



Leave Credits Administration

OMNIBUS RULES ON LEAVE

Rule XVI of the Omnibus Rules
Implementing Book V of

Executive Order 292

As Amended by CSC MC Nos. 41, s.
1998; 6 and 14, s. 1999;
16 and 22, s. 2002

LEAVE OF ABSENCE

A right granted to officials and employees not to report for work with or without pay as may be provided by law and as the rules prescribe in Rule XVI of EO 292 .

CUMMUTATION OF LEAVE CREDITS

Conversion of unused leave credits to their corresponding money value.

CUMULATION OF LEAVE CREDITS

Incremental acquisition of unused leave credits by an official or employee.

IMMEDIATE FAMILY

The spouse, children, parents, unmarried brothers and sisters and any relative living under the same roof or dependent upon the employee for support.

PREGNANCY

- The period between conception and delivery or birth of a child.
- Miscarriage is within the period of pregnancy.

LEAVE OF ABSENCE

SICK LEAVE

Leave of absence granted on account of sickness or disability on the part of the employee concerned or any member of his immediate family.

Sick Leave

- applications must be filed immediately upon employee's return from such leave.
- SL in excess of five (5) successive days shall be accompanied by a medical certificate.

VACATION LEAVE

Leave of absence granted to officials and employees for personal reasons, the approval of which is contingent upon the necessities of the service.

Vacation Leave

- applications for VL for one (1) day or more shall be submitted on the prescribed form, five (5) days in advance, whenever possible
- Approval shall be at the discretion of the head of agency.

MONETIZATION OF LEAVE CREDITS

MONETIZATION

Payment in advance under prescribed limits and subject to specified terms and conditions of the money value of leave credits of an employee upon his request without actually going on leave.

Conditions on the Grant of Monetization

- 1. Officials and employees are in the career and non-career service**
- 2. Employee is permanent, temporary, casual or co-terminous**
- 3. Have accumulated 15 days of VL credits, allowed to monetize a minimum of 10 days**
- 4. At least 5 days is retained after monetization.**
- 5. A maximum of 30 days may be monetized in a given year.**

Conditions on the Grant of Monetization

- 6. Monetization of 50% or more of the accumulated leave credits may be allowed for valid and justifiable reasons, viz:**
- a. Health, medical and hospital needs of the employee and the immediate members of the 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;

Conditions on the Grant of Monetization

- c. Educational needs of the employee and the immediate members of his/her family;
- d. Payment of mortgages and loans which were entered into for the benefit or which incurred for the benefit of the employee and his/her immediate family;
- e. Extreme financial needs of the employee or his/her immediate family where the present sources of income are not enough to fulfill basic needs such as food, shelter and clothing;

Conditions on the Grant of Monetization

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

MATERNITY LEAVE

MATERNITY LEAVE

Leave of absence granted to female government employees legally entitled thereto in addition to vacation and sick leave.

MATERNITY LEAVE

The grant is to extend working mothers some measures of financial help and to provide her a period of rest and recuperation in connection with her pregnancy.

Conditions of the Grant of ML

1. Every woman in the government service who has rendered an aggregate of 2 or more years of service.
2. Those who have rendered 1 year or more but less than 2 years of service shall be computed in proportion to their length of service.
3. Those who have served for less than 1 year shall be entitled to 60-day maternity leave with half pay.

Conditions of the Grant of ML

4. Enjoyment of ML cannot be deferred but should be enjoyed within the actual period of delivery in a continuous and uninterrupted manner not exceeding 60 calendar days.
5. In every instance of pregnancy irrespective of its frequency.
6. Who wants to report back to duty before the expiration of her maternity leave, may be allowed to do so provided she presents a medical certificate that she is physically fit to assume the duties of her position.

Conditions of the Grant of ML

7. The commuted money value of the unexpired portion of the leave need not be refunded.
8. When the employee returns to work before the expiration of her maternity leave, she may receive both the benefits granted under the ML law and the salary for actual services rendered effective the day she reports for work.

Conditions of the Grant of ML

9. ML with pay may be granted even if the delivery occurs within 15 calendar days after the termination of employee's service.
10. A woman employee can still avail of 60 days ML with pay even if she is on an extended leave of absence without pay.

Conditions of the Grant of ML

11. Every women employee is entitled to ML of absence with pay even if she has a pending administrative case.
12. All contractual female employees whether or not receiving 20% premium on their salary shall be entitled to maternity leave benefits like regular employees.

PATERNITY LEAVE

PATERNITY LEAVE

- Privilege granted to a married male employee allowing him not to report for work for 7 days while continuing to earn the compensation; and
- On the condition that his legitimate spouse has delivered a child or suffered a miscarriage.

PATERNITY LEAVE

To enable him to effectively lend care and support to his wife before, during and after childbirth and assist in caring for his newborn child.

Conditions for the Grant of PL

1. Every married male employee is entitled to PL of 7 working days for the 1st 4 deliveries of his legitimate spouse with whom he is cohabiting.
2. The first of the 4 deliveries shall be reckoned from the effectivity of the PL Act on July 15, 1996.
3. Married male employee with more than 1 legal spouse shall be entitled to avail of PL for an absolute maximum of 4 deliveries regardless of whichever spouse gives birth.

Conditions for the Grant of PL

4. Every married male employee is entitled to PL of 7 working days for the 1st 4 deliveries of his legitimate spouse with whom he is cohabiting.
5. PL is non-cumulative/non-commutative (not convertible to cash).
6. PL may be enjoyed either in a continuous or in intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse.

Terminal Leave

- Terminal leave is applied for by an official or an employee who intends to sever his connection with his employer.
- He shall be entitled to the commutation of his leave credits exclusive of Saturdays, Sunday and Holidays without limitation and regardless of the period when the credits were earned.

TERMINAL LEAVE

Money value of the total accumulated leave credits of an employee based on the highest salary rate received prior to or upon retirement date/voluntary separation.

Terminal Leave

- Request for payment for terminal leave benefits must be brought within ten (10) years from the time the right of action accrues upon obligation created by law.
- Official/employee on TL does not earn any leave credits as he is already out of the service.

Terminal Leave

- Official/employee who has reached the compulsory retirement age but whose service has been extended by the Commission, no longer earns leave credits.
- Compulsory retirees are entitled to salary increases during the period of extension (MC No. 21, s. 2010)

SPECIAL LEAVE PRIVILEGES

SPECIAL LEAVE

Leave of absence which officials and employees may avail of for a maximum of 3 days annually over and above the vacation, sick, maternity and paternity leaves to mark personal milestone and/or attend to filial and domestic responsibilities.

Special Leave Privileges are granted subject to the following conditions:

- a) **Personal Milestone** (Birthdays, Wedding, Anniversaries)
- b) **Parental Obligations** (attendance in school programs, graduations, first communions, medical needs of your child)
- c) **Filial Obligations** (moral obligations toward his parents and siblings for their medical and social needs)

Special Leave Privileges are granted subject to the following conditions:

- d) **Domestic emergencies** (sudden urgent repairs needed at home, absence of a yaya)
- e) **Personal transactions to cover the entire range of transactions an individual does with government and private offices**
- f) **Calamity, accident, hospitalization that affect the life, limb and property of the employee or his immediate family.**

Special Leave Privileges are granted subject to the following conditions:

- i. An employee can still avail of his birthday or wedding anniversary leave if such occasion falls on either a Saturday, Sunday or Holiday, either before or after the occasion.
- ii. Employees applying for special privilege leaves shall no longer be required to present proof that they are entitled to avail of such leaves.

Special Leave Privileges are granted subject to the following conditions:

- iii. Three-day limit for a given year shall be strictly observed: an employee can avail of one special privilege leave for 3 days or a combination of any of the leaves for maximum 3 days in a given year. SPL are non-cumulative and strictly non-convertible to cash

Rehabilitation Leave

(CSC-DBM Joint Circular No. 1, s. 2006)

- officials/employees may avail for a maximum period of six (6) months for wounds and/or injuries sustained while in the performance of official duties.
- Illness or sickness resulting from or aggravated by working conditions or the environment cannot be a basis for availment

Rehabilitation Leave

■ **Performance of duty means:**

- ✓ Situations wherein the official or employee was already at work.
- ✓ Same privilege may be extended to officials/employee meets an accident while engaged in activities inherent the performance of his/her duties including being on OB outside of his/her work station, Official travel, authorized OT, detail order and special assignment order.

Rehabilitation Leave

- injuries from accidents that occurred while the official/employee was going to work and going home from work are not considered sustained while in the performance of official duties.

Rehabilitation Leave

- absence from work during the period shall not be deducted from VL/SL
- However, he will not earn and accumulate VL and SL on said period;
- He will receive his salaries and regular benefits;

Rehabilitation Leave

- He is not entitled to benefits and privileges that are enjoyed based on the actual performance of duties of positions
- application shall be made through a letter, supported by relevant reports, if any, and medical certificate;
- The HA shall determine whether injuries were incurred while in the performance of duties.

Rehabilitation Leave

- The HA shall be held responsible and personally liable for any fraudulent claims and irregular availing of the privilege;
- The agency head through the HRMO should monitor monthly the medical status of the employee

FORCED/MANDATORY LEAVE

Conditions on the Grant of Forced/Mandatory Leave

1. Officials and employees with ten (10) days or more vacation leave credits shall be required to go on vacation leave
2. VL whether continuous or intermittent for a minimum of 5 working days annually
3. The head of agency shall prepare a staggered schedule of the mandatory 5-day VL of officials and employees.

4. The prepared schedule shall be in consultation with the employees
5. In the exigency of the service, an employee may cancel any previously scheduled leave
6. The mandatory annual 5-day VL shall be forfeited if not taken during the year

7. 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 VL.
8. Retirement and resignation from the service in a particular year w/o completing the calendar year do not warrant forfeiture of the corresponding leave credits if concerned employees opted not to avail of the required 5-day mandatory VL.

9. Accumulated VL of less than 10 days shall have the option to go on FL or not
10. Officials and employees with accumulated VL of 15 days who availed of monetization for 10 days, shall still be required to go on FL.

Employees observing Flexible Working Hours

- Employees who render less than 8 hours per day but complete the 40 hours a week
- They shall have corresponding deduction from leave credits only the number of hours required to be served for a day but which was not served
- Any absence incurred must be charged in proportion to the number of hours required for a day's work.

Employees observing Flexible Working Hours

- The number of hours to be served for a day refers not to the 8 regular hours but the number of hours covered by the core hours prescribed in the agency concerned
- Compensatory service may be availed of outside of the regular working hours, except Sundays, to offset non-attendance or undertimes during the regular office hours subject to the written approval of the agency's proper official.

Absence on a regular day for which suspension of work is announced

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

Tardiness and undertime are deducted against VL

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.

Leave during probationary period

- an employee still on probation may already avail of whatever leave credits he has earned during said period.
- any leave of absence without pay incurred during the period of probation shall extend the completion thereof for the same number of days of such absence.

Transfer of Leave Credits

- when an official or employee transfer from one government agency to another, he can either have his accumulated VL/SL credits commuted or transferred to his new agency
- the second option can be exercised as a matter of right only by an employee who does not have gaps in his service.

- However, a gap of not more than one month may be allowed provided same is not due to his fault.
- The option to transfer can be exercised within one (1) year only from the employee's transfer to the new agency.

Period within which to act on leave application

whenever the application for leave of absence, including TL is not acted upon by the head of agency or his duly authorized representative within five (5) WD after receipt thereof, the application shall be deemed approved.

Effect of Unauthorized Leave

an official/employee who is absent without approved leave shall not be entitled to receive his salary corresponding to the period of his unauthorized leave of absence.

Leave Without Pay

- All absences of an official or employee in excess of his accumulated VL or SL credits earned shall be without pay.
- when an employee had already exhausted his sick leave credits , he can use his VL but not vice versa.

Leave Without Pay

- LWOP not exceeding one year may be granted.
- LWOP in excess of one month shall require clearance

Effect of VL without pay

- For purposes of granting step increment, approved VL without pay for an aggregate of 15 days shall not interrupt the continuity of the three-year service requirement.
- If it exceeds 15 days, the grant of one-step increment will only be delayed for the same number of days.

Various Provisions

- Official/employee with pending administrative case/s is not barred from enjoying leave privileges.
- If an employee who is on leave w/o 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.

Absence without approved leave

- An official/employee who is continuously absent without approved leave for at least 30 WD shall be considered on 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 on his 201 files or at his last known address of his separation from the service not later than five (5) days from its effectivity.

- However, when it is clear under the obtaining circumstances that the official/employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than 30 WD 3x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.

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



PARENTAL LEAVE

Resolution No. 040284

COVERAGE

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 any of the following circumstances:
 - i. death of a spouse;
 - ii. detention of the spouse or serving sentence for a criminal conviction for at least one (1) year;
 - iii. physical/mental/ incapacity of a spouse as certified by a public medical practitioner;
 - iv. legal separation or de facto separation from a spouse for at least one year provided he/she has custody of the children;

COVERAGE:

PARENTAL LEAVE (Resolution No. 040284)

2. **Parent left solo or alone with the responsibility of parenthood due to any of the following circumstances:**
 - v. **declaration of nullity or annulment of marriage as decreed by a court or by a church, provided, he/she has custody of the children; and**
 - vi. **Abandonment of spouse for at least one (1) year.**

COVERAGE:

PARENTAL LEAVE (Resolution No. 040284)

3. Unmarried person who has preferred to keep and rear the children instead of having others care for them or give them up to a welfare institution;
4. any other person who solely provides parental care and support to a child or children provided said person is duly licensed as a foster parent by the DSWD or duly appointed legal guardian by the court;

COVERAGE:

PARENTAL LEAVE (Resolution No. 040284)

5. Any family member who assumes the responsibility of head family as a result of the death, abandonment, disappearance or prolonged absence of the Parent or solo parent. Provided, that such abandonment, disappearance or absence last for at least one (1) year.

How to avail?

PARENTAL LEAVE (Resolution No. 040284)

- 1. The solo parent must have rendered gov't. service for at least one (1) year, whether continuous or broken, reckoned at the time of the effectivity of RA 8972 on Sept. 22, 2002 and regardless of employment status.**
- 2. The parental leave shall be availed for every year and shall not be convertible to cash unless specifically agreed previously. If not availed of within the calendar year, said privileged shall be forfeited w/in the same year.**

How to avail?

PARENTAL LEAVE (Resolution No. 040284)

- The parental leave shall be availed of on a staggered or continuous basis, subject to the approval of the head of agency/office. In this regard, the solo parent shall submit the application for parental leave at least one (1) week prior to its availment, except on emergency cases

When to avail?

PARENTAL LEAVE (Resolution No. 040284)

- **The solo parent employee may avail of parental leave under any of the following circumstances:**
 1. **attend to personal milestone of a child**
 2. **perform parental obligation**
 3. **attend to medical, social, spiritual and recreational**
 4. **other similar circumstances necessarily in the performance of parental duties and responsibilities, where physical presence of a parent is required.**

Conditions for Termination

- **Changes in the status and family situation of a solo parent such as marriage or the concerned parent is no longer left alone with the responsibility**
- **The head of agency/office concerned may determine whether granting of parental leave is proper or may conduct the necessary investigation to ascertain if grounds for termination and withdrawal of the privilege exist.**

Procedure:

PARENTAL LEAVE

(Resolution No. 040284)

1. Secure a Solo Parent Identification Card from the City/Municipal Social Welfare and Development Office. The ID is valid for one (1) year from issuance but renewable yearly. Failure to renew the card means that his/her status as a solo parent has ceased or has changed.
2. Submit the accomplished application form (CS Form 6) duly supported with certified true copies of the solo parent ID and birth certificate of the child/children or other requirements such as medical certificate, if necessary.

TEN-DAY LEAVE UNDER R.A. 9262 (Anti-Violence Against Women & Their Children Act Of 2004) Per CSC Resolution No. 051206 August 26, 2005



VIOLENCE AGAINST WOMEN AND THEIR CHILDREN



- refer to any act or series of acts committed by any person against:

1. woman who is his wife, former wife, or
2. woman with whom the person has or had a sexual or dating relationship, or
3. with whom he has a common child;

VIOLENCE AGAINST WOMEN AND THEIR CHILDREN



- refer to any act or series of acts committed by any person against:
 4. against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering; or
 4. economic abuse including threats or such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.

WHO ARE ENTITLED TO A TEN-DAY LEAVE



- **any woman employee in the government service regardless of employment status, who is a victim of violence; and**
- **any woman employee whose child is a victim of violence and whose age is below 18 or above 18 but unable to take care of himself/herself.**

WHEN TO FILE:



- the application for leave shall be filed, whenever practicable, before the actual leave of absence or immediately upon the woman employee's return from such leave.

SUPPORTING DOCUMENTS: (any of the following)



- **Barangay Protection Order (*BPO*)** obtained from the barangay;
- **Temporary/Permanent Protection Order (*TPO/PPO*)** obtained from the court

SUPPORTING DOCUMENTS: (any of the following)



- *certification* issued by the Punong Barangay or Kagawad or Prosecutor or the Clerk of Court that the application for the BPO, TPO or PPO has been filed with the said Office shall be sufficient to support the application for the **ten-day leave**.

SUPPORTING DOCUMENTS: (any of the following)



- **in the absence of the BPO/TPO/PPO or certification, a *police report* specifying the details of the occurrence of violence on the victim and a medical certificate may be considered, at the discretion of the immediate supervisor of the woman employee concerned.**

Thank You!