



Republic of the Philippines
Department of Education
Region VI-Western Visayas
SCHOOLS DIVISION OF KABANKALAN CITY

DIVISION MEMORANDUM

No. 407, s. 2023

NOV 07 2023

REITERATION OF CSC RULES AND REGULATIONS ON LEAVE APPLICATION

To: OIC Assistant Schools Division Superintendent
Chief Education Supervisors (SGOD and CID)
Public Schools District Supervisors
Elementary and Secondary School Heads
Administrative Officer V
Administrative Officer IV / HRMO
Heads of Functional Units

1. Pursuant to the provisions of Civil Service Commission Resolution No. 98-3142, series of 1998 or the Amendments to Rules I and XVI of the Omnibus Rules Implementing Book V of the Administrative Code of 1987, and CSC MC No. 41, series of 1998 which amends Rule I and XVI of the Omnibus Rules Implementing Book V of the Administrative Code of 1987, this Office hereby reiterates to the field the following policies and guidelines on the Application for Leave of Absence.

2. For the purpose of this Memorandum, the definitions of the following terms are reiterated:

- a. **Leave of absence** – is generally defined as a right granted to officials and employees not to report for work with or without pay as may be provided by law and as the rules prescribed in Rule XVI.
- b. **Immediate family** – refers to spouse, children, parents, unmarried brothers and sisters and any relative living under the same roof and dependent upon the employee for support.
- c. **Sick Leave** – refers to leave of absence granted only on account of sickness or disability on the part of the employee concerned or any member of his/her immediate family.
- d. **Vacation Leave** – refers to leave granted to officials and employees for personal reasons, the approval of which is contingent upon the necessities of the service.
- e. **Special Leave Privileges** – refers to leave of absence which officials and employees may avail of for a maximum of three (3) days annually over and above the vacation, sick, maternity, paternity leaves to mark personal milestones and/or attend to filial and domestic responsibilities.
- f. **Maternity Leave** – refers to leave of absence granted to female government employees legally entitled thereto in addition to vacation and sick leave. The primary intent of which is to extend working mothers some measure of financial help and to provide her a period of rest and recuperation in connection with her pregnancy.

3. This Office regularly receives and processes applications for various types of leaves of absence from SDO-based personnel and school-based personnel.

4. It has been observed however, that the prescribed timelines in the filing of the Application for Leave of Absence are not strictly followed; thus, the following are emphasized:



Republic of the Philippines
Department of Education
Region VI-Western Visayas
SCHOOLS DIVISION OF KABANKALAN CITY

a. Vacation Leave

Sec. 51. All application for vacation leave of absence for one (1) full day or more shall be submitted on the prescribed form **for action by the proper head of agency five (5) days in advance**, whenever possible, of the effective date of such leave.

Sec. 52. Leave of absence for any reason other than illness of an official or employee or any member of his immediate family must be contingent upon the needs of the service. Hence, **the grant of vacation leave shall be at the discretion of the head of department/agency.**

b. Sick Leave

Sec. 53. All applications for sick leave of absence for one full day or more shall be made on the prescribed form and **shall be filed immediately upon the employee's return from such leave.** Notice of absence, however, should be sent to the immediate supervisor and/or agency head. Application for sick leave in excess of five (5) successive days shall be accompanied by a proper medical certificate.

Sick leave may be applied for in advance in cases where the official or employee will undergo medical examination or operation or advised to rest in view of ill health duly supported by a medical certificate.

In ordinary application for sick leave already taken not exceeding five days, the head of department or agency concerned may duly determine whether or not granting of sick leave is proper under the circumstances. **In case of doubt, a medical certificate may be required.**

c. Forced Leave / Mandatory Leave

Sec. 25. All officials and employees with ten (10) days or more vacation leave credits shall be required to go on vacation leave whether continuous or intermittent for a minimum of five (5) working days annually, under the following conditions:

- (a) The head of agency shall, upon prior consultation with the employees, prepare a staggered schedule of the mandatory five-day vacation leave of officials and employees, provided that he may, in the exigency of the service, cancel any previously scheduled leave;
- (b) The mandatory annual five-day vacation leave shall be forfeited if not taken during the year. However, in cases where the scheduled leave has been cancelled in the exigency of the service by the head of agency, the scheduled leave not enjoyed shall no longer be deducted from the total accumulated vacation leave.
- (c) Those with accumulated vacation leave of less than ten (10) days shall have the option to go on forced leave or not. However, officials and employees with accumulated vacation leave of fifteen (15) days who availed of the monetization for ten (10) days under Section 22 shall still be required to go on forced leave.



Republic of the Philippines
Department of Education
Region VI-Western Visayas
SCHOOLS DIVISION OF KABANKALAN CITY

On regular occasions, the filing of forced leave is similar to the filing of vacation leave. However, since forced leave are scheduled in advance after prior consultation with employees, filing of application for such leave a day before is admissible. In no case shall forced leave be filed upon return nor shall be charged on account of sickness, illness or injury.

d. Special Leave

Sec. 21. In addition to the vacation, sick, maternity, and paternity leave, officials and employees may avail of the special leave privileges under the following conditions:

- funeral / mourning leave
- graduation leave
- enrollment leave
- wedding or anniversary leave
- birthday leave
- hospitalization leave
- accident leave
- relocation leave
- government transaction leave
- Calamity leave

*Further, officials and employees may be granted a maximum of three (3) days within a calendar year of any or combination of special leave privileges of his choice which he opts to avail. The concerned official or employee **shall submit his/her application for the said special leave privileges at least one (1) week prior to its availment except on emergency cases.***

e. Rehabilitation leave for job-related injuries

Sec. 55. Applications of officials and employees for leave of absence on account of wounds or injuries incurred in the performance of duty must be made in the prescribed form, supported by the proper medical certificate and evidence showing that the wounds or injuries were incurred in the performance of his duty. The head of department/agency concerned shall direct that absence of an employee during his period of disability thus occasioned shall on full pay, but not to exceed six (6) months. Absence contemplated shall not be charged against sick leave or vacation leave, if there are any.

Application shall be made within one (1) week from the time of the accident except when a longer period is warranted. It shall be accompanied with a Letter Request supported by relevant reports such as Police Blotter Report or Incident Report if any, Medical Certificate on the nature of injuries and corresponding treatment or recuperation period duly attested by a government physician.

f. Maternity Leave of Absence

Republic Act 11210 otherwise known as the Expanded Maternity Leave Law grants to female workers in the public and private sector, paid maternity leave benefits for a duration of:

- a. One hundred five (105) days for live birth, regardless of mode of delivery, and an additional fifteen (15) days paid leave if qualified as a solo parent under Republic Act 8972 or the Solo Parents Welfare Act of 2000.
- b. Sixty (60) days paid leave for miscarriage or termination of pregnancy



Republic of the Philippines
Department of Education
Region VI-Western Visayas
SCHOOLS DIVISION OF KABANKALAN CITY

Filing of Maternity Leave:

Under Section 2 of RA 11210, female employees shall give prior notice to the head of agency of her pregnancy and her availment of the maternity leave at **least thirty (30) days in advance, whenever possible**, specifying the effective date of the leave, together with the prescribed CS Form 6 duly accomplished and CS Form 41 duly accomplished by a government physician. In case of private practitioner, concurrence by a government physician must be obtained.

5. Further, Section 50 of the Omnibus Rules on Leave clearly states that, ***"An official or employee who is absent without approved leave shall not be entitled to receive salary corresponding to the period of his unauthorized leave of absence. It is understood, however, that his absence shall no longer be deducted from his accumulated leave credit, if there are any."***

6. The field is reminded of the authorized signatories of the Application for Leave of Absence as per **DepEd Order No. 001, series of 2023, titled "Revised Designation of Undersecretaries and Assistant Secretaries to their Strands and Functional Areas of Responsibilities and Revised Signing Authorities."**

Office / Position	Up to 60 Calendar Days		More than 60 Calendar days to One (1) Year	
	Recommending Approval	Approval	Recommending Approval	Approval
Division Chief	ASDS	SDS	ASDS	SDS
Below Division Chief	Division Chief	ASDS	Division Chief and ASDS	SDS
Schools				
School Head / Head Teacher / TIC	ASDS	SDS	ASDS	SDS
Non-Teaching personnel in the schools	School Head	ASDS	School Head and ASDS	SDS

7. Widest and immediate dissemination of and strict compliance with this Memorandum are desired.

MICHELL L. ACOYONG, CESO VI
Assistant Schools Division Superintendent
Officer-In-Charge
Office of the Schools Division Superintendent