



MC NO. 21, s. 2004

MEMORANDUM CIRCULAR

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

SUBJECT : Amendment to Section 68 of CSC MC No. 14, s. 1999
relative to the Guidelines on Study Leave

Pursuant to CSC Resolution No. 041016 dated Sept 14, 2004, the
CSC hereby amends Section 68 of CSC MC No. 14, s. 1999 to read as
follows:

Section 68. Study Leave. Officials and employees, excluding those in
the teaching profession who are covered by different provisions of law, may
apply for study leave subject to the following conditions:

- I. The study leave is a time-off from work not exceeding six (6) months
with pay for qualified officials and employees to help them prepare for
their bar or board examinations or complete their master's degree. For
completion of master's degree, the study leave shall not exceed four
(4) months.

The leave shall be covered by a contract between the agency head or
authorized representative and the employee concerned. No extension
shall be allowed if the officials or employees avail of the maximum
period of leave allowed herein. If they need more time to complete
their studies, they may file a leave of absence chargeable against their
vacation leave credits.

- II. The beneficiary of such leave shall be selected based on the following
requirements:
 1. The official/employee must have a bachelor's degree that
requires the passing of the bar or a board licensure examination
for the practice of profession;

2. The profession or field of study to be pursued must be relevant to the agency's mandate, or to the duties and responsibilities of the concerned official or employee, as determined by the agency head;
3. The employee must have rendered at least two (2) years of service with at least very satisfactory performance for the last two rating periods immediately preceding the application;
4. The employee must have no pending administrative and/or criminal charges;
5. The employee must not have any current foreign or local scholarship grant;
6. The employee must have fulfilled the service obligation of any previous training/scholarship/study leave grant; and
7. The employee must have a permanent appointment. However, as the purpose of granting a study leave is to develop a critical mass of competent and efficient employees which will redound to the improvement of the agency's delivery of public services, employees with coterminous appointment may be allowed to avail of the study leave provided that they:
 - a) Meet the requirements under items II.1 to II.6;
 - b) Would be able to fulfill the required service obligation; and
 - c) Are not related to the head of agency or to any member of a collegial body or board, in case of constitutional offices and similar agencies, within the 4th degree of affinity or consanguinity.

III. The service obligation to the agency shall be as follows:

Period of Grant	Service Obligation
One (1) month	Six (6) months
Two (2) to three (3) months	One (1) year
More than three (3) months to six (6) months	Two (2) years

Should the official or employee fail to render in full the service obligation referred to in the contract on account of voluntary resignation, optional retirement, expiration of term of appointment for coterminous employees, separation from the service through one's own fault, or other causes within one's control, the official or employee shall refund the gross amount of salary, allowances and other benefits received while on study leave proportionate to the balance of the

service obligation required based on the following formula:

$$R = \frac{(SOR - SOS) \times TCR}{SOR}$$

Where:

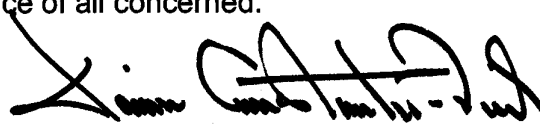
R	=	Refund
TCR	=	Total Compensation Received (gross salary, allowances and other benefits received while on study leave)
SOS	=	Service Obligation Served
SOR	=	Service Obligation Required

- IV. The beneficiaries of the study leave shall inform their respective agencies in writing, through the personnel office, of their failure to take the bar/board examination or to complete their master's degree for which they were granted the study leave. They shall also refund to the agency all the salaries and benefits received during the study leave. Further, for causes within their control, they shall be warned that a repeat of the same would bar them from future availment of the study leave and training / scholarship grant whether foreign or local.
- V. The agency shall formulate its own internal rules of procedure for an equitable and rational availment of the study leave for its own officials and employees, subject to the general guidelines stated herein.

This amends Section 68 of CSC MC No. 14, s. 1999, and other issuances that are inconsistent herewith are deemed repealed or amended accordingly.

These guidelines shall take effect after fifteen (15) days from the date of publication in a newspaper of general circulation.

For the information and guidance of all concerned.



KARINA CONSTANTINO-DAVID
Chairman

16 September 2004
HRDO