

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

June 14, 1991

DECS O R D E R
No. 70, s. 1991

AMENDING THE PROVISION ON MATERNITY LEAVE IN THE MANUAL ON LEAVE
ADMINISTRATION COURSE FOR EFFECTIVENESS (LACE)

To: Undersecretaries
Assistant Secretaries
Bureau Directors/Cultural Agency Directors
Regional Directors
Schools Superintendents
Presidents, State Colleges and Universities
Vocational School Superintendents/Administrators

1. Inclosed is a copy of Memorandum Circular No. 17, dated May 17, 1991 of the Civil Service Commission amending the provision on maternity leave in the Manual on Leave Administration Course for Effectiveness (LACE), which is self-explanatory.
2. Immediate dissemination of this Order to all concerned is desired for their information and guidance.

(SGD.) ISIDRO D. CARINO
Secretary

Incl.:
As stated

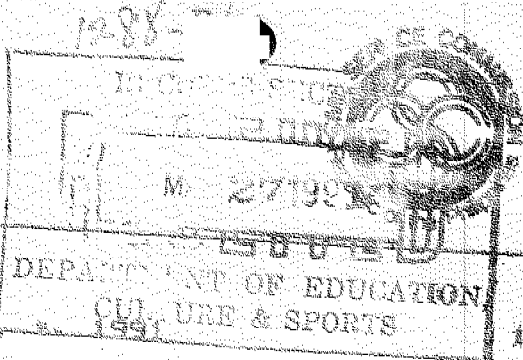
Reference:
None

Allotment: 1-2-3--(M.O. 1-87)

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

- * AMENDMENTS
- * CHANGE
- * LEAVE

CIVIL SERVICE COMMISSION



MAY 27 1991

MC NO. 17

DEPARTMENT OF EDUCATION
CULTURE & SPORTS

TO

ALL HEADS OF DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT

AMENDING THE PROVISION ON MATERNITY LEAVE IN THE MANUAL ON LEAVE ADMINISTRATION COURSE FOR EFFECTIVENESS (LACE)

The Civil Service Commission, as the central personnel agency of the government, has ruled in many cases that the maternity leave law, being a social legislation, should be accorded liberal interpretation, and that in case of doubt, it should be resolved in favor of those who the law intends to benefit.

The Commission resolved in Resolution No. 91-617, s. 1991 that the computed money value of the unexpired portion of the leave need not be refunded and that, when the employee returns to work before the expiration of her maternity leave, she may receive the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports for work.

The provision in the Manual on Leave Administration Course for Effectiveness (LACE) is hereby amended to read, as follows:

"When an employee wants to report back for duty before the expiration of her maternity leave, she may be allowed to do so provided she presents a medical certificate that she is physically fit to resume the duties of her position.

However, she need not refund the computed money value of the unexpired portion of her maternity leave. She may receive the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports for work prior to the expiration of the sixty (60) day period."

All rulings and/or issuances inconsistent herewith are hereby superseded.

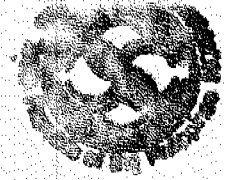
This MEMORANDUM CIRCULAR shall take effect upon approval.

Patricia A. Sto. Tomas
PATRICIA A. STO. TOMAS
Chairman

May 17, 1991

CIVIL SERVICE COMMISSION

OFFICE FOR CAREER SYSTEMS AND STANDARDS



RESOLUTION NO. 21-517

WHEREAS, the Civil Service Commission promulgated a policy that when an employee wants to report back to duty before the expiration of her maternity leave, she may be allowed to do so but subject to the following conditions:

- a) that she must present a medical certificate that she is physically fit to resume the duties of her position;
- b) that she must refund the commuted money value of the unexpired portion of her maternity leave.

WHEREAS, there have been queries by those who returned to work before the expiration of their maternity leave whether the commuted money value of the unexpired portion should be refunded since the intention of the law is to give a working mother financial assistance and a chance to recuperate as well as to take care of her infant for a period of two (2) months;

WHEREAS, the Commission in interpreting a social legislation ruled that the maternity leave benefits are privileges granted by the leave law and not for a consideration of services rendered hence, it will not constitute double compensation;

NOW THEREFORE, the Commission RESOLVES as it hereby RESOLVED to adopt the following policies:

- 1) When an employee goes on maternity leave but returns to work prior to the expiration of her sixty (60) day leave the commuted money value of the unexpired portion of the maternity leave need not be refunded.
- 2) When she returns to work before the expiration of her maternity leave, she may receive the benefits granted under the maternity leave law and the salary for actual services rendered.

BE IT FURTHER RESOLVED, that the provision on maternity leave in the Manual on Leave Administration Course for Effectiveness (LACE) is hereby amended to read as follows:

"When an employee wants to report back to duty before the expiration of her maternity leave, she may be allowed to do so provided she presents a medical certificate that she is physically fit to assume the duties of her position.

However, she need not refund the commuted money value of the unexpired portion of her maternity leave. She may receive the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports for work prior to the expiration of the sixty (60) day period."

This RESOLUTION shall take effect upon approval.

Patricia A. Sto. Tomas
PATRICIA A. STO. TOMAS
Chairman

Samuel N. Barloway
SAMUEL N. BARLOWAY
Commissioner

Waldo O. Tan
WALDO O. TAN
Commissioner

Attested by:

C. V. USAC
C. V. USAC
Board Secretary VI

May 17, 1951