC) and its local counterparts; community-based resource management bodies or mechanisms on forest management and stewardship; the National Fisheries and Aquatic Resources Management Council (NFARMC) and its local counterparts; the National Commission on Indigenous Peoples; the Presidential Commission for the Urban Poor; the National Anti-Poverty Commission; and, where applicable, the local housing boards.

Section 26. Right to Information. - Access to information regarding policies on women, including programs, projects, and funding outlays that affect them, shall be ensured.

Section 27. Social Protection.

(a) The Social Security System (SSS) and the Philippine Health Insurance Corporation (PhilHealth) shall support indigenous and community-based social protection schemes.

(b) The State shall institute policies and programs that seek to reduce the poverty and vulnerability to risks and enhance the social status and rights of the marginalized women by promoting and protecting livelihood and employment, protecting against hazards and sudden; loss of income, and improving people's capacity to manage risks.

(c) The State shall endeavor to reduce and eventually eliminate transfer costs of remittances from abroad through appropriate bilateral and multilateral agreements. It shall likewise provide access to investment opportunities for remittances in line with national development efforts.

(d) The State shall establish a health insurance program for senior citizens and indigents.

(e) The State shall support women with disabilities on a community-based social protection scheme.

Section 28. Recognition and Preservation of Cultural Identity and Integrity. - The State shall recognize and respect the rights of Moro and indigenous women to practice, promote, protect, and preserve their own culture, traditions, and institutions and to consider these rights in the formulation and implementation of national policies and programs. To this end, the State shall adopt measures in consultation with the sectors concerned to protect their rights to their indigenous knowledge systems and practices, traditional livelihood, and other manifestations of their cultures and ways of life: Provided, that these cultural systems and practices are not discriminatory to women.

Section 29. Peace and Development. - The peace process shall be pursued with the following considerations:

(a) Increase the number of women participating in discussions and decision-making in the peace process, including membership in peace panels recognizing women's role in conflict-prevention and peace-making and in indigenous system of conflict resolution;

(b) Ensure the development and inclusion of women's welfare and concerns in the peace agenda in the overall peace strategy and women's participation in the planning, implementation, monitoring, and evaluation of rehabilitation and rebuilding of conflict-affected areas;

(c) The institution of measures to ensure the protection of civilians in conflict-affected communities with special consideration for the specific needs of women and girls;

(d) Include the peace perspective in the education curriculum and other educational undertakings; and

(e) The recognition and support for women's role in conflict-prevention, management, resolution and peacemaking, and in indigenous systems of conflict resolution.

Section 30. Women in Especially Difficult Circumstances. - For purposes of this Act, "Women in Especially Difficult Circumstances" (WEDC) shall refer to victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, women in detention, victims and survivors of rape and incest, and such other related circumstances which have incapacitated them functionally. Local government units are therefore mandated to deliver the necessary services and interventions to WEDC under their respective jurisdictions.

Section 31. Services and Interventions. - WEDC shall be provided with services and interventions as necessary such as, but not limited to, the following:

- (a) Temporary and protective custody;
- (b) Medical and dental services;
- (c) Psychological evaluation;
- (d) Counseling;
- (e) Psychiatric evaluation;
- (f) Legal services;
- (g) Productivity skills capability building;
- (h) Livelihood assistance;
- (i) Job placement;
- (j) Financial assistance; and
- (k) Transportation assistance.

Section 32. Protection of Girl-Children.

- (a) The State shall pursue measures to eliminate all forms of discrimination against girl-children in education, health and nutrition, and skills development.
- (b) Girl-children shall be protected from all forms of abuse and exploitation.
- (c) Equal access of Moro and indigenous girl-children in the Madaris, schools of living culture and traditions, and the regular schools shall be ensured.
- (d) Gender-sensitive curriculum, including legal literacy, books, and curriculum in the Madaris and schools of living culture and traditions shall be developed.
- (e) Sensitivity of regular schools to particular Moro and indigenous practices, such as fasting in the month of Ramadan, choice of clothing (including the wearing of *hijab*), and availability of *halal* food shall be ensured.

Section 33. Protection of Senior Citizens. - The State shall protect women senior citizens from neglect, abandonment, domestic violence, abuse, exploitation, and discrimination. Towards this end, the State shall ensure special protective mechanisms and support services against violence, sexual abuse, exploitation, and discrimination of older women.

Section 34. Women are entitled to the recognition and protection of their rights defined and guaranteed under this Act including their right to nondiscrimination.

Section 35. Discrimination Against Women is Prohibited. - Public and private entities and individuals found to have committed discrimination against women shall be subject to the sanctions provided in Section 41 hereof. Violations of other rights of women shall be subject to sanctions under pertinent laws and regulations.

CHAPTER VI INSTITUTIONAL MECHANISMS

Section 36. Gender Mainstreaming as a Strategy for Implementing the Magna Carta of Women. - Within a period prescribed in the implementing rules and regulations, the National Commission on the Role of Filipino Women (NCRFW) shall assess its gender mainstreaming program for

consistency with the standards under this Act. It shall modify the program accordingly to ensure that it will be an effective strategy for implementing this Act and attaining its objectives.

All departments, including their attached agencies, offices, bureaus, state universities and colleges, government-owned and controlled corporations, local government units, and other government instrumentalities shall adopt gender mainstreaming as a strategy to promote women's human rights and eliminate gender discrimination in their systems, structures, policies, programs, processes, and procedures which shall include, but not limited to, the following:

(a) Planning, budgeting, monitoring and evaluation for GAD. GAD programs addressing gender issues and concerns shall be designed and implemented based on the mandate of government agencies and local government units, Republic Act No. 7192, gender equality agenda of the government and other GAD-related legislation, policies, and commitments. The development of GAD programs shall proceed from the conduct of a gender audit of the agency or the local government unit and a gender analysis of its policies, programs, services and the situation of its clientele; the generation and review of sex-disaggregated data; and consultation with gender/women's rights advocates and agency/women clientele. The cost of implementing GAD programs shall be the agency's or the local government unit's GAD budget which shall be at least five percent (5%) of the agency's or the local government unit's total budget appropriations.

Pursuant to Republic Act No. 7192, otherwise known as the Women in Development and Nation Building Act, which allocates five percent (5%) to thirty percent (30%) of overseas development assistance to GAD, government agencies receiving official development assistance should ensure the allocation and proper utilization of such funds to gender-responsive programs that complement the government GAD funds and annually report accomplishments thereof to the National Economic and Development Authority (NEDA) and the Philippine Commission on Women (PCW).

The utilization and outcome of the GAD budget shall be annually monitored and evaluated in terms of its success in influencing the gender-responsive

implementation of agency programs funded by the remaining ninety five percent (95%) budget.

The Commission on Audit (COA) shall conduct an annual audit on the use of the GAD budget for the purpose of determining its judicious use and the efficiency, and effectiveness of interventions in addressing gender issues towards the realization of the objectives of the country's commitments, plans, and policies on women empowerment, gender equality, and GAD.

Local government units are also encouraged to develop and pass a GAD Code based on the gender issues and concerns in their respective localities based on consultation with their women constituents and the women's empowerment and gender equality agenda of the government. The GAD Code shall also serve as basis for identifying programs, activities, and projects on GAD.

Where needed, temporary gender equity measures shall be provided for in the plans of all departments, including their attached agencies, offices, bureaus, state universities and colleges, government-owned and -controlled corporations, local government units, and other government instrumentalities.

To move towards a more sustainable, gender-responsive, and performance-based planning and budgeting, gender issues and concerns shall be integrated in, among others, the following plans:

- (1) Macro socioeconomic plans such as the Medium-Term Philippine Development Plan and Medium-Term Philippine Investment Plan;
- (2) Annual plans of all departments, including their attached agencies, offices, bureaus, state universities and colleges, and government-owned and controlled corporations; and
- (3) Local plans and agenda such as executive-legislative agenda, comprehensive development plan (CDP), comprehensive land use plan (CLUP), provincial development and physical framework plan (PDPFP), and annual investment plan.

(b) Creation and/or Strengthening of the GAD Focal Points (GFP). All departments, including their attached agencies, offices, bureaus, state universities and colleges, government-owned and controlled corporations,

local government units, and other government instrumentalities shall establish or strengthen their GAD Focal Point System or similar GAD mechanism to catalyze and accelerate gender mainstreaming within the agency or local government unit.

The GAD Focal Point System shall be composed of the agency head or local chief executive, an executive committee with an Undersecretary (or its equivalent), local government unit official, or office in a strategic decision-making position as Chair; and a technical working group or secretariat which is composed of representatives from various divisions or offices within the agency or local government unit.

The tasks and functions of the members of the GFP shall form part of their regular key result areas and shall be given due consideration in their performance evaluation.

(c) Generation and Maintenance of GAD Database. All departments, including their attached agencies, offices, bureaus, state universities and colleges, government-owned and controlled corporations, local government units, and other government instrumentalities shall develop and maintain a GAD database containing gender statistics and sex disaggregated data that have been systematically gathered, regularly updated; and subjected to; gender analysis for planning, programming, and policy formulation.

Section 37. Gender Focal Point Officer in Philippine Embassies and Consulates. - An officer duly trained on GAD shall be designated as the gender focal point in the consular section of Philippine embassies or consulates. Said officer shall be primarily responsible in handling gender concerns of women migrant workers. Attached agencies shall cooperate in strengthening the Philippine foreign posts' programs for the delivery of services to women migrant workers.

Section 38. National Commission on the Role of Filipino Women (NCRFW). - The National Commission on the Role of Filipino Women (NCRFW) shall be renamed as the Philippine Commission on Women (PCW), the primary policymaking and coordinating body of the women and gender equality concerns under the Office of the President. The PCW shall be the overall monitoring body and oversight to ensure the implementation of

this Act. In doing so, the PCW may direct any government agency and instrumentality, as may be necessary, to report on the implementation of this Act and for them to immediately respond to the problems brought to their attention in relation to this Act. The PCW shall also lead in ensuring that government agencies are capacitated on the effective implementation of this Act. The chairperson shall likewise report to the President in Cabinet meetings on the implementation of this Act.

To the extent possible, the PCW shall influence the systems, processes, and procedures of the executive, legislative, and judicial branches of government vis-a-vis GAD to ensure the implementation of this Act.

To effectively and efficiently undertake and accomplish its functions, the PCW shall revise its structure and staffing pattern with the assistance of the Department of Budget and Management.

Section 39. Commission on Human Rights (CHR). - The Commission, acting as the Gender and Development Ombudsman, consistent with its mandate, shall undertake measures such as the following:

- (a) Monitor with the PCW and other state agencies, among others, in developing indicators and guidelines to comply with their duties related to the human rights of women, including their right to nondiscrimination guaranteed under this Act;
- (b) Designate one (1) commissioner and/or its Women's Human Rights Center to be primarily responsible for formulating and implementing programs and activities related to the promotion and protection of the human rights of women, including the investigations and complaints of discrimination and violations of their rights brought under this Act and related laws and regulations;
- (c) Establish guidelines and mechanisms, among others, that will facilitate access of women to legal remedies under this Act and related laws, and enhance the protection and promotion of the rights of women, especially marginalized women;
- (d) Assist in the filing of cases against individuals, agencies, institutions, or establishments that violate the provisions of this Act; and

(e) Recommend to the President of the Philippines or the Civil Service Commission any possible administrative action based on noncompliance or failure to implement the provisions of this Act.

Section 40. *Monitoring Progress and Implementation and Impact of this Act.*

- The PCW, in coordination with other state agencies and the CHR, shall submit to Congress regular reports on the progress of the implementation of this Act highlighting the impact thereof on the status and human rights of women: Provided, that the second report shall include an assessment of the effectiveness of this Act and recommend amendments to improve its provisions: Provided, finally, that these reports shall be submitted to Congress every three (3) years or as determined in the implementing rules and regulations.

Section 41. *Penalties.* - Upon finding of the CHR that a department, agency, or instrumentality of government, government-owned and controlled corporation, or local government unit has violated any provision of this Act and its implementing rules and regulations, the sanctions under administrative law, civil service, or other appropriate laws shall be recommended to the Civil Service Commission and/or the Department of the Interior and Local Government. The person directly responsible for the violation as well as the head of the agency or local chief executive shall be held liable under this Act.

If the violation is committed by a private entity or individual, the person directly responsible for the violation shall be liable to pay damages.

Filing a complaint under this Act shall not preclude the offended party from pursuing other remedies available under the law and to invoke any of the provisions of existing laws especially those recently enacted laws protecting women and children, including the Women in Development and Nation Building Act (Republic Act No. 7192), the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (Republic Act No. 7610), the Anti-Sexual Harassment Act of 1995 (Republic Act No. 7877), the Anti-Rape Law of 1997 (Republic Act No. 8353), the Rape Victim Assistance and Protection Act of 1998 (Republic Act No. 8505), the Anti-Trafficking in Persons Act of 2003 (Republic Act No. 9208) and the Anti-Violence Against Women and Their Children Act of 2004 (Republic Act No. 9262). If violence has been proven to be perpetrated by agents of the State including, but not

limited to, extrajudicial killings, enforced disappearances, torture, and internal displacements, such shall be considered aggravating offenses with corresponding penalties depending on the severity of the offenses.

Section 42. Incentives and Awards. - There shall be established an incentives and awards system which shall be administered by a board under such rules and regulations as may be promulgated by the PCW to deserving entities, government agencies, and local government units for their outstanding performance in upholding the rights of women and effective implementation of gender-responsive programs.

Section 43. Funding. - The initial funding requirements for the implementation of this Act shall be charged against the current appropriations of the agencies concerned. Thereafter, such sums as may be necessary for the implementation of this Act shall be included in the agencies' yearly budgets under the General Appropriations Act.

The State shall prioritize allocation of all available resources to effectively fulfill its obligations specified under this Act. The State agencies' GAD budgets, which shall be at least five percent (5%) of their total budgetary allocation, shall also be utilized for the programs and activities to implement this Act.

Section 44. Implementing Rules and Regulations. - As the lead agency, the PCW shall, in coordination with the Commission on Human Rights and all concerned government departments and agencies including, as observers, both Houses of Congress through the Committee on Youth, Women and Family Relations (Senate) and the Committee on Women and Gender Equality (House of Representatives) and with the participation of representatives from non-government organizations (NGOs) and civil society groups with proven track record of involvement and promotion of the rights and welfare of Filipino women and girls identified by the PCW, formulate the implementing rules and regulations (IRR) of this Act within one hundred eighty (180) days after its effectivity.

Section 45. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

Section 46. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 47. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.

SAMPLE TRAINING CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

This Contract made and entered into by the Palawan Council for Sustainable Development Staff referred to as the Agency represented by Executive Director _____, and _____

<i>Name of Grantee</i>	_____	<i>Position</i>
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of Palawan Council for Sustainable Development Staff referred to as the Grantee in connection with the grantee's availment of the scholarship on _____ at the _____ under the Training Scholarship program of the PCSDS do hereby agree to the following terms and conditions:

GRANTEE – That I shall

1. Complete all the requirements for the course within the specified duration;
2. While on training, conduct myself in such a manner as not to bring dishonor to the agency;
3. Communicate/update regularly the HRD Unit on the status/progress of training/education;

4. Furnish the Data Bank/Information Technology a hard copy or e-files of training materials;
5. Upon completion of the course, submit to the Executive Director a copy of Certificate of Completion/Diploma duly certified by the authorized officer of the learning institution;
6. Upon completion of the course, submit a re-entry plan or proposal for the application of newly acquired skills or expertise to the agency;
7. Return to my agency immediately and resume my functions and responsibilities upon completion of the scholarship/study leave grant;
8. Fulfill my service obligation to this agency;
9. Refund to my agency the salaries and all the expenses incurred incidental to my grant in case I receive a failing grade or I discontinue my studies, due to illness not considered serious, or due to my own fault or willful neglect, or I voluntarily retire or resign from the service.

AGENCY – that the Agency Head shall:

1. Exercise full discretion in authorizing the scholar to study on official time for the specified duration of the training/scholarship;
2. Relieve the grantee of all his/her duties and responsibilities while on training;
3. Pay the grantee's salary and other benefits and allowances for the duration of the grant;
4. Shoulder the tuition and school fees, and cost of transportation from the grantee's official station to his/her place of study and vice-versa (one time only during the duration of scholarship);
5. Monitor the scholar's progress/completion of scholarship; and
6. Implement sanctions to the scholar for his/her failure to complete his/her studies and/or who resigned/separated from their post without completing the service obligation period as provided for in the duly approved Memorandum Circular No. 3, series of 2005 (Guidelines on Training, Scholarship and Study Leave).

IN WITNESS HEREOF, we hereunder set our hands this ____ day of _____, 20__ at _____.

(PCSDS Executive Director)

(Grantee)

WITNESS:

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF PUERTO PRINCESA) S.S.

BEFORE ME, on this ____ day of _____, 2014, in the City of
Puerto Princesa, Palawan, Philippines, personally appeared:

NAME	CTC #	Date Issued	Place
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(GRANTEE)

known to me to be the same person who executed the foregoing instrument
and they acknowledged to me that the same is their free act and deed.

WITNESS MY HAND AND SEAL, this ____ day of _____, 2014, in
the City of Puerto Princesa, Palawan, Philippines.

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