



Republic of the Philippines

# DEPARTMENT of AGRARIAN REFORM

ELLIPTICAL ROAD, DILIMAN, QUEZON CITY TELS. 997-031 TO 39

MEMORANDUM CIRCULAR NO. **25**

Series of 1996

**SUBJECT : IMPLEMENTING GUIDELINES OF S.O. 242, SERIES OF 1996,  
SUPPORT TO REVIEW OF QUALIFIED EMPLOYEES**

## A. POLICY STATEMENT/LEGAL BASES

The Department of Agrarian Reform enacted Special Order No. 242, Series of 1996 in recognition of the tenet embodied in Section I, Rule VIII of the Omnibus Rules Implementing EO 292, the Administrative Code of 1987, that every official and employee of the government is an asset or resource to be valued, developed and utilized in the delivery of basic services to the public.

CSC MC No. 43, Series of 1993, pursuant to CSC Resolution No. 93-4575 devolves upon the heads of agencies, the primary responsibility to formulate and establish their respective training and development programs. In this connection, the head of agency, without a need of prior approval from the Commission, shall perform, *inter alia*, the selection, nomination and authorization of employees, **whether permanent or non-permanent**, for training and scholarship grants, both local and foreign.

SO 242 was an exercise of the said responsibility, to assist employees who wish to pursue review classes in law, engineering, accounting and other similar board review classes, for a period no longer than six(6) months. It is deemed a part of the Educational Support Program of the DAR.

## B. OBJECTIVES:

A. To provide assistance and moral support in terms of grant of official time and financial aid in the form of tuition to qualified DAR employees who may want to take review classes no longer than six (6) months (e.g. law, engineering, accounting and other similar board review classes ) upon the recommendation of the head of office and approval of the Secretary or the Undersecretary for Legal Affairs, Finance, Management and Administration as authorized.

B. To insure the advancement and retention of an effective, efficient and professional workforce in the public service.

## C. BENEFICIARIES

DAR employees from the Central, Regional and Provincial Offices belonging to second level positions who hold permanent, temporary or contractual appointments are qualified to avail this program upon the recommendation of the head of office and approval of the Secretary or the Undersecretary for Legal Affairs, Finance, Management and Administration, as authorized.

## D. COVERAGE

SO 242 shall cover only review classes, e.g., law, engineering, accounting and other similar board and bar review classes for a period no longer than six (6) months.



*"Tulong-tulong sa pagsulong*





## **E. SCHOLARSHIP GUIDELINES**

DAR employees who wish to take advantage of SO 242 may avail of the following benefits subject to availability of funds of the respective offices of the grantees:

1. Review classes on official time with pay;
2. Tuition/review fees not exceeding Five Thousand (P 5,000.00) Pesos for the duration of the review;

Initial payment of tuition/review fees shall be made by the grantee DAR employee but shall be reimbursed upon presentation of the original and official receipt of payment as well as the official schedule of review classes issued to the grantee by the review center/school.

### **CONDITIONS:**

1. The allocation of the study grant shall be based primarily on the requirements of the agency in relation to their operations and secondarily to insure the retention of a competent and professional workforce.

2. Selection of grantees shall be based upon the recommendation of the office head, after a determination that delivery of office services shall not be disrupted by the employee's availment of the study grant. In no case shall the concerned office head exercise unwarranted discretion and/or abuse of authority in recommending the staff who wish to avail of the benefits of SO 242.

3. The grantee, upon approval of the study grant, shall enroll immediately in the review class he/she intends to take, provided such review class shall not be longer than six (6) months in duration.

4. The grantee, shall report for work in his/her office immediately upon the completion/termination of his/her review and/or board/bar examinations. If unable to report back to work within a reasonable time, s/he shall be considered absent without official leave (awol) and his/her corresponding absences shall be deducted from his/her current accumulated leave credits or salary whichever is applicable.

5. The grantee shall, upon completion/termination of his/her review classes and/or board/bar exams, shall render two (2) years of service obligation in the Department.

5.1. The grantee shall also be required to render at least 50% of the service contract in the office/agency that sponsored him/her.

5.2. If and when the performance of the grantee, who holds a contractual or temporary position, within the two-year period of his/her service obligation to the Department is unsatisfactory or poor as reckoned by the Department's System for Performance Evaluation and Employee Development (SPEED), his/her remaining service obligation is deemed waived subject to the payment of the tuition /review and other incidental fees, including the money equivalent of the remaining service obligation based on his/her latest salary rate.

6. The grantee shall pay back in full, the amount given as payment for tuition/review and other incidental fees, including the money equivalent of the service obligation based on his/her latest salary rate, including damages, for failure to comply with any of the foregoing conditions through his fault or willful neglect, resignation, voluntary retirement or other causes within his/her control.

7. The grantee shall enter into a contract with the Department and shall live up to its stipulated terms and conditions. These guidelines shall be an integral part of the contract.

## **SELECTION CRITERIA**

### **1. Basic Requirements**

1.1. must hold a permanent, temporary or contractual appointment.

1.2. must not have any pending administrative/criminal case nor found guilty of any administrative/criminal offense at the time of application and for the duration of the study grant.

1.3. must not have any pending application for a scholarship/training under another program at the time of the application.

## **ADMINISTRATION**

1. Interested employees may secure an application form from the Legal Affairs Office or the Bureau of Agrarian <sup>Information</sup> and Education (BARIE);

1.1 Four (4) copies of the application form shall be accomplished by the interested employee; one (1) copy to be filed at the Legal Affairs Office, one (1) copy to remain with the applicant, one (1) copy each to be furnished by the grantee to the Personnel Division and BARIE.

2. Upon the favorable recommendation of the Regional Director/Regional Agrarian Adjudicator/Bureau Director, the application will be forwarded to Office of the Undersecretary for Legal Affairs, Finance, Management and Administration, who is authorized by the Secretary to approve/disapprove the application.

3. Once approved, the grantee shall enter into a contract with the Department (form attached) stipulating therein the obligations of each party. The herein guidelines shall be an integral part of the contract.

3.1. Six (6) copies of the contract shall be made; one (1) copy to be filed at the Legal Affairs Office, one (1) copy to remain with the applicant, one (1) copy each to be furnished by the grantee to the Personnel Division and BARIE, one (1) copy to be submitted to the office or agency which sponsored him and the remaining copy to the DARRO/RARAD, if applicable.

4. The copies of the approved application form and contract submitted to the Personnel Division by the grantee with his/her enrollment documents as attachments shall be used as bases for the computation of earned leave credits.

5. The grantee then enrolls in his/her chosen board/bar review center/school. Initial payment of tuition/review fees shall be made by him/her but shall be reimbursed upon presentation of the original and official receipt of payment as well as the official schedule of review classes issued to the grantee by the review center/ school.

## **VI. OBLIGATIONS OF THE GRANTEE**

### **Service Obligation**



The grantee, shall report for work in his/her office immediately upon the completion/termination of his/her review and/or board/bar examinations and shall render two (2) years service obligation to the Department.

#### **Monetary Accountability**

1. If a grantee fails to fulfill the service obligation due to unsatisfactory or poor performance as determined by SPEED, voluntary retirement, transfer to another government or private agency, resignation from his/her agency or other similar reasons, s/he is required to pay the proportionate pecuniary value of the service obligation based on the salary received at the time of retirement, transfer or resignation.

2. All financial support extended to the grantee shall be repaid to the Department in terms of service obligation. Otherwise, the DAR shall be constrained to deduct from his/her salary or from whatever benefits due the employee, in case of breach of contract or non-fulfillment of service obligation. In case of permanent disability or death of the grantee in the course of his/her review or repayment period, the corresponding amount extended by the Department to the grantee shall be considered fully paid after presentation and validation of evidence. Such evidence/proofs shall be validated by the his/her immediate superior, Legal Service and the Secretary.

3. In case the grantee fails to complete the review classes and/or take the board/bar examinations due to inadequate preparations or other similar reasons, his/her study grant shall be terminated and s/he shall pay back in full the amount given for tuition/review classes and other fees incidental to his/her study grant and render the equivalent length of service obligation subject to Article VI, Number 1 on Monetary Accountability of the herein guidelines. If unable to report back to work, s/he shall be considered absent without official leave (AWOL) and his/her corresponding absences shall be deducted from his/her current accumulated leave credits or salary whichever is applicable.

#### **VII. OBLIGATION OF THE GUARANTOR**

The guarantor, who is an immediate family member, closest relative or next of kin shall be held liable for all the monetary accountabilities relevant to the study grant in case the grantee fails to comply with his/her monetary obligations.

#### **VIII. OBLIGATIONS OF THE GRANTOR**

At the start of the scheduled review classes, the grantor shall allow the grantee to attend review classes on official time, subject to compliance by the grantee of the appropriate requirements as set forth in these guidelines and the accomplished contract.

If and when the approval of the application is made after the start of the scheduled review classes, and the grantee has enrolled in the same even prior to the approval, incurring absences as a result of his/her attendance to the review classes, he/she is entitled to be paid his/her salary for the said days. The grantee shall be considered on official time after the date of approval of the application.

The grantor may terminate the grantee's study grant depending on the performance of the grantee and/or upon the recommendation of the head of office.

The grantor agrees to support the grantee's review in the form of financial assistance (tuition/review fees not exceeding Five Thousand (P 5,000.00) Pesos subject to compliance with these guidelines and the accomplished contract.

#### **IX. IMPLEMENTATION/MONITORING**

This Memorandum Circular takes effect on 10 April 1996. At the end of the year, the Personnel Division shall report on the program's first year of implementation and every year thereafter. Update reports will be given as may be necessary.

**X. FINAL PROVISIONS**

S.O. 242 and its Implementing Guidelines shall be deemed an expansion of the Department's Educational Support Program. The consequent amendment of the latter insofar as provisions of the same are inconsistent herewith follows.

These guidelines shall form part of the contract, even those contracts already entered into prior to the issuance and effectivity of these guidelines.

DILIMAN, QUEZON CITY, OCTOBER 11, 1996.

  
ERNESTO D. GARILAO  
Secretary