

Republika ng Pilipinas
(Republic of the Philippines)
MINISTRI NG EDUKASYON, KULTURA AT ISPORTS
(MINISTRY OF EDUCATION, CULTURE AND SPORTS)
Manila

June 28, 1983

MECS MEMORANDUM
No. 136, s. 1983

CLARIFYING PROVISIONS ON ACCUMULATION AND CREDITING OF LEAVES
UNDER CSC RESOLUTION NO. 81-1158

To: Bureau Directors
Cultural Agency Directors
Regional Directors
Chiefs of Services and Heads of Units
School Superintendents
Presidents, State Colleges and Universities
Vocational School Superintendents/Administrators

1. Inclosed is a copy of the letter of the Honorable Chairman, Civil Service Commission, dated April 13, 1983 in answer to the queries of this Office which are self-explanatory.
2. It is desired that this Memorandum be given wide dissemination for the information and guidance of all officials, teachers and employees.

(SGD.) ORCEN D. COCOTE
Minister

Incl.: As stated

Reference:

MEC Memorandums: No. 12, s. 1982

Allotment: 1-2-3--(D.C. 1-76)

To be indicated in the Formal Index
under the following subjects:

BUREAUS & OFFICES
EMPLOYEES
LEAVES

OFFICIALS
RULES and REGULATIONS
TEACHERS

(Inclosure to NESS Memorandum No. 136, a. 1983)

Republika ng Pilipinas
KOMISYON NG SERBISYO SIBIL
(CIVIL SERVICE COMMISSION)
Metro Manila

VALDEZ, Francisco
(Query)

April 13, 1983

The Honorable
The Minister of Education, Culture
and Sports
M a n i l a

S i r :

This has reference to your request for information and/or clarification on CSC Resolution No. 81-1158 dated October 12, 1981, specially on the following points:

- "1. In view of the fact that the said resolution was promulgated on October 12, 1981, it is the understanding of this Office that an employee may accumulate more than 300 days of vacation and sick leave only after October 12, 1981;
- "2. Item 4 of the last paragraph of the said resolution provides that 'No officer, employee or laborer shall be allowed to go on leave with pay for more than ten (10) months at any one time x x x.' Is the ten (10) month period taken to mean as equivalent to 300 days?
- "3. Supposing an employee who has been granted ten (10) months or 300 days leave with pay, as the case may be depending on the answer to query No. 2 above, applies for extension for such leave for valid reasons, will he be granted leave utilizing his excess leave credits? Or will the employee be granted extension of leave but without pay only? Sec. 31, Rule XVI of the Civil Service Rules provides that 'leave without pay shall not be granted whenever an employee has leave with pay to his credit.'
- "4. Supposing an employee who is due for compulsory retirement on a certain date has already accumulated more than 300 days of vacation and sick

Leave credit. May this employee be allowed to go on leave of absence before his retirement using all his excess leave credits and without reporting back to the service be granted the 300 days terminal leave pay upon his retirement?"

Resolution No. 81-1158 of this Commission is deemed to operate prospectively. Hence, the observation that the accumulation of leave beyond 300 days-only after October 12, 1981, for the enjoyment of this accumulated leave during the period of service is confirmed.

Amend the second point, it may be stated that the "ten (10) months" period in Item No. 4, is considered equivalent to 300 days. In fact, both periods are used in Item No. 3 of the Resolution.

The third point presupposes an employee who is on authorized leave (vacation or sick) with pay for 300 days further extends on valid grounds said leave of absence. The basic principle laid by the aforesaid Resolution No. 81-1158 should be interpreted to mean that leave earned on or after October 12, 1981 (date of effectivity of said Resolution) may be tacked to the 300 days in case the employee concerned has accumulated vacation and sick leave as of October 12, 1981 and restored to his credit after enjoying an approved leave of absence. Needless to say, accumulated leave credits prior to October 12, 1981 in excess of 300 days are not considered as all in said Resolution (300 Resolution No. 81-1158) and the same are forfeited. Thus, the extended leave in question shall be without pay but only accumulated leave credits of said employee earned after October 12, 1981 should this happen, will be restored to him for future enjoyment after his return to duty.

Regarding the fourth point, 300 Resolution No. 81-1158 shall not be forfeited unless the officer, employee or laborer voluntarily resigns, retires, or is separated from the service through no fault of his own, in which case he shall be entitled to the commutation of all his accumulated vacation and/or sick leave to his credit which, in no case, shall exceed three hundred (300) days exclusive of Saturdays, Sundays, and public holidays. It should be emphasized that the basis for granting terminal leave and ordinary vacation or sick leave are different. If, therefore the employee concerned is actually going on active (and evidence thereof has been presented), then the terminal leave should not exceed 300 days, exclusive of Saturdays, Sundays and holidays. On the other hand, applications for ordinary vacation and/or sick leave may be granted subject to the requirements prescribed

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by the leave law and rules; such as the exigencies of the service or evidence of sickness. In other words, cases of such extensions of leave should be guarded against as this might subvert the intention of Section 206 of the Revised Administrative Code and implemented by this Commission in its Resolution No. 81-1158.

Please be guided accordingly.

Very truly yours,

(SGD.) ALBERTA MANALO-DAYS
Chairman

A true copy
