

AQUINO, Arthur S.

Re: Ex-Officio SB Member;
Loyalty Cash Award

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RESOLUTION NO. 01-1432

Arthur S. Aquino, Municipal Accountant, Municipality of Sta. Teresita, Province of Cagayan, requests for clarification on whether ex-officio members of the Sangguniang Bayan are entitled to loyalty cash award. He represented, as follows:

“This pertains to the payment of Loyalty Cash Award Pay to officials and employees of this local government unit who have completed at least 10 years of continuous service to this municipal government, under Section 7 (e) Rule X of the Omnibus Rules Implementing Book V of EO 292. May I respectfully submit for clarification whether ex-officio members of the Sangguniang Bayan, cited the case of the Association of Barangay Captains (ABC) Municipal President, this municipality, are entitled to this award/pay.”

In point is CSC Memorandum Circular No. 42, series 1992 which mandates a grant to officials and employees in government, both national and local, who have completed at least ten (10) years of continuous and satisfactory service, of a loyalty award, thus:

“2. A loyalty award shall be given to an employee of the government who has completed at least 10 years of continuous and satisfactory service to the particular Office granting the award;

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“4. A loyalty award is premised on a continuous and satisfactory service. An unsatisfactory rating or finding of guilt in any administrative case is sufficient ground for not granting the loyalty award;

“5. The grant of loyalty award shall apply to all officials and employees in the national and local governments, including those in government-owned and controlled corporations with original charters, state colleges and universities, judiciary and legislature.”

It is explicit that such a grant which applies to both career and non-career officials and employees in government (**Section 3, Rule X, Omnibus Rules Implementing Book V of Administrative Code of 1987**), is a gesture of rewarding them for their loyalty to the agency (CSC Resolution No. 00-0158 dated January 19, 2000, TORRES, Trinidad), not to mention for contributing their creativity, innovativeness, efficiency, integrity and productivity in the public service.

Under **Paragraph (2) No. (1), Section 9, Chapter II, Subtitle A, Title I, Book V of The Administrative Code of 1987**, it expressly provides that elective officials belong to non-career service. Non-career service is characterized by (1) entrance on bases other than those of the usual tests of merit and fitness utilized for the career service; and (2) tenure is limited to a period specified by law. (**Paragraph (1), Section 9, supra.**). Among others, the elective local officials include municipal officials who are composed of the mayor, vice-mayor, and members of the sangguniang bayan. (**Article 71, Rule XIV, Rules and Regulations Implementing the Local Government Code of 1991**).

Particularly, the sangguniang bayan shall be composed of the municipal vice mayor as presiding officer, the regular sanggunian members, the president of the municipal chapter of the liga ng mga barangay, the president of the pambayang pederasyon ng mga sangguniang kabataan, and the sectoral representatives, as members. (**Paragraph (c) (1), Article 93, Rule XVII, Rules and Regulations Implementing the Local Government Code of 1991; Emphasis supplied**). It should be noted that the duly elected president of the liga ng mga barangay at the municipality, among others, serves as ex officio member of the sanggunian, who shall serve as such only during his term as president of the liga, and which in no case shall go beyond the term of office of the sanggunian concerned, conformably to **Paragraph (d), Article 211, Rule XXIX, Rules and Regulations Implementing the**

Local Government Code of 1991, thus:

“(d) Ex Officio Membership in the Sanggunian. –

“(1) The duly elected presidents of the liga at the municipality, city, and province, including component cities and municipalities within MMA, or any metropolitan political subdivision as may be created by law, shall serve as ex officio members of the sangguniang bayan, sangguniang panglungsod, and sangguniang panlalawigan, as the case may be.

“(2) They shall serve as ex officio members of the sanggunian concerned only during their term of office as presidents of the liga chapters, which in no case shall go beyond the term of office of the sanggunian concerned.

“(3) The incumbent presidents of the municipal, city, and provincial chapters of the liga shall continue to serve as ex officio members of the sanggunian concerned until the expiration of their term of office, unless sooner removed for cause.” [Emphasis supplied]

Thus, it should be emphasized that the grant of loyalty award not only extends to officials or employees in the career service in government, but even to those in the non-career service which, among others, include municipal elective officials. For this matter, what is significant to consider is that their right to such a grant shall accrue only where they have shown to have continuously and satisfactorily rendered service for ten (10) years in a particular government office.

WHEREFORE, the Commission holds that ex-officio members of the sanggunian bayan may be deemed included among those who may be granted the loyalty award under CSC Memorandum Circular No. 42, series 1992, provided that they have satisfied the criteria and/or conditions as prescribed thereunder.

Quezon City, August 22, 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

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