



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

**OCA CIRCULAR NO. 196-2020**

**To : ALL JUDGES AND COURT PERSONNEL  
OF THE FIRST AND SECOND LEVEL  
COURTS**

**Subject : INTERIM GUIDELINES ON ABSENCES  
OF GOVERNMENT OFFICIALS AND  
EMPLOYEES DURING THE  
COMMUNITY QUARANTINE DUE TO  
COVID-19 PANDEMIC**

Pursuant to Civil Service Commission Memorandum Circular No. 23, s. 2020 dated November 16, 2020, the following guidelines shall provide for the treatment of absences of judges and court personnel of the first and second level courts, regardless of status of appointment (permanent, temporary, provisional, substitute, coterminous, casual, contractual or fixed term) during the period of community quarantine:

1. Absences of judges and court personnel during the imposition of community quarantine due to any of the following circumstances shall be considered as excused absences<sup>1</sup>:
  - a. Stranded abroad or locally while on official travel due to the suspension of all forms of transportation (land, sea and air);
  - b. Stranded abroad or locally while on approved personal travel (vacation or sick leave) due to suspension of all transportation (land, sea and air); provided that there is proof of intention to report back to work such as plane/bus/boat ticket, cancellation of travel and such other competent proof due to lockdown or localized declaration of ECQ/ MECQ/ GCQ; provided, further that the excused absence covers only the period that they are scheduled to report back to work and for the duration of the ECQ/MECQ/GCQ.

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<sup>1</sup> Excused Absence shall refer to the period when government personnel are not required to report for work (required quarantine and/or treatment, and work suspensions), but are entitled to pay, as declared by the President or the appropriate and competent authorities.

- c. Unable to report for work due to health-risks provided they are not qualified for work-from-home arrangement;
  - d. Unable to report for work due to imposition of lockdown declared by the President or localized lockdown under Section 2 of Executive Order No. 112, s.2020;
  - e. Unable to report for work due to suspension of public transportation, or no agency service vehicle/shuttle service was provided to the employees who are on skeleton workforce, subject to the internal guidelines adopted by the agency covering the allowed distance between residence and place of work; and
  - f. Job/tasks of officials and employees cannot be performed through work-from-home arrangement, and the agency has not assigned any other task(s).
2. Absences of judges and court personnel due to any of the following reasons shall be considered either as vacation or sick leave and shall be charged against earned vacation/sick leave credits:
- a. Failure to report for work after the approved personal leave of absence (locally or abroad) of those who could not present proof as required in Item 1.b of these guidelines;
  - b. Failure to report for work after undergoing the required quarantine leave and/or required COVID-19 treatment leave, except for conditions as cited in Items 1.c, d, and e;
  - c. Failure to report for work of those whose alternative work arrangement requires physical presence in the office and assigned as skeleton force, and support mechanisms are provided like transportation or housing quarters, except those under Item 1.c; and
  - d. Failure to make themselves available during the work hours, without justifiable reason, while they are at home in cases where no assignment is given, e.g. non-responsive to calls or messages.
3. Approved leave/s of absence (vacation and/or sick leave) of judges and court personnel prior to the imposition of community quarantine which took effect during the community quarantine, shall still be considered as leave/s of absence and shall be charged against their earned leave credits, unless their request for cancellation or deferment of leave was approved by the agency/office head or authorized official.
4. Judges and court personnel who were on absence without approved leave (AWOL) prior to March 16, 2020 until the declaration of the

community quarantine, shall still be considered on AWOL for the period that they have not signified to report for work during the community quarantine.


5. Judges and court personnel who were stranded abroad with approved leave but without travel authority, shall be considered absent, and such absences shall be charged against earned vacation and/or sick leave, as applicable.

Leave credits deducted from the judges and court personnel due to circumstances specified in Items 1.a to f above shall be restored accordingly.

This circular shall take effect retroactively on March 16, 2020, the date of the President's declaration placing the country under the State of Calamity and the imposition of ECQ throughout Luzon and other areas and shall remain in force until the State of Public Health Emergency has been lifted by the President of the Philippines.

For your information and guidance.

December 14, 2020.

  
JOSE MIDAS P. MARQUEZ  
Court Administrator