

AMENDING THE PROVISION ON MATERNITY LEAVE IN THE MANUAL ON LEAVE ADMINISTRATION COURSE FOR EFFECTIVENESS

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The Civil Service Commission, as the central personnel agency of the government, has ruled in many cases that the maternity leave law, being a social legislation, should be accorded liberal interpretation, and that in case of doubt, it should be resolved in favor of those whom the law intends to benefit.

The Commission resolved in Resolution No. 91-617, s. 1991 that the commuted money value of the unexpired portion of the leave need not be refunded and that, when the employee returns to work before the expiration of her maternity leave, she may receive the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports for work.

The provision in the Manual on Leave Administration Course for Effectiveness (LACE) is hereby amended to read, as follows:

"When an employee wants to report back for duty before the expiration of her maternity leave, she may be allowed to do so provided she presents a medical certificate that she is physically fit to assume the duties of her position.

However, she need not refund the commuted money value of the unexpired portion of her maternity leave. She may receive the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports for work prior to the expiration of the sixty (60) day period."

All rulings and issuances inconsistent herewith are hereby superseded.

This Memorandum Circular shall take effect upon approval.

Adopted: 17 May 1991

(SGD.) PATRICIA A. STO. TOMAS
Chairman

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