SUPPLEMENTAL GUIDELINES ON THE DELINQUENCY REPORT SYSTEM (STRENGTHENING THE DISCIPLINARY AUTHORITY OF CHIEF OF OFFICE)

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Adopted: 16 February 2015
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1. REFERENCES:

- PNP Memorandum Circular (MC) No. 2014-025 entitled: “Delinquency Report System (Strengthening the Disciplinary Authority of Chief of Office”) approved by the CPNP on July 28, 2014; and

- DPRM Memorandum dated July 18, 2014, approved by the CPNP on July 28, 2014.

2. RATIONALE:

This pertains to the implementation of the Delinquency Report (DR) System in order to strengthen the disciplinary authority of the chiefs of offices and subordinate units. The system aims to implement corrective measures against PNP personnel who commit light offenses, minor infractions and breaches of discipline more expeditiously with the end in view of improving the overall state of discipline within the PNP without resorting to the long and tedious process of summary proceedings.

The DR System took effect 15 days after August 6, 2014, the date of filing thereof with the Office of the National Registrar, UP Law Center. Hence, the effectivity of the DR System is on August 21, 2014.

During the one day Seminar on the implementation of the DR System held on September 9, 2014, issues were raised by the participants. Said specific concerns were not addressed in PNP MC No. 2014-025 hence the necessity of issuing supplemental guidelines thereon to ensure proper implementation thereof.

3. SITUATION:

The current issue on disciplinary mechanism is the increasing number of pending administrative cases filed against PNP personnel both uniformed and non-uniformed. Based on the review of the statistics on administrative cases, one-third of the dockets are minor offenses, which can be resolved immediately by the Chief/Head of Office.

To enhance the disciplinary authority of the Chief/Head of Office, the modified Delinquency Report (DR) System is adopted to respond to the demands for immediate or on the spot corrections of misdemeanors or minor infractions committed by PNP personnel without the need for a full blown hearing or summary proceedings.

4. PURPOSE:

To ensure uniformity in the implementation of the DR System at the National Headquarters (NHQ), Police Regional Offices (PROs), and National Support Units (NSUs) down to the lowest level of offices/units, to attain the objectives of PNP MC No. 2014-025.

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5. DEFINITION OF TERMS:

- IP card - refers to the Individual Performance Card shall indicate therein the name, position/designation, badge number for uniformed personnel (UP) or plantilla (item number) for Non-Uniformed Personnel (NUP) and the individuals specific duties and responsibilities and the accompanying enabling actions;

- Loafing - an act of loitering or lazing around to pass the time or stand about idly or to hung about;

- Senior PCOs - shall refer to PCOs with at least one rank higher than the alleged offender; and

- Visible tattoos - refer to tattoos which are not completely covered by authorized PNP athletic t-shirt, shorts and GOA/uniform.

6. GUIDELINES:

a.

General Guidelines:

1.

The following are the list of Covered Offenses and Corresponding Demerits, the imposition of which is subject to the discretion of the Chief of Office, to wit:

The following infractions shall incur a maximum of three Demerits each:

a)

Violation of “Tamang Bihis”, by uniformed personnel such as:

a.1)

Unauthorized or improper wearing of uniform insignias and accoutrements;

a.2)

Unauthorized/Improper haircut;

a.3)

Dirty shoes/Unauthorized Shoes;

a.4)

Dirty uniform/Wearing of faded/tacked out athletic uniform/Wearing of colored rubber shoes;

a.5)

Unshaved mustache/Improper Shaving;

a.6)

Improper haircut/colored nail polish/long and dirty finger nails;

a.7)

Not wearing hairnets during command activities;

a.8)

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No hanky/tickler/Miranda warning card (as required during inspection); and

a.9)

No IP Card.

b)

For NUP

b.1)

No IP Card;

b.2)

Non-compliance with the approved and prescribed NUP uniform for Monday, Wednesday, and Friday; and

b.3)

Wearing the following prohibited attire when performing official functions in the workplace during Tuesday and Thursdays:

b.3.1)

Gauzy, transparent or net-like shirt of blouse;

b.3.2)

“Sando,” tank-tops, strapless or spaghetti-strap blouse (unless worn as undershirt) and blouse with over-plunging necklines;

b.3.3)

Micro-mini skirt, walking shorts, cycling shorts, leggings, tights, jogging pants;

b.3.4)

Rubber sandals, rubber slippers, “bakya”;

b.3.5)

Maong/denim pants/skirts;

b.3.6)

Highlighted hair, dangling earrings, flamboyant accessories, heavy make-ups; and

b.3.7)

Mustache and visible tattoos.

The following infractions shall incur a maximum of five Demerits each:

c)

Tardiness in reporting for duty/office work;

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d)

Tardiness in reporting to command activities;

e)

Smoking while on duty;

f)

Violation of traffic, pedestrian, and parking regulations within the camp; and

g)

Violation during troop formation/parade:

g.1)

Moving in ranks;

g.2)

Speaking during formation;

g.3)

Use of cellular phones during formation;

g.4)

Walking or roaming around while program is ongoing; and

g.5)

Standing on one leg.

The following infractions shall incur a maximum of seven Demerits each:

h)

Use of vulgar or insulting languages or exhibit similar rudeness to the public; and

i)

Spitting or littering in public areas.

The following infractions shall incur a maximum of ten Demerits each:

j)

Urinating in places other than the designated areas (restroom, public urinating area);

k)

Dozing on post;

l)

Not observing courtesy to officers/senior officers inside and outside the office/not saluting senior PCOs;

m)

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Loafing;

n)

Leaving post while on duty for more than five minutes (15 Demerits); and

o)

Absent in formation or command activities (20 Demerits).

2)

Sanctions:

No. of Demerits

Sanctions

1 – 20

Every demerit incurred is equivalent to half an hour of any of the following tasks:

(1)

Lead the “Pulisteniks”/Act as demonstrator;

(2)

Undergo supervised combat sports training, refresher courses on arrest procedures, investigations, and other basic police knowledge and skills;

(3)

Give lecture during PICE on the assigned topics for the week/month;

(4)

Attend lectures/seminars on POP, Disciplinary Mechanism, and other subject matters;

(5)

Perform extra office works or overtime duties during weekends/holidays;

(6) Two months revocation of privilege to file leave except sick leave, maternal leave, and paternity leave; and

(7) Other forms of appropriate sanctions not bordering on involuntary servitude as maybe required by the Chief of Office/Unit.

More than 20 demerits in a month or single offense with more than 20 demerits (less grave and grave offenses)

Pre-Charge Evaluation/Summary Hearing Proceedings

3)

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Refusal to perform the sanction/s shall be tantamount to insubordination or refusal to follow lawful orders and shall cause the pre-charge evaluation of the offender;

4)

Sanctions performed will operate to clear the demerit/s incurred;

5)

Uniformed Personnel cannot issue a DR to a Non-Uniformed Personnel, except if the Uniformed Personnel is a Division Chief/Section Chief/Immediate Supervisor of the NUP;

6)

Non-Uniformed Personnel can only issue a DR to another Non- Uniformed Personnel of lower rank or grade and cannot issue a DR to a PCO or PNCO, except if the Non-Uniformed Personnel is a Division Chief/Section Chief/Immediate Supervisor of the uniformed personnel;

7)

Personnel on detail to other offices or units shall be subject to DR either by their mother unit or by the Division/Section Chief or immediate supervisor in the unit they are detailed. In case of the latter, the DR shall be furnished to the offender's mother unit for record keeping purposes after its adjudication;

8)

The demerits incurred shall be consolidated on a monthly basis. Those who incurred more than 20 demerits (cumulative or for a single offense) shall be pre-charged and would no longer be sanctioned for the same offense; and

9)

The Administrative Officer shall evaluate the explanation of the RESPO/Chief Clerk in case the latter is reported as an offender, while the Chief of Office shall evaluate the explanation of the Administrative Officer.

b.

Procedures:

1)

Reporting officers shall accomplish the PNP DR in triplicate copies. The original (white) and the duplicate (yellow) copies shall be forwarded to the Administrative/Personnel Officer or Chief Clerk/ESPO of the Offender for proper disposition, while the triplicate (green) copy shall be kept by the Reporting Officer;

2)

Alleged offenders have 24 hours upon receipt of the DR to explain in writing. Failure to do so shall mean a waiver of their right to be heard. The Chief of Office/Unit, as the disciplinary authority may render a decision after the lapse of 24 hours unless the delay is justified;

3)

The Chief of Office/Unit, as the disciplinary authority, shall render decision within 24 hours upon receipt of the DR with the explanation of the person who committed the offense. He/She may summon/request the Reporting Officer and/or the person reported to expound their statements further, if necessary, as shown in the Flowchart

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(Annex “A”);

4)

Offenders may appeal in writing within 48 hours upon receipt of the decision to the next higher Chief of Office/Unit. The decision of the said Chief of higher Office shall be final and immediately executory;

5)

The Administrative/Personnel Officers (Chief, RPHRDDs/ARMDs, et. al.), assisted by their Chief Clerks/ESPOs, shall be the OPR in the implementation of the DR System in their office/unit but the responsibility for the discipline of a particular personnel remains with the Chief of Office/Unit. They shall take immediate action on all DRs submitted and keep a record of all reports and sanctions incurred. The original (white) copy, with the explanation of the offender, shall be retained on file by the Administrative/Personnel Officer, the duplicate (yellow) copy by the offender while the triplicate (green) copy shall be kept by the Reporting Officer; and

6)

The penalty or sanctions imposed by the concerned Chiefs of Offices/Units shall be consolidated each month and shall be implemented on the first week of the succeeding month.

c.

Coordinating Instructions:

1)

The Administrative/Personnel Officers, Chief Clerks/ESPOs or their equivalent, shall undergo a seminar for the purpose. The Delinquency Report forms (Annex “B”) shall be distributed as soon as printed.

2)

All Administrative/Personnel Officers (Chief, RPHRDDs/C, ARMDs/ADMOs) shall submit to this Directorate (Attn: DLOD) the list of their personnel with corresponding sanctions every fifth day of the following month for inclusion in the CMCS.

3)

All RCDS (PROs) and Chiefs of Staff of NSUs shall supervise the strict implementation of the DR System in their respective Offices/Units.

7. EFFECTIVITY:

This MC shall take effect after 15 days from the filing of a copy thereof at the UP Law Center in consonance with Sections 3, Chapter 2, Book VII of Executive Order No. 292, otherwise known as the “Revised Administrative Code of 1987”, as amended.

(SGD) LEONARDO ARIAS ESPINA
Police Deputy Director General
Officer-in-Charge, PNP

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