

ERANDIO, Gina Perez
Re: Query; Step Increment
X-----X

RESOLUTION NO. 01-1934

Mauro Ariel S.R. Yonzon, Officer-in-Charge (OIC), Human Resource Management Department (HRMD), Cultural Center of the Philippines, CCP Complex, Roxas Blvd., Pasay City, requests clarification on the grant of loyalty award.

In his request, Yonzon represents, as follows:

“We write on behalf of Ms. Gina Perez Erandio who, per her Service Records on our files, worked at the Cultural Center of the Philippines as Culture & Arts Officer I from 16 October 1991 to 31 July 1998.

“Transferring to the Commission on Audit, she assumed her new position as Training Specialist I on August 3, 1998, thus, having a 2 days gap (1 & 2 August 1998) in her service, which, she contends, fell on a weekend (Saturday and Sunday).

“We therefore seek clarification as to the validity of her claim which is material to her qualification for a 10 year milestone/loyalty incentive.”

A reading of the above representation reveals that the issue to be addressed is whether the two (2) days gap can be considered or counted as part of the actual service rendered.

Pertinent to the issue is **Section 28 of CSC Memorandum Circular No. 41, s. 1998, otherwise known as the Revised Omnibus Rules on Leave**, which provides, as follows:

“Section 28. Actual service defined. – The term `actual service’ refers to the period of continuous service since the appointment of the official or employee concerned, including the period or periods covered by any previously approved leave with pay.

“x x x Provided, that in computing the length of service of an employee paid on the daily wage basis, Saturdays, Sundays or holidays occurring within a period of service shall be considered as service although he did not receive pay on those days inasmuch as his service was not then required.”

As can be gleaned from the aforequoted provision, actual service is defined as the continuous service rendered by an official or employee reckoned from the time of the appointment of said official or employee. It can also be deduced from the rule and by analogy, that Saturdays, Sundays or holidays are deemed part of the actual service rendered considering that the service of an official or employee is not required during the said period.

In the instant case, there can be no doubt that the two (2) days gap in the service of Erandio immediately prior to her assumption as Training Specialist I at the Commission on Audit shall be counted as part of the actual service rendered inasmuch as the said period fell on a Saturday and Sunday. Thus, the said gap should be considered in the computation of Erandio's length of service.

WHEREFORE, the Commission resolves to rule that the two (2) days gap in the service of Gina Perez Erandio shall be part of the actual service rendered inasmuch as the same fell on a Saturday and Sunday.

Quezon City, **December 19, 2001**

(signed)
KARINA CONSTANTINO-DAVID
Chairman

(signed)
JOSE F. ERESTAIN, JR.
Commissioner

(signed)
J. WALDEMAR V. VALMORES
Commissioner

Attested by:

ARIEL G. RONQUILLO
Director III

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