

RULES AND REGULATIONS ON THE PAYMENT OF PRODUCTIVITY INCENTIVE BENEFIT, FRINGE BENEFITS (AMELIORATION ASSISTANCE), AND ADDITIONAL COST OF LIVING ALLOWANCE FROM THE JUDICIARY DEV...

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In the payment of the Productivity Incentive Benefit (PIB), Fringe Benefits (Amelioration Assistance) which the Constitutional Fiscal Autonomy Group may resolve to grant, and the Additional Cost of Living Allowance under the Judiciary Development Fund (P.D. No. 1949), certain rules or guidelines must be adopted to meet the demands of justice, fairness and equity, promote dedication and loyalty to duty, and encourage the pursuit of excellence.

Accordingly, the following rules or guidelines are hereby prescribed for these purposes:

PART I

GUIDELINES ON THE GRANT OF PRODUCTIVITY INCENTIVE BENEFIT (PIB)

SECTION 1. Purpose/Objective. — To provide appropriate and reasonable incentive to officials and employees, compensate equitably their accomplishments, boost their morale and efficiency, and encourage them to enhance their dedication to duty in the pursuit of excellence in the service.

SECTION 2. Coverage.— It shall apply to all officials and employees of the Supreme Court, Presidential Electoral Tribunal, Court of Appeals, Sandiganbayan, Court of Tax Appeals and the Lower Courts, whether permanent, temporary, coterminous, or casual. It shall also apply to part-time PHILJA professors in the Supreme Court.

SECTION 3. Basis of the Grant. — The benefit shall be based on personnel productivity and performance as evaluated and determined by the heads of the respective offices in accordance with the policies and standards set by the Chief Justice or the Supreme Court as the case may be.

3.1.

The official or employee must have obtained at least a satisfactory performance rating for the two (2) semesters immediately preceding the year in which the incentive pay shall be released.

3.2.

The official or employee must have rendered actual service in the government for at least one (1) year as of

December 31 of the preceding year.

The term "actual service" refers to the period of continuous service since the appointment of the official or employee concerned, including the period or periods covered by any previously approved leave of absence with pay or sick leave of absence without pay. (Sec. 28, Rule XVI, CSC Omnibus Rules implementing Book V of Executive Order 292)

SECTION 4. Rates of Benefit. — The amount of productivity incentive benefit that will be granted to deserving officials and employees may vary depending on their individual performance ratings. Those who obtained Outstanding, Very Satisfactory, Satisfactory performance ratings shall receive different amounts of benefits. However, the amount to be given shall not exceed the aggregate total authorized for an agency. (Sec. 4, Administrative Order No. 161 dated January 1, 1995 issued by the Office of the President)

4.1. In cases where an employee has two (2) different ratings for the two (2) semesters, the performance rating for the 2nd semester shall be the basis for the determination of the amount of benefit.

4.2. Officials and employees who transferred to another government office or agency on or before the end of the calendar year for which the Productivity Incentive Benefit is granted shall be paid by the new office or agency, while the benefits of those who transferred after December 31 of the same calendar year shall be drawn against available funds of the former office or agency.

4.3. Part-time PHILJA professors in the Supreme Court shall be entitled to a productivity incentive benefit equivalent to one-half (1/2) of the full amount received by full-time officials and employees with the same productivity and performance appraisal.

SECTION 5. Cases Not Covered by the Grant of Benefit. --

5.1. The following are not entitled to the benefit:

a. Consultants;

b. Those hired through contract for services;

c. Those who obtained a performance rating lower than Satisfactory for any of the semesters of the preceding year;

d. Those who are on preventive suspension owing to administrative charges, as they are considered not to have completed the required number of days of service;

e. Those who have been found guilty of an administrative charge except those who have been reprimanded or

warned;

f. Those who incurred vacation leave of absence without pay for an aggregate period of five (5) days or more during the preceding year. If the vacation leaves without pay are intermittent, then, the totality of said leaves shall be considered in determining the disqualification of the employee;

g. Those who have been absent without official leave (AWOL) during the preceding year;

h. Those who, during the preceding year, have died, optionally retired, resigned, transferred to another office, been dismissed or dropped from the rolls, or whose temporary or casual appointments have expired without the same having been renewed; and

i. Those who have been habitually tardy during the preceding year, as shown by the records of the Administrative Office;

An employee shall be considered habitually tardy if he incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year. (CSC MC No.4, s. 1991)

SECTION 6. Any problem arising from the implementation of this benefit, which is not covered by these guidelines, shall be referred to the Chief Justice.

PART II

GUIDELINES ON THE GRANT OF FRINGE BENEFITS (AMELIORATION ASSISTANCE)

SECTION 1. Purpose/Objective. --To promote the economic well-being of the members of the Judiciary and court personnel through fringe benefits, with such well-being resulting in revitalized competencies and positive and substantial work contributions and inputs to the efficiency and effectiveness of government operations in the interest of public service and in the pursuit of justice.

SECTION 2. Coverage. -- The grant of the Fringe Benefit shall apply to all officials and employees of the Supreme Court, Presidential Electoral Tribunal, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and the Lower Courts whether permanent, temporary, coterminous, or casual.

It shall also apply to part-time PHILJA professors in the Supreme Court.

SECTION 3. Amount and Period Covered by the Benefit. -- The amount and period covered by the benefit shall be those as authorized by the Chief Justice.

SECTION 4. Rates of Benefit. --

4.1.

All officials and employees of the Supreme Court, Presidential Electoral Tribunal, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and the Lower Courts, who have rendered actual service for the period covered, shall be entitled to the full amount of the benefit.

The term "actual service" refers to the period of continuous service since the appointment of the official or employee concerned, including the period or periods covered by any previously approved leave of absence with pay or sick leave of absence without pay. (Sec. 28, Rule XVI, CSC Omnibus Rules implementing Book V of Executive Order 292)

4.2.

Should the actual service rendered during the period covered be less than the required number of months, the official or employees concerned shall be entitled to a proportionate rate of the benefit.

4.3.

Those who, during the period covered by the grant of the benefit, have died, retired compulsorily, or been separated from the service through no fault of their own (e.g., expired appointments) shall be entitled to a proportionate rate considering that their failure to complete the required actual service is beyond their control and not due to their own fault, provided that for the purpose of computing the number of months of service, the officials or employees concerned shall be considered to have rendered one (1) full month of service on the month they died, retired, or was separated, regardless of the actual date of such death, retirement or separation.

4.4.

Those who have been on approved vacation leave of absence without pay (VLWOP) for a period of two (2) weeks (calendar days) or more during the period covered by the grant of the benefit shall be entitled to a proportionate rate.

4.5.

The amount of benefit of part-time PHILJA professors in the Supreme Court shall be equivalent to one-half (1/2) of the amount to be received by regular officials and employees based on the actual service rendered.

4.6.

The benefit of an official or employee who has been placed under preventive suspension owing to administrative charges for any number of days within the period covered by the grant of the benefit shall be withheld pending the outcome of his/her case. If he/she is eventually exonerated, he/she shall be entitled to the benefit, computed proportionately to his/her actual services rendered; otherwise, his/her benefit shall be forfeited.

SECTION 5. Cases not Covered by the Grant of Benefit. --**5.1.**

The following are not entitled to the benefit:

a.

Consultants;

b.

Those hired through contract for services;

c.

Those who, due to their own fault, failed to render the requisite continuous service, including but not limited to the following:

1.

Those who have been found guilty of an administrative charge except those who have been reprimanded or warned during the period covered by the grant of the benefit;

2.

Those who have been absent without official leave (AWOL) during the period covered by the grant of the benefit;

3.

Those who are no longer in the service as of the cut-off date due to optional retirement, resignation, dismissal or separation from the service or transfer to another office or agency outside the Judiciary.

d.

Those who have obtained a performance rating lower than Satisfactory during the preceding semester as shown by the records of the Administrative Office.

e.

Those who have been habitually tardy, as shown by the records of the Administrative Office, during the period covered by the grant of benefit.

An employee shall be considered habitually tardy if he incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year. (CSC MC No. 4, s. 1991)

SECTION 6. Any problem arising from the implementation of this benefit which is not covered by these guidelines shall be referred to the Chief Justice.

PART III

GUIDELINES ON THE GRANT OF ADDITIONAL COST OF LIVING ALLOWANCE (COLA) FROM JUDICIARY DEVELOPMENT FUND (JDF)

SECTION 1. Purpose/Objective. -- To upgrade the economic conditions of the members and personnel of the

Judiciary in order to preserve and enhance the independence of the Judiciary at all times and safeguard the integrity of its members.

SECTION 2. Coverage. -- The grant of the Additional Cost of Living Allowance from the Judiciary Development Fund (JDF) shall apply to all officials and employees of the Supreme Court, Presidential Electoral Tribunal, Court of Appeals, Sandiganbayan, Court of Tax

Appeals, and the Lower Courts whether permanent, temporary, coterminous or casual.

It shall also apply to part-time PHILJA professors in the Supreme Court.

SECTION 3. Grant of Benefit.-- The Chief Justice shall administer and allocate the Fund and shall have the sole exclusive power to approve disbursements and expenditures of the Fund.

SECTION 4. Rates of Benefit. --

4.1.

The JDF shall be distributed in proportion to the basic salaries of the officials and employees and that bigger allowances shall be granted to those receiving lesser basic salary.

4.2.

All officials and employees of the Supreme Court, Presidential Electoral Tribunal, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and the Lower Courts who have rendered actual service for the whole period covered by the grant shall be entitled to 100% or the full amount of the benefit.

The term "actual service" refers to the period of continuous service since the appointment of the official or employee concerned, including the period or periods covered by any previously approved leave of absence with pay or sick leave of absence without pay. (Sec. 28, Rule XVI, CSC Omnibus Rules implementing Book V of Executive Order No. 292)

4.3.

Should the actual service rendered during the period covered be less than the required number of months, the official or employee concerned shall be entitled to a proportionate rate of the benefit.

4.3.a.

Those who, during the period covered by the grant of the benefit, have died, retired compulsorily, separated from the service through no fault of their own (e.g., expired appointments) shall be entitled to a proportionate rate of the benefit considering that their failure to complete the required actual service is beyond their control and not due to their own fault, provided that for the purpose of computing the number of months of service, the officials or employees concerned shall be considered to have rendered one (1) full month of service on the month they died, retired, or was separated from the service, regardless of the actual date of such death, retirement or separation.

4.3.b.

Those who have been on an approved vacation leave of absence without pay (VLWOP) for a continuous or uninterrupted period of one (1) week or more during the period covered by the grant of the benefit shall be entitled to a proportionate rate of the benefit.

4.3.c.

The benefit of an official or employee who has been placed under preventive suspension owing to administrative charges for any number of days within the period covered by the grant of the benefit shall be withheld pending the outcome of his/her case. If he/she is eventually exonerated, he/she shall be entitled to the benefit, computed proportionately to his/her actual services rendered; otherwise, his/her benefit shall be forfeited.

4.3.d.

The amount of benefit of part-time PHILJA professors in the Supreme Court shall be equivalent to one-half (1/2) of the amount received by regular officials and employees and based on actual service rendered.

4.3.e.

Those who, during the period covered by the grant of benefit, have optionally retired, resigned, or transferred to another agency shall be entitled to a proportionate rate of the benefit.

SECTION 5. Cases not Covered by the Grant of Benefit -

5.1.

The following are not entitled to the benefit:

a.

Consultants;

b.

Those hired through contract for services;

c.

Those who, due to their own fault, failed to render the requisite number of months of continuous service,

including but not limited to the following:

1.

Those who have been found guilty of an administrative charge except those who have been reprimanded or warned during the period covered by the grant of the benefit;

2.

Those who have been absent without official leave (AWOL) during the period covered by the grant of the benefit;

3.

Those who have been habitually tardy as shown by the records of the Administrative Office during the period covered by the grant of benefit.

An employee shall be considered habitually tardy if he incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year. (CSC MC No. 4,s. 1991)

d.

Those who have obtained a performance rating lower than Satisfactory during the preceding semester as shown by the records of the Administrative Office.

SECTION 6. Any problem arising from the implementation of this benefit, which is not covered by these guidelines shall be referred to the Chief Justice.

PART IV

FINAL PROVISIONS

SECTION 1. Supplemental Guidelines.-- The foregoing notwithstanding, supplemental rules or guidelines may from time to time be issued by the Chief Justice in the further interest of justice fairness and equity.

SECTION 2. Applicability.-- This Administrative Circular shall govern the grant of Productivity Incentive Benefits (PIB), Fringe Benefits (Amelioration Assistance) pursuant to applicable resolutions of the Constitutional

Fiscal Autonomy Group (CFAG), and Additional Cost of Living Allowance under the Judicial Development Fund for Calendar Year 2001 and thereafter.

SECTION 3. Effectivity- This Administrative Circular shall take effect upon its issuance.

SECTION 4. Implementing Officers.— The Court Administrator; the Clerk of Court; the Chief, Fiscal Management and Budget Office; the Chief, Office of Administrative Services; the Officer-in-Charge, Financial Management Office (OCA); and the Officer-in-Charge, Office of Administrative Services (OCA) shall implement this Administrative Circular.

Issued this 9th day of January 2001, in the City of Manila.

(Sgd.) HILARIO G. DAVIDE, JR.

Chief Justice

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