



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

OCA CIRCULAR NO. 03-2021

**TO: ALL OFFICIALS AND PERSONNEL OF THE
FIRST AND SECOND LEVEL COURTS**

**SUBJECT: EXTENSION OF SERVICE OF AN EMPLOYEE
WHO WILL REACH THE COMPULSORY
RETIREMENT AGE OF 65 YEARS**

Quoted hereunder is Section 129, Rule XII (Prohibitions) of the 2017 Omnibus Rules on Appointments and other Human Resource Actions (Revised July 2018) issued by the Civil Service Commission (CSC) for the information and guidance of all concerned:

Sec. 129. No person who has reached the compulsory retirement age of 65 years can be appointed to any position in the government, except to a primarily confidential position.

A person appointed to a primarily confidential position who reaches the age of 65 is considered automatically extended in the service until the expiry date of his/her appointment or until his/her services are earlier terminated.

The extension of service of a person who will reach the compulsory retirement age of 65 years may be allowed for a period of six (6) months and in meritorious circumstances may be extended for another six (6) months. The request for extension shall be made by the Head of Office. The same shall be filed with the Commission not later than three (3) months prior to the date of the official/employee's compulsory retirement. Services rendered during the period of extension shall no longer be credited as government service. (underscoring supplied)

However, for one who will complete the fifteen (15) years of service required under the GSIS Law, a maximum period of two (2) years may be allowed. Services rendered during the period of extension shall be credited as part of government service for purposes of retirement. The official or employee, may file the request for extension of service.

The request shall be submitted to the Commission with the following documents:

- a. Request for extension of service signed by the head of office/appointing officer/authority or the employee in case of extension to complete the 15-year service required under the GSIS Law, containing the justifications for the request;

- b. Certification by a licensed government physician that the employee subject of the request is still mentally and physically fit to perform the duties and functions of his/her position;
- c. Certified true copy of the employee's Certificate of Live Birth;
- d. Clearance of no pending administrative case issued by the CSC, Office of the Ombudsman and agency concerned;
- e. Service record of the employee, if the purpose of the extension is to complete the 15-year service requirement under the GSIS law;
- f. Certification from the GSIS on the Total Length of Service (TLS) of the employee for those who are completing the 15-year service requirement;
- g. Certified true copy of the updated Plantilla of Personnel issued by the agency HRM Officer; and
- h. Proof of payment of the filing fee.

The only basis for the Heads of Offices to allow an employee to continue rendering service after his/her 65th birthday is a Commission Resolution granting the request for extension. In the absence of such resolution, the said employee shall not be authorized to perform the duties of the position and his/her salaries shall be the liability of the official responsible for the continued service of the employee.

During the period of extension, the employee on service extension shall be entitled to salaries and salary increases, allowances and other remunerations that are normally considered part and parcel of an employee's compensation package subject to the existing regulations on the grant thereof, except step increments. The employee shall also be entitled to 15 days vacation and 15 days sick leave annually, provided that the same are not commutative and cumulative.

For lower court officials and personnel, request for extension of service, together with the complete requirements, should be filed with the Employee's Welfare and Benefits Division, Office of Administrative Services, Office of the Court Administrator, at least one (1) year prior to reaching the compulsory retirement age of sixty-five (65) years.

Please be guided accordingly.

7 January 2021


JOSE MIDAS P. MARQUEZ
Court Administrator