



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF EDUCATION, CULTURE AND SPORTS
Meralco Avenue, Pasig, Metro Manila

OFFICE OF THE SECRETARY

April 15, 1997

DECS O.K.D.E.R.
No. 34, s. 1997

GRANTING OF OVERTIME PAY TO SECURITY GUARDS WHO RENDER SERVICE
IN EXCESS OF FORTY (40) HOURS OF SERVICE A WEEK

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

1. Reproduced on the reverse side is a copy of a letter dated February 13 of Ms. Adelina B. Sarmiento, Assistant Commissioner, Civil Service Commission, Diliman, Quezon City, reiterating its pronouncement that pursuant to Resolution No. 93-4065, Security Guards are entitled to overtime pay when they render service in excess of forty (40) hours a week in line with Section 10, Rule XVII of the Omnibus Rules implementing Book V of Executive Order No. 292.
2. Regional directors and schools superintendents are hereby directed to disseminate the abovementioned information in their respective areas of responsibilities.
3. Please be guided accordingly.


RICARDO T. GLORIA
Secretary

Incl.:
As stated

Reference: None

Attachment: 1-2-9--(M.O. 1-67)

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

RULES & REGULATIONS

SERVICE

Republic of the Philippines
CIVIL SERVICE COMMISSION



February 13, 1997

*Miss Gloria C.
Romero Adonis
CSC*

Secretary **RICARDO T. GLORIA**
Department of Education, Culture, and Sports
University of Life Complex
Meralco Avenue
Pasig City



Dear Secretary Gloria:

This refers to the attached letter from Messrs. Victorio A. Casida, Emilianio E. Sabesiano, Tito B. Malate, Isenar B. Palayat, Security Guards of the Calabanga Polytechnic College, Calabanga, Camarines Sur. These gentlemen are requesting our opinion whether or not they are also governed by the policy set forth in CSC Resolution No. 93-4066 (attached).

It is informed that the said resolution made a pronouncement that Security Guards are entitled to overtime pay when they render service in excess of forty (40) hours a week in line with Section 10, Rule XVII of the Omnibus Rules Implementing Book V of Executive Order 242. Needless to say, this provision is anchored on the sound policy of "as you work, so shall you be paid".

We have observed that this issue has been cropping up from time to time, raised by Security Guards employed by elementary and national high schools including state universities and colleges from all over the Philippines. The Security Guards and Watchmen allege that they are working continuously without break even on Saturdays and Sundays without the corresponding compensation for the excess hours worked. Some aver that their health has been adversely affected as a result. It may be mentioned that there are schools which have only one (1) Security Guard (especially in elementary schools). Hence, round-the-clock work every day has become a routine to the Security Guards concerned to the detriment of their health and family life.

In the past, we have responded to this kind of query on an individual basis citing Resolution No. 93-4066 and other related resolutions and opinions already rendered on the issue.

In view of the frequency that this issue has been raised to us for resolution, we are compelled now to bring this matter to your attention. It is hoped that in the interest of public service and with your able leadership, the wisdom and underlying policy of Resolution No. 93-4066 be carried out in all elementary and high schools nationwide.

Thank you and warm regards.

Very truly yours,

Adelina R. Sarmiento
ADELINA R. SARMIENTO
Assistant Commissioner



Republic of the Philippines
CIVIL SERVICE COMMISSION

GARCIA, Carlos P.,
SALCEDO, Reynaldo B.,
SOLIMAN, Joseito P.,
VILLANAY, Ramon C.,
YACABAY, Abel
CIVIL SERVICE, Ernesto M.,
JERUSA, Fernando B.,
JERUSA, Reynaldo B.,
DOMESTICO, Danilo
For: Claim for Overtime Pay of Security Guards

RESOLUTION NO. 91-4024

Director Regeno C. Linares, CSC Regional Office No. 10, Zamboanga City, had referred to the Commission for appropriate action the claim for overtime pay of Carlos P. Garcia, Leopoldo S. Saracho, Joseito P. Soliman, Ramon C. Villanay, Abel Yacabay, Ernesto M. Civil, Fernando B. Jerusa, Reynaldo B. Jerusa, and Danilo Domestico, all Security Guards of Zamboanga City Polytechnic College.

As an employee of said college, their initial employment at said college, the amount of pay which had been receiving, no more than P100.00 (one hundred) pesos per month including Saturday, Sunday and holidays.

On August 20, 1991, the Security Guards contacted through the Regional Civil Service Regional Office (CSRO) No. 10, Zamboanga City on whether they are entitled to receive overtime pay for services rendered in excess of forty (40) hours a week, as mandated under the Forty-Four Work Week Law (S.A. 1030). Director Linares answered their query in the affirmative based on Section 3, 7 and 10 of Rule XXII of the Omnibus Civil Service Rules and Regulations and CSC Resolution No. 90-579 (Amended Order, Forty-Four Hours a Week Work Law). Fortwith, said workers claimed from the college payment for overtime services, which was denied citing the rulings of the Commission on Audit (COA) and the Department of Budget and Management (DBM). CSC Chairman Marcelo C. Domingo, in his Endorsement dated September 14, 1992, addressed to the Department of Education, Culture and Sports (DECS), Regional Office No. 10, Zamboanga City, respectfully referred to the opinion of Labor Bureau Director General Danilo Law (1991). Director Domingo, in said opinion cited paragraph 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 1.17, 1.18, 1.19, 1.20, 1.21, 1.22, 1.23, 1.24, 1.25, 1.26, 1.27, 1.28, 1.29, 1.30, 1.31, 1.32, 1.33, 1.34, 1.35, 1.36, 1.37, 1.38, 1.39, 1.40, 1.41, 1.42, 1.43, 1.44, 1.45, 1.46, 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, 1.53, 1.54, 1.55, 1.56, 1.57, 1.58, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64, 1.65, 1.66, 1.67, 1.68, 1.69, 1.70, 1.71, 1.72, 1.73, 1.74, 1.75, 1.76, 1.77, 1.78, 1.79, 1.80, 1.81, 1.82, 1.83, 1.84, 1.85, 1.86, 1.87, 1.88, 1.89, 1.90, 1.91, 1.92, 1.93, 1.94, 1.95, 1.96, 1.97, 1.98, 1.99, 2.00, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.23, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.30, 2.31, 2.32, 2.33, 2.34, 2.35, 2.36, 2.37, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.44, 2.45, 2.46, 2.47, 2.48, 2.49, 2.50, 2.51, 2.52, 2.53, 2.54, 2.55, 2.56, 2.57, 2.58, 2.59, 2.60, 2.61, 2.62, 2.63, 2.64, 2.65, 2.66, 2.67, 2.68, 2.69, 2.70, 2.71, 2.72, 2.73, 2.74, 2.75, 2.76, 2.77, 2.78, 2.79, 2.80, 2.81, 2.82, 2.83, 2.84, 2.85, 2.86, 2.87, 2.88, 2.89, 2.90, 2.91, 2.92, 2.93, 2.94, 2.95, 2.96, 2.97, 2.98, 2.99, 3.00, 3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 3.07, 3.08, 3.09, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22, 3.23, 3.24, 3.25, 3.26, 3.27, 3.28, 3.29, 3.30, 3.31, 3.32, 3.33, 3.34, 3.35, 3.36, 3.37, 3.38, 3.39, 3.40, 3.41, 3.42, 3.43, 3.44, 3.45, 3.46, 3.47, 3.48, 3.49, 3.50, 3.51, 3.52, 3.53, 3.54, 3.55, 3.56, 3.57, 3.58, 3.59, 3.60, 3.61, 3.62, 3.63, 3.64, 3.65, 3.66, 3.67, 3.68, 3.69, 3.70, 3.71, 3.72, 3.73, 3.74, 3.75, 3.76, 3.77, 3.78, 3.79, 3.80, 3.81, 3.82, 3.83, 3.84, 3.85, 3.86, 3.87, 3.88, 3.89, 3.90, 3.91, 3.92, 3.93, 3.94, 3.95, 3.96, 3.97, 3.98, 3.99, 4.00, 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, 4.20, 4.21, 4.22, 4.23, 4.24, 4.25, 4.26, 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10.78, 10.79, 10.80, 10.81, 10.82, 10.83, 10.84, 10.85, 10.86, 10.87, 10.88, 10.89, 10.90, 10.91, 10.92, 10.93, 10.94, 10.95, 10.96, 10.97, 10.98, 10.99, 11.00, 11.01, 11.02, 11.03, 11.04, 11.05, 11.06, 11.07, 11.08, 11.09, 11.10, 11.11, 11.12, 11.13, 11.14, 11.15, 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28, 11.29, 11.30, 11.31, 11.32, 11.33, 11.34, 11.35, 11.36, 11.37, 11.38, 11.39, 11.40, 11.41, 11.42, 11.43, 11.44, 11.45, 11.46, 11.47, 11.48, 11.49, 11.50, 11.51, 11.52, 11.53, 11.54, 11.55, 11.56, 11.57, 11.58, 11.59, 11.60, 11.61, 11.62, 11.63, 11.64, 11.65, 11.66, 11.67, 11.68, 11.69, 11.70, 11.71, 11.72, 11.73, 11.74, 11.75, 11.76, 11.77, 11.78, 11.79, 11.80, 11.81, 11.82, 11.83, 11.84, 11.85, 11.86, 11.87, 11.88, 11.89, 11.90, 11.91, 11.92, 11.93, 11.94, 11.95, 11.96, 11.97, 11.98, 11.99, 12.00, 12.01, 12.02, 12.03, 12.04, 12.05, 12.06, 12.07, 12.08, 12.09, 12.10, 12.11, 12.12, 12.13, 12.14, 12.15, 12.16, 12.17, 12.18, 12.19, 12.20, 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