

Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
Makati City

MEMORANDUM CIRCULAR NO. 2000-002

AUTHORIZING THE CHIEF, PHILIPPINE NATIONAL POLICE (PNP) TO GRANT OVERTIME PAY TO MEMBERS OF THE PNP WHO ARE REQUIRED TO RENDER OVERTIME SERVICES, AND PRESCRIBING CERTAIN GUIDELINES FOR THE PURPOSE.

WHEREAS, there is no denying the fact that the nature of police work of the members of the PNP requires them to be always on alert and available to respond to any call for police assistance, which may occur at any time of the day or night, thereby normally necessitating round-the-clock observance of their duties;

WHEREAS, Memorandum Order No.228 dated March 29,1989 of the Office of the President, as amended by Memorandum Order No. 227 dated August 26,1994, authorized the rendition of overtime services with the further injunction that overtime services in all departments, bureaus, offices and agencies of the national government, including state universities and colleges, government-owned and/or controlled corporations and local government units shall be compensated, subject to some conditionalities and limitations therein stated;

WHEREAS, the Civil Service Commission (CSC) in a letter dated April 19,1991 addressed to F/Lt. Wilfredo P. Balañas, Sta.Cruz Fire Station, Sta. Cruz, Manila, Re: Clarification on the Coverage of the Forty Hours Work Law (RA 1880) to Firemen, ruled:

"Please be informed that as prescribed by RA 1880 and Section 2 (a) and (d), Rule XV of the Revised Civil Service Rules, government officials and employees are required to render eight (8) hours a day for five (5) days or a total of 40 hours a week. In the case of the Firemen, the nature of their functions and responsibilities and the exigency of the service which necessitate a round-the-clock observance of their duties, are required by the Head of Office concerned to render service in excess of forty hours a week. However, any work done in excess of forty hours must be compensated (Manuel,Jorge, CSC Letter dated,October 24, 1988). The reason is not difficult to discern. RA No. 1880, otherwise known as the Forty Hour a Week Law provides payment of service rendered beyond the forty-hours a week (Manalo, Felipe S., CSC Letter dated November 29, 1990). For reasons of equity, this law should likewise cover and apply to Firemen insofar as their overtime services are concerned subject to accounting and auditing regulations as prescribed by law and finally, to the limitation that the same shall be paid out of the savings from personnel services appropriation of the office concerned, if there is any (Memorandum Order No. 228 dated March 29, 1989, Office of the President)."

WHEREAS, for reasons of equity and considering that the functions and responsibilities of firemen and PNP members are more or less of the same nature, there is no cogent legal reason/s why policemen will not be paid for overtime services for work rendered beyond the prescribed working period.

NOW, THEREFORE, the Commission, in the exercise of its power of administration and control over the PNP as spelled out under Section 6, Article XVI of the 1987 Constitution, has resolved to authorize, as it hereby **AUTHORIZES** the Chief, PNP to allow payment of overtime pay to members of the PNP who are required to render overtime duty, subject to the following guidelines:

1. As a general rule, no member of the PNP shall be required to render service for more than eight (8) hours a day for five (5) days or a total of forty (40) hours a week;
2. In case of emergency or when public interest, safety and security so require, the Chief PNP may extend the number of hours of work or require any or all members of the PNP to render overtime duty not only on regular work days but also on Saturdays and Sundays, or holidays or any scheduled rest days of the week;
3. Any overtime duty performed by members of the PNP or services rendered by them in accordance with item 2 hereof, shall be governed and compensated in conformity with the provisions of Department of Budget and Management Circular No. 10 dated March 29, 1996, specifically the following:
 - a. Total overtime payments in a given calendar year shall not exceed five (5%) percent of the total salaries of authorized positions in the PNP;
 - b. The total overtime pay of any PNP member for the year shall not exceed fifty (50%) percent of his /her annual salary; and
 - c. Payment of overtime services shall be made out of savings from released allotments for current operating expenditures, or such amounts specifically appropriated in the agency budget provided that all authorized mandatory expenses shall have been paid first.
4. The Chief, PNP shall promulgate appropriate rules and regulations to implement this Memorandum Circular subject to approval by the Commission;
5. All Issuances contrary to, or in conflict with, this Circular are hereby rescinded, repealed or modified accordingly.

This Memorandum Circular shall take effect immediately.

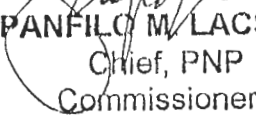
Approved this 6th day of April 2000 at the City of Makati, Philippines.


ALFREDO S. LIM
Chairperson


LEO S. MAGAHUM
Commissioner
Vice-Chairperson & Executive Officer


ROMEO L. CAIRME
Commissioner


CLEOFE M. FACTORAN
Commissioner


PANFILO M. LACSON
Chief, PNP
Commissioner

Attested by:


REYNALDO JD CUADERNO
Deputy Executive Director IV