

MABALOD, LUCIO JR. R.

Re: Loyalty Award

X- - - - - X

RESOLUTION No. 01-0932

Lucio R. Mabalod, Jr., faculty member of the Western Mindanao State University (WMSU), Zamboanga City, requests clarification regarding his claim for Loyalty Award. Civil Service Commission Regional Office (CSCRO) No. IX opined that he is not entitled to Loyalty Award because his twenty (20) day vacation leave without pay within the 10-year period has interrupted the continuity of his service.

It appears that Mabalod was appointed as full time and regular faculty member of the College of Engineering and Technology (CET) of the WMSU on June 24, 1986. He was on vacation leave for 20 days without pay from August 10, 1994 which interrupted the continuity of his service. Hence, Mabalod brought the matter to the CSCRO No. IX which ruled as follows:

X X X

“The aforesaid rule clearly stresses that in order for an employee to be entitled to a loyalty award, he must have rendered at least 10 years of government service. This service should be continuous and satisfactory. Otherwise stated, when the required minimum 10 years of government service is not continuous, the employee is not entitled to a loyalty award even if such service is satisfactory. Hence, determination of what is a continuous service is deemed imperative.

“Under the general leave law, actual service refers to the period of continuous service since the appointment of the officer or employee concerned, including the period covered by any previous vacation leave with pay and sick leave with pay. Leave of absence without pay for any reason other than illness shall

not be counted as part of the actual service rendered. Thus, leave with pay, whether vacation or sick leave earns leave credits. On the other hand, only sick leave without pay earns leave credits because it is considered actual service, while vacation leave without pay does not.

“Based on the foregoing, it can be gleaned that your twenty days vacation leave without pay is a gap that interrupts the continuity of your service in the government because the same is not considered actual service.” (Underlining Supplied)

Mabalod/p.2
x- - - - - x

Page 9 of the Primer on Loyalty Award issued by the Commission reads, as follows:

“SPECIFIC CIRCUMSTANCES AFFECTING CONFERMENT OF THE GRANT

“Gaps/Break in Service

“Do sick and/or vacation leave of absence without pay constitute break in the service?”

“No. Provided that the authorized vacation and/or sick leave of absence without pay do not exceed an aggregate period of six (6) months. (CSC Letter dated April 14, 1993 to Reuben D. Ramos)”

CSCRO IX is correct in saying that the 20 days vacation leave without pay is considered not actual service. However, in line with the social legislation character of loyalty award, the Commission deemed it fit to declare in the said Primer that an aggregate period of sick and/or vacation leave without pay not exceeding six (6) months does not affect the continuity of service.

WHEREFORE, the Commission hereby rules that for purposes of granting loyalty award, Lucio R. Mabalod’s 20

days vacation leave without pay does not have the effect of interrupting the continuity of his 10 year-service. Let a copy of this Resolution be furnished the Western Mindanao State University (WMSU) for its information and guidance.

Quezon City, **May 21, 2001**

(SIGNED)

KARINA CONSTANTINO-DAVID

Chairman

(SIGNED)

JOSE F. ERESTAIN, JR.

Commissioner

(SIGNED)

J. WALDEMAR V. VALMORES

Commissioner

Attested by:

(SIGNED)

ARIEL G. RONQUILLO

Director III

*rdo/abs/esg/jhun
d.pn8.mabalod
oac-S010326-001*