

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

January 2, 1989

DECS O R D E R
No. 1, s. 1989

IMPLEMENTING GUIDELINES OF R.A. NO. 6683
DATED DECEMBER 2, 1988

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

1. Inclosed is a copy of Joint DBM-CSC Circular Letter No. 39-1 dated December 12, 1988 prescribing the rules and regulations for the implementation of R.A. No. 6683 dated December 2, 1988 which is self-explanatory.
2. Officials and employees in the Department of Education, Culture and Sports who wish to avail of the benefits for early retirement and voluntary separation from the service as provided for in the said joint circular may submit thru official channels their application for retirement on the form prescribed there (Annex "B") together with all the required supporting documents to reach this Office not later than February 12, 1989. Regional Directors shall submit to this Office their reports on the implementation of R.A. No. 6683 (Annex "C" of the aforementioned joint circular) for their respective personnel immediately after February 12, 1989.
3. Presidents of state colleges and universities shall take the necessary action concerning their respective personnel.
4. It is requested that this Order be disseminated to all officials, teachers and other employees for their information. Please be guided accordingly.

(SGD.) LOURDES R. QUISUMBING
Secretary

Incl.:

As stated

Reference:

None

Allotment: 1-2-3-4--(M.D. 1-88)

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

LEGISLATION

OFFICIALS

RETIREMENT

Executive Orders authorizing government reorganization issued after the ratification of the 1987 Constitution are likewise covered and entitled to avail of the incentive benefits under R.A. No. 6683.

2.3 Excluded from the benefits under R.A. No. 6683 are the following:

- a) Experts and Consultants hired by agencies for a limited period to perform specific activities or services with a definite expected output; i.e. membership in Task Force, Part-Time Consultant/Employees.
- b) Uniformed personnel of the Armed Forces of the Philippines including those of the Philippine Constabulary and Integrated National Police (PC-
INP).
- c) Appointive officials and employees who retire or elect to be separated from the service for optional retirement with gratuity under R.A. No. 1616, 1968 or with pension under C.A. No. 186, as amended by R.A. No. 660 or P.D. No. 1146, as amended, or vice-versa.
- d) Officials and employees who retired voluntarily prior to the enactment of this law and have received the corresponding benefits of that retirement/separation.
- e) Officials and employees with pending cases punishable by mandatory separation from the service under existing civil service laws, rules and regulations; provided that if such officials and employees apply in writing within the prescriptive period for the availment of the benefits herein authorized, shall be allowed only if acquitted or cleared of all charges and their application accepted and approved by the head of office concerned.

3.0 BENEFITS AUTHORIZED UNDER R.A. NO. 6683

Benefits that can be availed of by officials and employees who will elect to retire or be separated from government service under this Plan shall be as follows:

3.1 Early Retirement and Voluntary Separation Benefits:

Equivalent to one and one-fourth (1-1/4) months basic salary for every year of respective government

JOINT DBM-CSC CIRCULAR LETTER NO. 68-1
December 12, 1968

TO : Heads of Departments, Bureaus, Offices of the National Government, Self-governing Boards and Commissions, State Universities and Colleges, Heads of Government-owned and/or Controlled Corporations with original Charters, Local Government Units and all others concerned.

SUBJECT : Implementing guidelines of R.A. No. 6683, dated December 2, 1968.

1.0 PURPOSE

This Circular is issued to provide the rules and regulations for the implementation of R.A. No. 6683 dated December 2, 1968, an Act providing benefits for early retirement and Voluntary separation from the government service of civilian personnel as well as involuntary separation of civil service officers and employees pursuant to various Executive Orders authorizing government reorganization after the ratification of the 1987 Constitution, appropriating funds therefor, and for other purposes.

2.0 COVERAGE AND EXEMPTION

The provisions of R.A. No. 6683 shall apply to civilian officials and employees of the National Government, including government-owned and/or controlled corporations with original charters and local government units who voluntarily elect in writing to be retired or separated from government service and is accepted by the head of the agency/corporation/local government unit concerned.

2.1 Benefits herein prescribed shall apply to all regular and temporary personnel of the National Government with appointment papers approved by the Civil Service Commission (CSC) and position duly classified and salary rate certified by the Department of Budget and Management (DBM), who have rendered at least a total of two (2) years of satisfactory service as of the date of separation/retirement. In the case of casual and emergency personnel, it shall be based on agency records provided their positions are classified by the DBM.

2.2 Officials and employees who were previously separated from the government service not for cause but as a result of the reorganization pursuant to various

5.0 RULES AND REGULATIONS

- 5.1 Acceptance of applications for early retirement and voluntary separation from the service herein authorized shall be subject to the discretion of the heads of government offices or agencies concerned. For this purpose, "head of government office or agency" shall refer to the following:
- a) Secretary in case of bureaus, divisions and other offices under a department;
 - b) Governor or Mayor, as the case may be, in the case of the local government units;
 - c) The Chief Justice in the case of the employees of the Judiciary;
 - d) Senate President or the Speaker of the House of Representatives, as the case may be, in the case of employees of the legislature;
 - e) The Chairman in the case of the Constitutional Commission; and
 - f) The overall superior in the case of other offices not within the authority of those previously mentioned.
- 5.2 The application for early retirement or voluntary separation shall be accepted unless the services of the applicant shall be deemed necessary.
- 5.3 Application of those with pending administrative cases punishable by dismissal or removal and those with criminal cases of grave nature committed in relation to their office shall be both held in abeyance until the final disposition of such cases without prejudice to their receiving benefits under this law in case of acquittal.
- 5.4 Officials and employees qualified and are authorized to retire and be separated from government service by the head of offices concerned shall be paid gratuity or separation benefits and additional benefits prescribed in Paragraph 4.0 above. The oldest employees who are the most senior in the service shall be given priority in the payment of benefits. Any provision of law to the contrary notwithstanding, the only documents or supporting papers to be submitted by appointive officials and employees who wish to avail themselves of the benefits herein authorized are the following:

services or the equivalent nearest fraction thereof favorable to availing officials and employees on the basis of the highest salary received in the course of their employment in the government in effect at the date of filing, but in no case shall the benefit to be paid to any official or employee be less than Ten Thousand Pesos (P10,000.00). Any appointive official and employee, however, who has previously been found guilty in any administrative proceeding and whose position or salary has been reduced in rank or in amount shall be paid on the basis of his last salary. Likewise, any appointive official and employee who is promoted after the effectivity of this Act shall be paid based on highest salary received prior to such promotion.

3.2 Additional Benefits

In addition to the benefits above authorized, covered officials and employees who retire, or voluntarily elect to be separated from the service under this Plan shall also be entitled to the following:

- a) Return of GSIS personal contributions pertaining to retirement only and the payment of the corresponding share of the government with interest earned pursuant to existing rules and regulations of the Government Service Insurance System.
- b) Commutation of unused vacation and sick leaves in accordance with existing rules and regulations on the matter.
- c) An additional ten percent (10%) of the amount corresponding to what they will receive from the thirty-first (31st) year onward for those with thirty-one (31) years or more of government service.

4.0 PERIOD OF APPLICABILITY

- 4.1 The Incentive Benefits for early retirement and voluntary separation shall be entertained only if filed within a period of two (2) months from the issuance of this Circular.
- 4.2 Applications may be filed either in the regional or central offices.

5.9 Positions vacated but retained shall be filled by personnel chosen from among the most deserving employees in the agency concerned or from any other agency.

5.10 Those who were involuntarily separated/phased out as a result of the reorganization after the ratification of the 1987 Constitution, but have been re-employed in the government service at the enactment of this law and who choose to avail of benefits provided herein shall only be entitled to the differential benefits and shall only be entitled to the same restriction on re-employment under Section 5.7 hereof.

6.0 FUNDING SOURCE

6.1 For officials and employees of National Government regular agencies/offices

Benefits herein granted shall be paid from the THREE BILLION PESOS, or so much thereof as may be necessary, appropriated for the purpose under R.A. No. 6623 out of any funds in the National Treasury not otherwise appropriated.

6.2 For officials and employees of government-owned and/or controlled corporations with original charters

Benefits herein granted shall be paid from the internal funds of the respective corporation. However, government-owned and/or controlled corporations with original charters which may not be able to adequately fund the incentive benefits herein authorized may be allowed to avail of the three billion peso fund appropriated for the purpose but only up to the extent of twenty-five percent (25%) of their total requirements which should be later deducted by the Department of Budget and Management from whatever budgetary allocation and assistance that a particular corporation may get from the National Government in the future.

6.3 For officials and employees of Local Government Units

Benefits herein granted shall be paid from available funds of each Local Government Unit against which the salaries or wages of officials and employees involved are charged. However, Local Government Units which may not be able to adequately fund the incentive benefits may be allowed to avail of the three billion peso fund appropriated for the purpose but only up to

- a) A duly approved application under oath for early retirement or voluntary separation in accordance with R.A. No. 6653, including a duly certified statement of the number of years of service in the government and the rate of highest salary received;
- b) Money and property clearance from the agency concerned;
- c) A simplified statement of assets and liabilities, net worth, and financial and business interests in the case of regular employees; and
- d) Certification by the head of office or his duly authorized representative that there is no pending administrative case and clearance from the Fiscal's Office that there is no pending criminal case against the employee.

5.5 The processing and actual payment of benefits shall be undertaken by the respective offices of officials and employees concerned and shall be completed within fifteen (15) days from the date of submission of all the required supporting documents.

5.6 No official or employee shall be separated/retired or be paid benefits under R.A. No. 6653 unless his application for early retirement or voluntary separation shall have been accepted by the head of agency concerned.

5.7 Officials and employees who are retired or separated from government service under R.A. No. 6653 shall not be eligible for re-employment in the government whether on a permanent, temporary, casual, or emergency status within a period of five (5) years after separation unless they refund the benefits they have received. Those who will be re-employed in the government shall be treated as new entrants insofar as GSIS coverage is concerned.

5.8 Positions vacated through the early retirement or separation of their incumbents shall be abolished and in the case of casual and emergency employees the lump-sums corresponding to the amounts for salaries of abolished positions shall be proportionately reduced. Positions vacated, however, wherein the exigencies of the service require their retention shall be certified within sixty (60) days from the time of approval or acceptance of the application for retirement or separation of their incumbents by the head of office or agency.

8.0 SPECIAL PENAL CLAUSE

Any government official who compels an employee under any guise whatsoever to retire or be separated from government service by virtue of this Act or otherwise violate provisions hereof shall, upon conviction, be punished by a fine not exceeding one thousand pesos (P1,000.00) or by imprisonment not exceeding six (6) months or both such fine and imprisonment in the discretion of the court.

9.0 RESPONSIBILITY OF THE HEAD OF AGENCY

The head of department/bureau/office/regional office, agency or entity of the National Government concerned shall be held personally liable for any payment of early retirement benefits not in accordance with the provisions of this Circular, without prejudice, however, to the filing of a criminal case against the recipient employee.

10.0 REPEALING CLAUSE

All laws, rules and regulations or parts thereof, that authorize the payment of incentive benefits for early retirement and voluntary separation inconsistent with the provisions of R.A. No. 6683 are deemed repealed or modified accordingly.

11.0 EFFECTIVITY DATE

This Circular shall take effect upon publication in two (2) newspapers of general circulation.

(SGD.) SAMILO N. BARLONGAY
Commissioner
(Acting as Chairman)
Civil Service Commission

(SGD.) GUILLERMO N. CARAGUE
Secretary
Department of Budget
and Management

the extent of twenty-five percent (25%) of their total requirements.

6.4 Notwithstanding the above provisions, however, all savings accruing from the abolition of positions pursuant hereto shall be earmarked and used exclusively for the payment of the benefits under R.A. No. 6683. Availment from the three billion peso fund appropriated for the purpose will be allowed only after the savings generated thereof have been fully considered. To insure prompt payment of benefits, the Department of Budget and Management shall allocate to all national government agencies tentatively the three (3) billion peso fund based on the ratio of an agency's 1988 Personal Services budget, and immediately release the Advice of Allotment for fifty percent (50%) of such share and Funding Warrant equivalent to one-half (1/2) of the Advice of Allotment so issued. Further releases of Advice of Allotment and Funding Warrants shall then be based on submission by the agencies of approved claims filed and claims paid using the form attached herewith as Annex A, to be submitted as soon as additional Advice of Allotment and/or Funding Warrant are needed.

6.5 Agencies should remit to DEM within fifteen (15) days from payment of the claims filed under this Act any unused amount for funding any deficiencies in other agencies.

7.0 REPORT OF COMPLIANCE

Heads of government agencies including government-owned and/or controlled corporations with original Charters and local government units, shall submit to the Department of Budget and Management (DBM), the Civil Service Commission (CSC) and the Commission on Audit (COA) within three (3) months from the effectivity of R.A. No. 6683 report on the implementation made in their respective offices/agencies/corporations which will include among others the total number of employees affected, type or nature of positions involved and number of those retained and abolished, total amount spent and an evaluation thereof of the program. Said report must be duly certified by the Head of Office which will be the basis of the report that will be submitted to Congress by the DBM and CSC within six (6) months from the date of the effectivity of the Act as stipulated under Section 13 of R.A. No. 6683.

Annex "A"

(Agency)
Statement of Actual Cash Utilization for Early Retirement
Incentive Benefits Fund (P3.0B) Under R.A. No. _____
As of _____

Total Requirement based on claims
filed and approved */ P _____

Deduct: Payments made and funded from:

1. Savings generated from
vacated positions:
2. Releases per AA/FW pursuant to
Sub-Par. 6-d of Joint DBM-CSC
Circular No. _____

T o t a l _____

Balance still to be funded from the
P3.0B Fund P _____

Prepared by: _____

Reviewed by: _____

(Name)

(Name)

(Designation)

(Designation)

(Signature)

(Signature)

*/ Attach list of beneficiaries and the corresponding
amounts due them.

Annex "B"

APPLICATION FOR EARLY RETIREMENT OR VOLUNTARY SEPARATION
UNDER REPUBLIC ACT NO. 6683

_____, 19____

S i r :

I have the honor to apply for early retirement and voluntary separation benefits, effective _____ in accordance with Republic Act No. 6683.

Attached are the required supporting documents as follows:

1. Statement of Service Record;
2. Clearance from money and property accountability;
3. Simplified statement of assets and liabilities, networth, and financial and business interest;
4. Certification that there is no pending Administrative Case; and
5. Clearance from the Fiscal's Office that there is no pending criminal case.

Very truly yours,

(Employee Signature)

Res. Cert. No. _____
Issued at _____
Date Issued _____

(Full name in print)

Mailing Address: _____

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____, at _____, and applicant exhibited to me his/her Residence Certificate as above indicated.

Person Administering Oath
(Sign over printed name & indicate position)

APPROVED:

(Head of Office)
(Sign over printed name & indicate position)

Date: _____

----- (Accomplish in five (5) copies) -----

Annex "C"

DBM/CSC Form No. 1, s. 1988

REPORT ON THE IMPLEMENTATION OF R.A. NO. 6683

TO : () Department of Budget and Management
() Civil Service Commission
() Commission on Audit

(Name of Agency)

Classification: () NGO
() GOCC
() LGU

DATE : _____, 19____

Position Title	Number of Salary		Employment Status				Number of Positions		
	Beneficiaries	Grade/Range	Reg.	Temp.	Casual	Emerg.	Retained	Abolished	C O S T

TOTAL

Funding Source

Agency Savings _____
PSB Fund under R.A. No. 6683 _____

Remarks: _____

(Use separate sheet if necessary)

Submitted and certified correct by:

(Signature)

(Position)