

ALLOWING THE TACKING OF EARNED LEAVE CREDITS IN THE COMPUTATION OF LONGEVITY PAY UPON COMPULSORY RETIREMENT OF JUSTICES AND JUDGES.

ADMINISTRATIVE CIRCULAR NO. 58-2003, November 11, 2003

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WHEREAS, The Court has studied proposals to allow the tacking of earned leave credits to the length of judicial service for computation of the longevity pay.

WHEREAS, Section 42 of Batas Pambansa (BP) 129 provides for a monthly longevity pay equivalent to 5% of the monthly basic pay for every five years of service rendered in the judiciary;

WHEREAS, it is true that vacation and sick leave credits earned during the period of employment are, by their nature and purpose, generally enjoyed during employment; however, the law does not preclude the accumulation of these leave credits, not to be paid while one is working, but to be reserved for senior age;

WHEREAS, retirement laws are liberally interpreted in favor of the retiree because their intention is to provide for his sustenance, and hopefully even comfort, when he no longer has the stamina to continue earning his livelihood and the liberal approach aims to achieve the humanitarian purposes of the law in order that the efficiency, security, and well-being of government personnel may be enhanced;

WHEREAS, laws pertaining to retiring government personnel should be liberally construed to benefit retiring personnel, following an interpretation that rightly expresses the nation's gratitude towards women and men who have tirelessly and faithfully served the government;

WHEREAS, earned leave credits, computed in accordance with Section 40, Rule XVI of the Omnibus Rules on Leave, should accordingly be allowed to increase the longevity pay of Justices and Judges reaching the age of compulsory retirement;

NOW, THEREFORE, the COURT RESOLVED, as it hereby RESOLVES, that earned leave credits shall be allowed to be tacked to the length of judicial service for the purpose of increasing the longevity pay of Justices and Judges who reach the age of compulsory retirement. The computation should also include the additional percentage of longevity pay that corresponds to any fraction of a five-year period in the total number of years of continuous, efficient and meritorious service rendered, considering that the retiree would no longer be able to complete the period because of his compulsory retirement.

This Circular shall take effect immediately.

Adopted this 11th day of November, 2003.

(Sgd.) HILARIO G. DAVIDE, Jr.

Chief Justice

(Sgd.) JOSUE N. BELLOSILLO

(Sgd.) REYNATO S. PUNO

Associate Justice

Associate Justice

(Sgd.) JOSE C. VITUG

(Sgd.) ARTEMIO V. PANGANIBAN

Associate Justice

Associate Justice

(Sgd.) LEONARDO A. QUISUMBING

(Sgd.) CONSUELO YNARES-SANTIAGO

Associate Justice

Associate Justice

(Sgd.) ANGELINA SANDOVAL-GUTIERREZ

(Sgd.) ANTONIO T. CARPIO

Associate Justice

Associate Justice

(Sgd.) MA. ALICIA AUSTRIA-MARTINEZ

(Sgd.) RENATO C. CORONA

Associate Justice

Associate Justice

(Sgd.) CONCHITA CARPIO MORALES

(Sgd.) ROMEO J. CALLEJO, SR.

Associate Justice

Associate Justice

(Sgd.) ADOLFO S. AZCUNA

(Sgd.) DANTE O. TINGA

Associate Justice

Associate Justice

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