

PRESCRIBING UNIFORM RULES IN RECORDING THE OFFICE ATTENDANCE OF ALL OFFICIALS AND EMPLOYEES OF THE JUDICIARY

ADMINISTRATIVE CIRCULAR NO. 38-2004, August 20, 2004

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WHEREAS, Memorandum Circular No. 21, s. 1991, of the Civil Service Commission requires all employees to record their daily attendance on the proper form or, whenever possible, to have their attendance registered through the bundy clock, but allows any other means of recording attendance provided that the names and signatures of employees and their actual time of arrival at and departure from the office are indicated;

WHEREAS, several issuances had already been issued relative to office attendance such as Administrative Circular No. 10-2001 (Strict Observance of Business Hours or Approved Official Time by Coterminous Personnel); Administrative Circular No. 14-2001 (Discontinuing the Practice of Merely Indicating in Daily Tune Records the Phrase "Full-Time Service Rendered"); Administrative Circular No. 36-2001 (Requiring All Employees to Register Their Daily Attendance in the Chronolog Time Recorder Machine); and Amended Memorandum Order No. 49-2003A (Enjoining the Use of Bundy Clocks in All Courts); and

WHEREAS, there is no uniform application among the different courts of the rules on the recording of office attendance: while employees in some courts use the daily time record (DTR, Form 48), bundy clock, or chronolog time recorder machine (CTRM) in registering their daily attendance in office, their counterparts in other courts are required to submit only a certification of service or are not required to record their daily attendance but merely file their leave applications whenever they are absent;

NOW, THEREFORE, for consistency and uniformity in the implementation of policies on the recording of office attendance of all officials and employees in the Judiciary, the following rules shall be strictly observed:

I. Recording of Office Attendance

A. Modes of Recording Office Attendance

The daily office attendance in all courts and offices in the Judiciary shall be recorded through the bundy clock, the Judiciary shall be recorded through the bundy clock, the chronolog time recorder machine (CTRM), the daily time record (DTR or Form 48), the certification of sendee (CS), or such other modes of recording as may be prescribed by this Court. Regardless of the method of recording office attendance used by each official and employee, all offices shall maintain a logbook of attendance where all officials and employees must log in : chronologically by signing and indicating thereon their time of arrival at and departure from the office.

B. Supreme Court

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All officials of the Court from the Clerk of Court and the Court Administrator to the officials with Salary Grade 29 shall have the option to use either the CTRM, the DTR, or the CS in registering their office attendance, provided that, regardless of the mode chosen, they shall sign and indicate their time of 1

arrival and departure in the office logbook. These officials shall inform the Leave Division, Office of Administrative Sendees, of their chosen mode of recording office attendance.

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All coterminous officials and employees belonging to the U confidential staffs of the Chief Justice and Associate Justices shall, at the option of their respective Justices, use either the CTRM or the DTR in registering their office attendance, % provided that, regardless of the mode chosen, they shall also j: register their attendance in the office logbook.

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The chauffeurs of Court officials who are issued official 0 vehicles, the shuttle bus drivers, and the security guards jj. assigned as close-in security aides of the Justices, who, by the nature of their duties are required to render service on irregular office hours, shall have the option to use the CTRM or the DTR in registering their office attendance, provided that they shall also register in the office logbook.

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In the meantime that the Supreme Court offices located in the cities of Baguio and Tagaytay are not provided with bundy clocks, all employees assigned in the said offices shall continue to use the DTR and the logbook in registering thejr daily office attendance.

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All other officials and employees not included in the preceding paragraphs and occupying positions with Salary Grade 28 and below whether permanent, coterminous or casual, shall register their daily office attendance through the CTRM and in the logbook of their respective officers.

C. Court of Appeals, Sandiganbayan and Court of Tax Appeals

- All officials with the rank of either a Regional Trial Court Judge or a Metropolitan Trial Court Judge shall have the option to register their attendance through the bundy clock, CTRM, DTR, or CS, provided that, regardless of the mode chosen, they shall sign and indicate their time of arrival and departure in the office logbook. These officials shall inform their respective Leave Sections of their chosen mode of recording office attendance.

- All coterminous employees belonging to the confidential staffs of the Members of the Court of Appeals, Sandiganbayan and Court of Tax Appeals shall, at the option of their respective Justices, use either the bundy clock, CTRM or the DTR in registering their office attendance provided that they shall also register their attendance in the office logbook.

- All other officials and employees not mentioned in Pars. C (1) and C (2) shall register their daily office attendance through the bundy clock or the CTRM, as the case may be, and in the attendance logbook of their respective offices.

D. First and Second Level Courts

All officials and employees of the Regional Trial Courts, Shari'a District Courts, Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, Municipal Circuit Trial Courts, and Shari'a Circuit Courts who are occupying positions below that of a Judge, shall register their daily office attendance through the bundy clock and in the logbook of their respective offices or courts.

E. Philippine Judicial Academy and Judicial and Bar Council

- All officials of the Philippine Judicial Academy and the Judicial and Bar Council with Salary Grades 29 and up shall each submit a monthly certification of service. Likewise, part-time PHILJA Professors shall each execute a certification of service duly noted by the Chancellor or the Vice-Chancellor.

- All other officials and employees not included in the preceding Daraeraph whether permanent, coterminous or casual, shall raster their daily office attendance through the CTRM and in the logbook of their respective offices.

II. Submission of Daily Time Records and Certification of Service

The monthly DTR or CS must be submitted to the proper Leave Division or Section within the first five working days of the succeeding month.

II. Submission of Reports of Attendance

All offices in the Supreme Court, Court of Appeals, Sandiganbayan and Court of Tax Appeals shall submit to their respective Leave Divisions or Sections within the first five working days of the succeeding month, their monthly Report of Attendance duly signed by the official designated to take charge of monitoring the office attendance of personnel in their respective offices. For the first and second level courts, a monthly Report of Attendance, together with the bundy cards of personnel, shall be submitted to the Leave Division, Office of the Court Administrator, within the first five working days of the succeeding month, by all Clerks of Court or Branch Clerks of Court.

IV. Saving Clause

Cases affecting the recording of office attendance of the personnel of the Supreme Court, Court of Appeals, Sandiganbayan, Court of Tax Appeals, Philippine Judicial Academy, and Judicial and Bar Council, which are not specifically addressed in this Administrative Circular, shall be referred to the Office of Administrative Services, Supreme Court, for study and recommendation to the Chief Justice.

Likewise, cases affecting the recording of the office attendance of the personnel of the first and second level courts which are not specifically addressed in this Administrative Circular shall be referred to the Office of Administrative Services, Office of the Court Administrator, for study and recommendation to the Chief Justice.

V. Dissemination of the Circular

The Presiding Justices of the Court of Appeals Sandiganbayan, and the Court of Tax Appeals shall cause the dissemination of this Administrative Circular to all officials and employees/within their respective courts.

Likewise the Court Administrator shall cause the dissemination of this Administrative Circular to all first and second level courts.

VI. Repealing Clause

All issuances and authorizations or exemptions previously granted which are inconsistent with any of rules herein provided shall be deemed superseded and repealed.

VII. Effectivity Clause

The Administrative Circular shall take effect on the first working day of October 2004.

Issued this 20[th] day of August 2004.

HILARIO G. DAVIDE

Chief Justice

Copy furnished:

Office of the Chief Justice
Offices of the Associate Justices
Office of the Presiding Justice, Court of Appeals
Office of the Presiding Justice, Sandiganbayan
Office of the Presiding Justice, Court of Tax Appeals
Philippine Judicial Academy
Judicial and Bar Council Secretariat
Office of the Court Administrator
Office of the Deputy Court Administrators
Office of the Assistant Court Administrators
Office of the Clerk of Court
Office of the First Division Clerk of Court
Office of the Second Division Clerk of Court
Office of the Third Division Clerk of Court
Public Information Office
Program Management Office
Office of Administrative Services
Fiscal Management and Budget Office
Office of the Chief Attorney
Office of the Reporter
Office of the Bar Confidant
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