SC ADMINISTRATIVE CIRCULAR NO. 42- -2013, April 29, 2013

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TO:

ALL OFFICIALS AND EMPLOYEES OF THE SUPREME COURT, PRESIDENTIAL ELECTORAL TRIBUNAL AND LOWER COURTS

SUBJECT:

GUIDELINES ON THE (A) GRANT OF UNIFORM/CLOTHING ALLOWANCE (U/CA);AND (B) WEARING OF OFFICE UNIFORM/APPROPRIATE OFFICE ATTIRE

I - Coverage

These Guidelines shall apply to all officials and employees of the Supreme Court (SC), Presidential Electoral Tribunal (PET), and Lower Courts (LCs), whether permanent, temporary, coterminous, casual, or on part-time basis.
II. Who are Entitled:

The following are entitled to clothing allowance, whether in the form of office uniforms or cash:

1. Officials and employees who are in the service as of July 1 of the previous year and are continuously in the service up to June 30 of the current year. [E.g., for CY 2013 U/CA - must render service from 1 July 2012 to 30 June 2013].

2. Officials and employees who are required to wear uniform at all times in the performance of their duties.

3. Officials and employees who transferred from other government agencies from January to June of the current year, provided that they have been in the government service as of July 1 of the previous year and shall have rendered continuous service up to June 30 of the current year. [E.g., for CY 2013 U/CA - must render service from 1 July 2012 to 30 June 2013].
4. Officials and employees who transferred from other government agencies from July to December of the current year subject to submission of certification of non-receipt of clothing allowance for the current year. (Provided that they have been in the government service as of July 1 of the previous year and shall have rendered continuous service up to June 30 of the current year [E.g., for CY 2013 U/CA - from 1 July 2012 to 30 June 2013.III. Who are Not Entitled:
1. Officials and employees who were appointed after July 1 of the previous year, [E.g., for CY 2013 U/CA - July 2r 2012 onwards].

2. Officials and employees who have been or shall be separated from the service before June 30 of the current year. [E.g., for CY 2013 U/CA- before June 30, 2013]
3. Officials and employees who are on leave without pay (authorized or unauthorized) for more than six (6) consecutive months within the one-year period starting July 1 of the previous year. Officials and employees who

are on training/study/scholarship grant for more than six (6) consecutive months within the one-year period starting
July 1 of the previous year.

4. Officials and employees who are on training/study/scholarship grant for more than six (6) consecutive months within the one-year period starting July 1, of the previous year.

5. Consultants and those hired through Contract of Services.

IV. Guidelines on the Wearing of Office Uniforms/Appropriate Office Attire
The Committee shall prescribe the schedule of the wearing of office uniforms.

Officials and employees should strictly wear their proper office uniforms as scheduled.

The wearing of office uniforms may be suspended by the Chief Justice upon the recommendation of the Committee. In such case, appropriate office attire shall be worn in lieu of office uniforms.

A. Appropriate Office Attire

A.I. Skirts of office uniforms or casual office attire should be at least knee-length (one inch above the knee may be allowed),

A.2. Appropriate footwear shall mean closed formal shoes; however, mules, sling back shoes and peep toes are allowed.

B. Prohibited Attire

Should the clothing allowance be granted in the form of cash, the provisions of the Revised Dress Code for all Government Officials and Employees as prescribed by the Civil Service Commission (CSC) in its Memorandum Circular (MC) No. 9, s. 2000 (Revised Dress Code for All Government Officials and Employees) dated October 31, 2000 shall be strictly followed, to wit:

B.I. The following attire are prohibited when performing official functions:

(a.)Gauzy, transparent or net-like blouse or shirt;
(b.)Sando, sleeveless, strapless or spaghetti- strapped blouse, tank tops (unless worn as an undershirt), blouse with over-plunging necklines;
(c)Collarless t-shirts for men;
(d.) Micro-mini skirt, walking shorts, cycling shorts,leggings, tights, jogging pants, pedal pushers;
(e.)Sandals and step-ins exposing the toes; and
(f.)Rubber sandals, slippers (crocs, havaianas, ipanema, fitfiops, happy feet, sanuk) and
"bakya"

B.2. The sporting of long and unkempt hair, as well as wearing of earrings and other body ornaments by male employees are not allowed.

B.3. Denim or "maong" pants, collarless t-shirts for men, rubber shoes, sandals, flipflops and step-ins are allowed on Fridays only.

(Please see Annexes)

4. Identification Card (ID) - I.D. forms part of the official uniform/appropriate office attire. Thus, it must be worn at all times while on official duty.

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V. Responsibilities of Officials and Employees when U/CA is in the Form of Office Uniform

1. All officials and employees concerned must have their individual body measurements taken by the official modiste or tailor on the scheduled dates.

2. In case the measurements are not taken on the scheduled dates, the officials and employees concerned shall make the corresponding arrangement with the official modiste or tailor for the measurement taking.

3. The non-issuance of office uniform due to failure of officials and employees to comply with Items 1 and 2 shall constitute a waiver of the U/CA and shall be a ground for disciplinary action under this Circular for the non-wearing of the prescribed uniform.

4. In case of failure of the modiste or tailor to deliver the office uniform in time for the prescribed wearing thereof, the officials and employees concerned shall immediately notify the Committee in writing. Otherwise, they shall be considered not in uniform and shall be disciplinary dealt with, as provided in this Circular.

VI. Exemptions from the Wearing of Office Uniforms
The following are exempted from the wearing of office uniforms:

1. Officials in the SC who occupy positions belonging to Salary Grade 29 and above;

2. Judges however, they may wear the office uniforms should they wish to);

3. Employees whose nature of work demands the wearing of a particular clothing;

4. Those whose religious affiliation or creed requires a particular clothing;

5. Those whose physical disability or health condition prevents them from wearing the prescribed office uniform;

6. Pregnant female employees, who may wear maternity attire during the period of their pregnancy; and

7. Employees who lost a loved one, who may instead wear mourning clothes during the period of mourning.

Requests for exemption shall be submitted for appropriate action to the Chairperson of the Committee for Office Uniforms for SC, PET and LC or Committee for Office Uniforms in the respective court stations, depending on the office assignment of the requesting party.

VII. Refund

1. The full refund of the clothing allowance shall be required of officials and employees who received it but failed to complete the service requirement.

2. For humanitarian considerations, the refund shall not be required if the separation from the service is due to any of the following reasons:

2.1. death;
2.2. total disability retirement, as approved by the Court; and
2.3. other similar instances

3. All claims for U/CA by officials and employees shall be brought in writing within the calendar year of the grant before the Committee for Office Uniforms, as the case may be. Otherwise, such claims shall no longer be entertained and shall be deemed forfeited

VIII. Implementation and Monitoring

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A. Supreme Court:
1. All the Chiefs of Office, Judicial Staff Heads in the Office of the Chief Justice and Associate Justices, immediate supervisors, officers and members of the Committee for Office Uniforms shall be responsible for:

a. implementing these guidelines;
b. monitoring compliance with these guidelines; and
c. reporting and submitting cases of violations to the Chairperson of the Committee for Office Uniforms for proper disciplinary action.

2. The Daily Report on Attendance and Tardiness (RAT) shall include a list of officials and employees who violated the Guidelines on the Wearing of Appropriate Office Attire/Office Uniforms.

3. The personnel of the Security Division are hereby deputized to list down the names of officials and employees who do not comply with these guidelines. The list shall indicate the date of commission of the violation and the name of the official or employee concerned, who must be informed of such violation.

The list should be submitted to the Committee for Office Uniforms.

B. Lower Courts:

1. In single sala courts, the Clerks of Court shall be responsible in implementing and monitoring compliance with these guidelines. In multiple sala courts, a Committee for Office

Uniforms shall be created, with the Clerks of Court as Chairperson and with two (2) members to be designated by the Executive Judge.

The Clerk of Court in single sala courts and the Committee for Office Uniforms in multiple sala courts shall:

2.1 ensure compliance with the guidelines on the wearing of office uniforms or appropriate office attire;

2.2 act on requests for exemption and submit report to the Committee for Office Uniforms for SC, PET and LC;

2.3 submit to the Committee for Office Uniforms for SC, PET and LC, the list of personnel violating these guidelines and recommend appropriate disciplinary actions thereon.

3. The officers of the Philippine Association of Court Employees (PACE) are hereby deputized to monitor compliance of lower court personnel with the guidelines. Any report on violation shall be submitted to the Committee for Office Uniforms SC, PET and LC.

IX. Disciplinary Action for Non-Compliance

Conformably with Section 22 (c), Rule XIV, Revised Omnibus Rules Implementing Book V of Executive Order No. 292 (Administrative Code of 1987) and Other Pertinent Civil Service Law, which states that violations of reasonable office rules and regulations include the violations of CSC MC No. 19, s. 2000 (Dress Code), and pursuant to the Court's inherent power to discipline its personnel, the following penalties shall be imposed upon the erring personnel through administrative disciplinary proceedings:

1. First offense - Reprimand
2. Second offense - Suspension without pay for one (1) to thirty (30) days
3. Third offense - Suspension without pay for one (1) month and one (1) day to six (6) months
4. Fourth offense - Dismissal from the service

Any matter not covered by these Guidelines shall be referred, for appropriate action, to the Committee for Office Uniforms for SC, PET and LC.

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Any issuances inconsistent herewith are hereby superseded.

Issued this 29th day of April 2013.

(SGD.)MARIA LOURDES P. A. SERENO

Chief Justice

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