

MEMORANDUM CIRCULAR NO. 13-2007, July 25, 2007

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TO : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS; BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS WITH ORIGINAL CHARTER; AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : Amendment to Section 63, Rule XVI of the omnibus Rules on Leave, CSC Memorandum Circular Nos. 41 and 14, Series of 1998 and 1999, Respectively

Section 63, Rule XVI of the Omnibus Rule on Leave (CSC MC Nos. 41 and 14, s. 1998. and 1999, respectively) provides that an official/employee can be dropped from the rolls "only" if he/she incurs 30 working days of continued absence without official leave. However, there are instances wherein officials/employees knowingly circumvent the rule by reporting back to work for brief periods after incurring prolonged unauthorized absences just to break the continuity of their non-attendance.

In order to curb such practice, to promote efficiency and effective personnel administration in government and to obviate any prejudice to the service, the Civil Service Commission, pursuant to CSC Resolution No. 07-0631 dated April 10, 2007[*] hereby amends the abovementioned rule to read as follows:

"Sec. 63. Effect of absences without approved leave. - An official or employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. However, when It Is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than thirty working (30) days 3x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.

"If the number of unauthorized absences incurred is less than thirty (30) working days, a written Return-to-Work Order shall be served to him at his last known address on record. Failure on his part to report for work within the period stated in the Order shall be a valid ground to drop him from the rolls."

(SGD.) KARINA CONSTANTINO-DAVID
Chairman

July 25, 2007

Amendment to Section 63, Rule
XVI of the Omnibus Rules on Leave
(CSC MC No. 41 and 14, series
of 1998 and 1999, respectively)
X-----X

RESOLUTION NO. 070631

WHEREAS, Section 63, Rule XVI of the Omnibus Rules on Leave (CSC MC Nos. 41 and 14, series of 1998 and 1999, respectively) provides that an official/employee can be dropped from the rolls 'only' if he/she incurs 30 working days of continued absence without official leave;

WHEREAS, there are instances where an official/employee who, after being on a prolonged absence, reports back to duty for a brief period only to break the continuity of their absences to evade the rule on dropping from the rolls and repeats the same scheme all over again, thus committing a clear circumvention of the rule;

WHEREAS, there is a need to curb the aforementioned scheme as the same defeats the purpose of the rule on dropping from the rolls;

NOW THEREFORE, foregoing premises considered, the Commission hereby resolves to amend Section 63, Rule XVI of the Omnibus Rules on Leave (CSC MC Nos. 41 and 14, series of 1998 and 1999, respectively) to read, as follows:

"Sec. 63. Effect of absences without approved leave. - An official or employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (A WOL) and shall be separated from the service or dropped from the rolls without prior notice. However, when it is clear under the obtaining circumstances that the official or employee concerned, has established a scheme to circumvent the rule by incurring substantial absences though less than thirty working (30) days 3x in a semester, such that a pattern is already apparent, dropping from the rolls without notice may likewise be justified.

"If the number of unauthorized absences incurred is less than thirty (30) working days, a written Return-to-Work Order shall be served to him at his last known address on record. Failure on his part to report for work within the period stated in the Order shall be a valid ground to drop him from the rolls."

Quezon City, APR 10 2007

(SGD.) KARINA CONSTANTINO-DAVID
Chairman

(SGD.) CESAR D. BUENAFLORES
Commissioner

(SGD.) MARY ANN FERNANDEZ-MENDOZA
Commissioner

Attested by:

(SGD.) JUDITH D. CHICANO
Director IV
Commission secretariat and Liaison Office

[*] Published in the Manila Times on May 20, 2007.

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