



MC No. 01, s. 2016

MEMORANDUM CIRCULAR

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

SUBJECT : Amendment to Section 20 of the Omnibus Rules on Leave on the Period Within Which to Avail of Paternity Leave

Pursuant to CSC Resolution No. 1501531 dated December 21, 2015, the Commission amends Section 20 of the Omnibus Rules on Leave, as follows:

"Section 20. Paternity Leave Non-Cumulative/Non-Commutative. –

Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. Said leave shall be availed of not later than sixty (60) days after the date of the child's delivery."

This Memorandum Circular shall take effect fifteen (15) days after the publication of CSC Resolution No. 1501531* in a newspaper of general circulation.


ALICIA dela ROSA-BALA
Chairperson

12 JAN 2016

*CSC Resolution No. 1501531 dated December 21, 2015 was published on January 7, 2016 in Philippine Star

In a R. A. C. E. to Serve: Responsive, Accessible, Courteous and Effective Public Service



**Amendment to Section 20 of the Omnibus
Rules on Leave
Re: Paternity Leave; Period Within Which
To Avail**

Number : 1501531

Promulgated: 21 DEC 2015

X ----- X

RESOLUTION

WHEREAS, Section 12 (2), Chapter 3, Subtitle A, Title I, Book V of Executive Order No. 292 conferred on the Civil Service Commission the power and function to "prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws";

WHEREAS, it is the Commission's mandate to formulate rules and regulations on the entitlement to leave of officers and employees in the civil service;

WHEREAS, Republic Act No. 8187 (Paternity Leave Act of 1996) is enacted to grant paternity leave of seven (7) days with full pay to all married male employees in the private and public sectors to enable the married male employee to effectively render support, provide care and assistance to his wife in her period of recovery and/or in the nursing of their newly-born child;

WHEREAS, Section 4 of RA No. 8187 provides that the Secretary of Labor and Employment, the Chairman of the Civil Service Commission and the Secretary of Health shall issue the necessary rules and regulations for the implementation of the law;

WHEREAS, Joint CSC-DOH Memorandum Circular No. 1, s. 1996, Implementing Rules and Regulations of RA No. 8187, was issued by then CSC Chairperson Corazon Alma G. de Leon and then DOH Secretary Carmencita M. Reodica;

WHEREAS, the Commission, through Resolution No. 98-3142, adopted the amendments to Rule XVI (Leave) and the definitions of leave terms under Rule I of the Omnibus Rules Implementing Book V of the Administrative Code of 1987 (EO 292), otherwise known as the Omnibus Rules on Leave;

WHEREAS, Section 19 of the Omnibus Rules on Leave provides for the conditions for the grant of Paternity Leave;

WHEREAS, Section 20 of the same Rules provides that Paternity Leave of seven (7) days may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse;

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SEYMOUR R. PAJARES
Chief Personnel Specialist

Commission Secretariat & Liaison Office

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WHEREAS, the said Omnibus Rules does not specify the exact period within which the said leave may be availed of;

WHEREAS, Section 5 (Availment of the Implementing Rules and Regulations of Republic Act No. 8187 for the Private Sector) provides that Paternity Leave shall be availed of not later than sixty (60) days after the date of the child's delivery;

WHEREAS, there is a need to harmonize the policy on availing of Paternity Leave in the public sector with that of the private sector;

WHEREFORE, the Commission hereby **RESOLVES** to amend Section 20 of the Omnibus Rules on Leave, to read, as follows:

"Section 20. Paternity Leave: Non-Cumulative/Non-Commutative. –

*Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. **Said leave shall be availed of not later than sixty (60) days after the date of the child's delivery.**"*

All rules, regulations and issuances which are inconsistent herewith are hereby repealed, amended or modified accordingly.

This Resolution shall take effect fifteen (15) days after its publication.

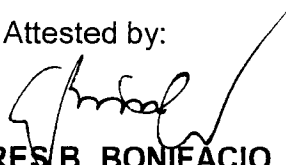
Quezon City.

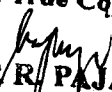

ALICIA dela ROSA-BALA
Chairperson


ROBERT S. MARTINEZ
Commissioner


NIEVES L. OSORIO
Commissioner

Attested by:


DOLORES B. BONIFACIO
Director IV
Commission Secretariat and Liaison Office

Certified True Copy:

SEYMOUR R. PAJARES
Chief Personnel Specialist
Commission Secretariat & Liaison Office

NEWS CLIPS

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CIVIL SERVICE COMMISSION
Constitution Hills, Diliman, Quezon City

Amendment to Section 20 of the Omnibus
Rules on Leave

Number: 1501531

Re: Paternity Leave: Period Within Which
To Avail

Promulgated: 21 DEC 2015

RESOLUTION

WHEREAS, Section 12 (2), Chapter 3, Subtitle A, Title II, Book V of Executive Order No. 292 conferred on the Civil Service Commission the power and function to "prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws";

WHEREAS, it is the Commission's mandate to formulate rules and regulations on the entitlement to leave of officers and employees in the civil service;

WHEREAS, Republic Act No. 8187 (Paternity Leave Act of 1996) is enacted to grant paternity leave of seven (7) days with full pay to all married male employees in the private and public sectors to enable the married male employee to effectively render support, provide care and assistance to his wife in her period of recovery and/or in the nursing of their newly-born child;

WHEREAS, Section 4 of RA No. 8187 provides that the Secretary of Labor and Employment, the Chairman of the Civil Service Commission and the Secretary of Health shall issue the necessary rules and regulations for the implementation of the law;

WHEREAS, Joint CSC-DOH Memorandum Circular No. 1, s. 1996, Implementing Rules and Regulations of RA No. 8187, was issued by then CSC Chairperson Corazon Alma G. de Leon and then DOH Secretary Carmencita M. Reodice;

WHEREAS, the Commission, through Resolution No. 98-3142, adopted the amendments to Rule XVI (Leave) and the definitions of leave terms under Rule I of the Omnibus Rules Implementing Book V of the Administrative Code of 1987 (EO 292), otherwise known as the Omnibus Rules on Leave;

WHEREAS, Section 19 of the Omnibus Rules on Leave provides for the conditions for the grant of Paternity Leave;

WHEREAS, Section 20 of the same Rules provides that Paternity Leave of seven (7) days may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse;

WHEREAS, the said Omnibus Rules does not specify the exact period within which the said leave may be availed of;

WHEREAS, Section 5 (Availment of the Implementing Rules and Regulations of Republic Act No. 8187 for the Private Sector) provides that Paternity Leave shall be availed of not later than sixty (60) days after the date of the child's delivery;

WHEREAS, there is a need to harmonize the policy on availing of Paternity Leave in the public sector with that of the private sector;

WHEREFORE, the Commission hereby **RESOLVES** to amend Section 20 of the Omnibus Rules on Leave, to read, as follows:

Section 20. Paternity Leave: Non-Cumulative/Non-Commulative.

Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. Said leave shall be availed of not later than sixty (60) days after the date of the child's delivery.

All rules, regulations and issuances which are inconsistent herewith are hereby repealed, amended or modified accordingly.

This Resolution shall take effect fifteen (15) days after its publication.

Quezon City

(Sgd.) ALICIA dela ROSA-BALA
Chairperson

(Sgd.) ROBERT S. MARTINEZ
Commissioner

(Sgd.) NIEVES L. OSORIO
Commissioner

Attested by:

(Sgd.) DOLORES B. BONIFACIO
Director IV

Commission Secretariat and Liaison Office

January 7, 2016, The Philippine Star



**GAWING
LINGKOD
BAYANI
ANG BAWAT KAWA!**