

SC ADMINISTRATIVE CIRCULAR NO. 08-2017, February 02, 2017

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TO :

ALL JUDGES AND COURT PERSONNEL

SUBJECT :

AMENDMENT OF ITEM IV OF ADMINISTRATIVE CIRCULAR NO. 08-2009 DATED FEBRUARY 3, 2009
RE: GUIDELINES IN CASE OF PROLONGED ABSENCES, TARDINESS AND UNDERTIME, FILING OF
APPLICATIONS FOR LEAVE AND AVAILMENT OF THE REHABILITATION PRIVILEGE

In order to expedite the processing and resolution of applications for leave filed by Presiding Judges and lower court personnel, Item IV of Administrative Circular No. 08-2009 dated February 3, 2009 is hereby amended to read as follows:

IV. APPLICATION FOR LEAVE

Applications for leave of absence of all nature shall be filed using the prescribed form (copy attached) which shall be acted upon by the authorized officials in the Office of the Court Administrator (OCA) and concerned Executive Judges (EJs). The application for leave of absence of the lower court personnel should also bear the recommendation for approval or disapproval of the Presiding Judge (for those in court branches) or the Clerk of Court (for those in the Office of the Clerk Court).

Applications for vacation leave shall be acted upon by the OCA thru the Deputy Court Administrator (DCA) in- charge of the region for those filed by Executive Judges, and the Executive Judge having administrative supervision over them for those filed by the Presiding Judges and the lower court personnel, taking into consideration the recommendation of the Presiding Judge or the Clerk of Court.

Similarly, applications for sick leave shall be acted upon by the OCA thru the DCA in-charge of the region for those filed by the Executive Judges, and the Executive Judge having administrative supervision over them for those filed by the Presiding Judges and the lower court personnel. In addition, applications for sick leave of more than five (5) successive days shall be accompanied by a proper medical certificate.

Applications for sick leave not exceeding five (5) days need not be accompanied by a medical certificate. However, those recommended for disapproval by the Presiding Judge or the Clerk of Court, regardless of the number of days applied for, shall likewise be accompanied by a medical certificate, and shall be referred to the OCA thru the Employees' Leave Division (ELD), Office of Administrative Services (OAS) for submission to and evaluation by the Supreme Court Medical Services for validity. To be rendered valid, the following information shall be indicated clearly:

- (a) Name and license number of the attending/issuing physician;
- (b) Clinic hours, address, and contact number of the private clinic and/or hospital where physician practices;
- (c) Diagnosis of clinical impression

In lieu of a medical certificate, a certificate of confinement issued/signed by the records officer of the hospital/clinic shall be honored as proof of illness. The certificate of confinement shall bear the seal of the hospital.

On a case to case basis, any of the following documents may be required by the Supreme Court Medical Services in the process of evaluation, namely:

- (a) Clinical abstract signed by the attending physician;
- (b) Medical prescription(s) with the name of the patient and date of consultation;
- (c) Results of the laboratory tests;
- (d) Records of operation/anesthesia (in surgical cases)

Lack of a valid medical certificate and/or failure to comply with the above requirements within 30 days from receipt of notice shall be a ground for disapproval of the sick leave application.

Applications for vacation and sick leave of thirty (30) calendar days or more of continuous absence shall be accompanied by the following documents:

- (a) Clearance as to money and property accountability;
- (b) Clearance as to pending criminal and administrative case filed against him/her, if any; and
- (c) For court stenographer, clearance as to pending stenographic notes for transcription from his/her court and from the Court of Appeals.

At the end of every month, the Executive Judge shall submit to the ELD, OAS, OCA, all the applications for leave received and acted upon for the month, together with the supporting documents, if any, and the respective status of or action taken on each application for recording purposes. The Executive Judge shall give one copy each of the application for leave acted upon to the concerned Judge and court personnel.

Applications for Rehabilitation Privilege, Maternity Leave, Paternity Leave, Special Leave Privileges and other special leave benefits under special laws such as Maternity and Paternity Leave to Adoptive Parents, Magna Carta of Women, Parental Leave For Solo Parents, Anti-Violence Against Women and their Children Act of 2004, and Special Emergency Leave Affected by Natural Calamities/Disasters shall be referred for appropriate action to the ELD, OAS, OCA, subject to applicable rules and procedure. Applications filed by the Presiding Judges shall also be accompanied by the recommendation of the Executive Judge.

This order supersedes any previous administrative order or circular issued on the matter and shall take effect immediately.

For strict compliance.

February 02 , 2017

(SGD.) MARIA LOURDES P.A. SERENO
Chief Justice

[*] See Copy of Application for Leave attached in the Hard Copy of ADMINISTRATIVE CIRCULAR NO. 08-2017.

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