



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 61-2005

TO : THE COURT OF APPEALS, SANDIGANBAYAN,
COURT OF TAX APPEALS, REGIONAL TRIAL
COURTS, SHARI'A DISTRICT COURTS,
METROPOLITAN TRIAL COURTS, MUNICIPAL
TRIAL COURTS IN CITIES, MUNICIPAL TRIAL
COURTS, MUNICIPAL CIRCUIT TRIAL COURTS
AND SHARI'A CIRCUIT COURTS

SUBJECT : GUIDELINES ON THE NON-MONETARY
REMUNERATION FOR OVERTIME SERVICES

Quoted hereunder is the Implementing Guidelines on the Non-Monetary Remuneration for Overtime Services Rendered for the Judiciary, to wit:

**“IMPLEMENTING GUIDELINES ON THE
NON-MONETARY REMUNERATION FOR
OVERTIME SERVICES RENDERED FOR
THE JUDICIARY**

“WHEREAS, a revised amended guidelines on the rendition of overtime services was issued by the Honorable Chief Justice Hilario G. Davide, Jr. on July 21, 2004;

“WHEREAS, the Civil Service Commission and Department of Budget and Management issued Joint Circular No. 2, s. 2004 dated October 4, 2004, to provide a uniform policy on the availment of compensatory time-off in lieu of overtime pay;

“WHEREAS, on April 4, 2005, the Honorable Chief Justice issued Administrative Circular No. 18-2005 adopting as part of the Judiciary's austerity program the aforementioned Joint Circular No. 2, s. 2004;

“WHEREAS, the adoption of the aforementioned Joint Circular No. 2 would give incalculable advantage and benefit to the Judiciary, to the service, and to personnel rendering overtime service;

“NOW, THEREFORE, the following guidelines on the non-monetary remuneration for overtime services rendered are hereby adopted pursuant to Joint Circular No. 2;

1. Purpose – These guidelines shall be the basis for the availment of compensatory time off in lieu of overtime pay for rendering overtime services.

2. Coverage – These guidelines shall apply to all employees of the Supreme Court up to Chiefs of Division, whether permanent, temporary, coterminous or casual, including those of the Presidential Electoral Tribunal and the Judicial and Bar Council, the Court of Appeals, the Sandiganbayan, the Court of Tax Appeals, and all Courts in the first and second levels.
3. Exemption – These guidelines shall not cover the official drivers of the Chief Justice and Associate Justices of the Supreme Court and the Presiding Justices and Associate Justices of the Court of Appeals, Court of Tax Appeals and the Sandiganbayan who may continue to receive overtime pay instead of the non-monetary remuneration. At the discretion of the Chief Justice and if justified by compelling reasons, exceptions to the application of the Joint Circular on non-monetary remuneration for overtime service rendered may be authorized.

4. Definition of Terms –

Compensatory Overtime Credit (COC) refers to the accrued number of hours an employee earns as a result of services rendered beyond regular working hours, and/or those rendered on Saturdays, Sundays, Holidays or scheduled days off without the benefit of overtime pay.

Compensatory Time-Off (CTO) refers to the number of hours or days an employee is excused from reporting for work with full pay and benefits. It is a non-monetary benefit provided to an employee in lieu of overtime pay.

5. Guidelines –

- 5.1 Employees are required to render forty (40) hours of work in a week. Employees may be required to render overtime service in the exigency of the service when work has to be done beyond office hours due to compelling reasons and emergency situations.
- 5.2 The Heads of Offices shall determine the need for overtime services, the date, time and its purpose. They shall request authority from the Chief Justice/Presiding Justice/Executive Judge to render overtime service indicating therein the tasks to be completed and the expected time of completion.
- 5.3 Requests for overtime shall be made by the Head of Office and must be submitted to the Chief Justice/Presiding Justice/Executive Judge for approval before actual service of overtime is rendered.

5.4 Activities for which Overtime services may be authorized

- 5.4.1 Completion of infrastructure and other projects with set deadlines.
- 5.4.2 Work involving the preparation for and administration of Bar Examinations, where existing personnel are not adequate to handle such work during regular working days.
- 5.4.3 Seasonal work such as budget preparation and rendition of annual reports to meet scheduled deadlines.
- 5.4.4 Preparation of special financial accountability reports required occasionally by central monitoring agencies like the Congress of the Philippines, the Senate, the Office of the President, Commission on Audit, Department of Budget and Management, and the National Economic Development Authority.
- 5.4.5 Implementation of Special program/projects embodied in directives and authorizations, and with specific dates to complete which are in the nature of additional work of personnel with their regular duties.
- 5.4.6 Services rendered by drivers and other immediate staff of officials authorized to have such staff support when they are required to keep the same working hours of their superiors.
- 5.4.7 Rendition of skeletal force on Saturdays by all officials and employees of the judiciary under Administrative Circular No. 2-99 dated 15 January 1999 issued by the Chief Justice.
- 5.4.8 Other services which the Chief Justice may deem to require overtime work.

5.5 Computation of COCs

The COC is expressed in number of hours, computed as follows:

- 5.5.1 For overtime services rendered on weekdays or scheduled work days:

$$\text{COC} = \text{number of hours of overtime services} \times 1.0$$

- 5.5.2 For overtime services rendered on weekends, holidays or scheduled days off:

$$\text{COC} = \text{number of hours of overtime services} \times 1.5$$

5.6 Accrual and Use of COCs

- 5.6.1 Each employee may accrue not more than forty (40) hours of COCs in a month. In no instance, however, shall the unexpended balance exceed one hundred twenty hours (120) hours.
- 5.6.2 The COCs should be used as time-off within the year these are earned. The unutilized COC should not be carried over in the ensuing year, hence, are non-cumulative.
- 5.6.3 The COCs shall be considered as official time for the following purposes:
 - 5.6.3.1 compliance with compensation rules relative to the entitlement to PERA, Additional Compensation, year-end benefits, and other benefits received on a regular basis; and
 - 5.6.3.2 computation of service hours for entitlement to sick and vacation leave credits, and step increment due to length of service.

5.7 Limitation on the Use of COCs

- 5.7.1 The COCs cannot be used to offset undertime/s or tardiness incurred by the employee during regular working days.
- 5.7.2 The COCs earned cannot be converted to cash, hence, are non-commutative.
- 5.7.3 The COCs will not be added to the regular leave credits of the employee; hence, it is not part of the accumulated leave credits that is paid out to the employee.

5.8 Effect on Personnel Movement

- 5.8.1 In cases of resignation, retirement, or separation from the service, the unutilized COCs are deemed forfeited.
- 5.8.2 In case of detail, secondment or transfer to another agency, the COCs earned in one agency cannot be transferred to another agency, nor could the employee receive the monetary equivalent thereof.
- 5.8.3 In case of promotion, except when promoted to a position not qualified to receive overtime pay under previous issuances, the employee will retain his or her accrued COC.

5.9 Issuance of Certificate of COC Earned

An employee who has earned COC shall be granted a Certificate of COC earned duly approved and signed by the Chief Administrative Officer/Personnel Officer as the case may be. The certificate indicates the number of hours of earned COC by the employee in a month. The certificate would be issued at the end of each month.

5.10 Availment of CTO

- 5.10.1 The CTO may be availed of in blocks of four (4) or eight (8) hours.
- 5.10.2 The employee may use the CTO continuously up to a maximum of five (5) consecutive days per single availment, or on staggered basis within the year.
- 5.10.3 Employees who were granted COC shall request their Chief of Office on the schedule of availment of the CTO. The said schedule shall be submitted to the Administrative/Personnel Office. In the exigency of the service, however, the schedule may be recalled and subsequently rescheduled by the Head of the Office of the employee within the year.

6.0. Procedures

The following procedures shall be observed in the rendition of overtime services and availment of compensatory time off:

- 6.1 The Administrative/Personnel Office shall be furnished with a copy of the approved authority to render overtime services.
- 6.2 The employee renders overtime services as stipulated in the Office Order.
- 6.3 The Administrative/Personnel Office prepares a summary of overtime services rendered in a month, and computes the equivalent COCs, for the purpose of the issuance of the COC Certificate.
- 6.4 The Chief of the Administrative/Personnel Office issues the Certificate of COCs, specifying the number of COCs earned in a month.
- 6.5 The employees who have acquired the Certificate of COC shall request their Head of Office on the schedule of availment of the CTO. The approved request shall then be submitted to the Administrative/Personnel Office, which shall record the availment of the CTO of the employee.
- 6.6 The employee avails of the CTO.

7.0. Duties and Responsibilities

7.1 Heads/Chiefs of Offices

- 7.1.1 The Heads/Chiefs of Offices shall recommend to the Chief Justice/Presiding Justice/Executive Judge employees who will be authorized to render overtime services beyond regular working hours in accordance with these guidelines and the rules and regulations on overtime service contained in Memorandum Circular No. 08-2004.
- 7.1.2 Grant certificate of COC earned, concurrently setting safeguard measures to prevent any form of fraud and/or duplicity.
- 7.1.3 Approve/disapprove schedule of CTO as requested by the employee without compromising the delivery of services to clientele.
- 7.1.4 Ensure proper implementation of these guidelines, and act accordingly should violations or irregularities be committed.

7.2 Employees

- 7.2.1 Observe properly the procedures in earning of COC and availing of CTO.
- 7.2.2 Request approval from the Head/Chief of Office on the availment schedule of CTO.
- 7.2.3 Monitor the balance of earned COCs vis-avis CTOs availed of.

7.3 Administrative/Personnel Officer Concerned

- 7.3.1 Reflect on the time card the application for CTO filed by the employee
- 7.3.2 Submit to the Head/Chief of Offices concerned a monthly report on summary of overtime services rendered and the equivalent COCs; and report critical incidents or observations.
- 7.3.3 Recommend measures to improve the implementation of the guidelines on the grant of COCs and availment of CTOs.

8.o. Certificate of Compensatory Overtime Credit (COC)

Front

<div style="border: 3px double black; padding: 5px; display: inline-block;"> Certificate of COC Earned </div>
<p>This certificate entitles Mr./Ms. _____ to _____ of Compensatory Overtime Credits. (number of hours)</p>
_____ Head of Office
Date Issued: _____ Valid Until: _____

Back

No. of Hours of Earned COCs/Beginning Balance	Date of CTO	Used COCs	Remaining COCs	Remarks

Approved by: _____ <div style="text-align: center; margin-top: 10px;"> Head of Office _____ Date </div>	Claimed: _____ <div style="text-align: center; margin-top: 10px;"> HRMO _____ Date </div>
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9.0 Saving Clause

Issues or conflicts arising from those guidelines shall be resolved by the Chief Justice

10.0 Effectivity

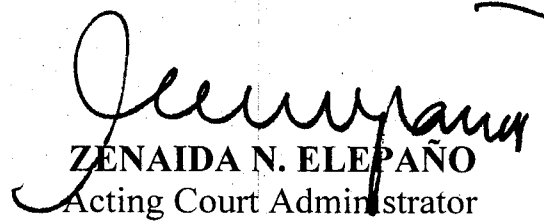
These guidelines shall take effect on May 15, 2005.

(Sgd.) PRESBITERO J. VELASCO, JR.
Court Administrator

(Sgd.) EDEN T. CANDELARIA
Deputy Clerk of Court and
Chief Administrative Officer"

For the information and guidance of all concerned.

18 May 2005.


ZENAIDA N. ELEPAÑO
Acting Court Administrator