



**Amendment to Section 3.2, Guidelines for
Availing of the Rehabilitation Privilege**

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Number : 1300065
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RESOLUTION

WHEREAS, it is a declared policy of the State to uphold the people's constitutional rights to life, health, safety and property and to promote the general welfare of its people at all times;

WHEREAS, as the constitutionally-mandated central personnel agency of the government, the Civil Service Commission is authorized under Section 12 (3), Chapter 3, Title I-A, Book V of Executive Order No. 292 (Administrative Code of 1987), to promulgate policies, standards and guidelines to promote economical, efficient and effective personnel administration in the government;

WHEREAS, Section 60, Chapter 6, Title I-A, Book V of Executive Order No. 292 (Administrative Code of 1987) provides that officers and employees in the Civil Service shall be entitled to leave of absence, with or without pay, as may be provided by law and the rules and regulations of the Commission in the interest of the service;

WHEREAS, the Commission in CSC Resolution No. 060621 dated April 4, 2006, issued the guidelines for availing of the Rehabilitation Privilege and was accordingly adopted through the issuance of CSC-DBM Joint Circular No. 1, s. 2006;

WHEREAS, Section 3.2 of CSC-DBM Joint Circular No. 1, s. 2006 states that injuries from accidents that occurred while the official or employee is going to work and going home from work are not considered sustained while in the performance of official duties;

WHEREAS, the Commission, in the examination of the purpose of the privilege, has emphasized the value of leave as a social legislation and has applied the underlying context of looking at the "intent" to report to work to favor the condition relative to the grant of the privilege;

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WHEREAS, the Commission in CSC Resolution No. 1100358 (Combista, Delia T., March 15, 2011) and CSC Resolution No. 1200107 (Guerrero, George T., January 17, 2012) has allowed exemptions from the provision of Section 3.2 of the CSC-DBM Joint Circular No. 1, s. 2006 in accordance with humane and employee-friendly government policies;

WHEREFORE, the Commission **RESOLVES** to propose the amendment to Section 3.2 of the said joint circular to the Department of Budget and Management (DBM), which shall now read as follows:

“3.2 For availing oneself of the Rehabilitation Privilege, performance of duty means situations wherein the official or employee is already at work. The same privilege may be extended to officials and employees in situations where the official or employee meets an accident, while engaged in activities inherent in the performance of his/her duties, including being on Official Business outside of his/her work station, Official Travel, authorized Overtime, Detail Order, and Special Assignment Orders.

Injuries from accidents that occurred while the official or employee is going to work and going home from work may be considered sustained while in the performance of official duties.

Agency heads, in the exercise of their sound discretion, shall examine and consider the prevailing or circumstantial factors/conditions of the government personnel who intend to avail himself/herself of the Rehabilitation Privilege. These shall include the established intent on the part of the government official or employee in going to work or the reasonable proximity of the incident to the place of work or agency’s premises. Other rightfully established evidence to merit the government official or employee’s entitlement to Rehabilitation Privilege may be considered.”



A draft Joint CSC-DBM Circular incorporating the proposed amendment to Section 3.2 of the Guidelines on Rehabilitation Privilege shall be forwarded to DBM for its consideration.

Quezon City.


FRANCISCO T. DUQUE III
Chairman


MARY ANN Z. FERNANDEZ-MENDOZA
Commissioner


ROBERT S. MARTINEZ
Commissioner

Attested by:


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