



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**  
MANILA 1099

*Handwritten signature*  
**MASTER COPY**

March 17, 2016

**CUSTOMS MEMORANDUM CIRCULAR**  
**NO. 42-2016**

**TO:** All Deputy Commissioners  
All Directors and Division Chiefs  
All District / Port Collectors  
And Others Concerned

**SUBJECT: Availment of Paternity Leave**

Attached is the Memorandum dated March 10, 2016 of Director Jennifer J. Tan, Central Administration Office, Department of Finance (DOF), endorsing copies of the following Civil Service Commission (CSC) issuances:

**CSC MC No. 01, s. 2016**

Amendment to Section 20 of the Omnibus Rules on Leave on the Period Within Which to Avail of Paternity Leave

**CSC Resolution No. 1501531**

Amendment to Section 20 of the Omnibus Rules on Leave / Paternity Leave

For your information and guidance.

Please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

*Handwritten signature of Alberto D. Lina*  
**ALBERTO D. LINA**  
Commissioner



**MAR 21 2016**



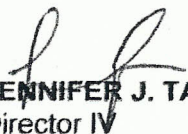
Republic of the Philippines  
**DEPARTMENT OF FINANCE**

Roxas Boulevard Corner Pablo Ocampo, Sr. Street  
Manila 1004

**MEMORANDUM**

**FOR :** **HEADS OF OFFICES**  
This Department

**HEADS OF BUREAUS/ATTACHED AGENCIES**  
Department of Finance

**FROM :**   
**JENNIFER J. TAN**  
Director IV  
Central Administration Office

**SUBJECT :** **Amendment to Section 20 of the Omnibus Rules on Leave  
on the Period Within Which to Avail of Paternity Leave**

**DATE :** **March 10, 2016**

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Attached for information and guidance is a copy of Memorandum Circular No. 01, s. 2016 from the Civil Service Commission on the above-captioned subject.



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MC No. 01, s. 2016

**MEMORANDUM CIRCULAR**

**TO :** ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS; AND STATE UNIVERSITIES AND COLLEGES

**SUBJECT :** Amendment to Section 20 of the Omnibus Rules on Leave on the Period Within Which to Avail of Paternity Leave

Pursuant to CSC Resolution No. 1501531 dated December 21, 2015, the Commission amends Section 20 of the Omnibus Rules on Leave, as follows:

*"Section 20. Paternity Leave Non-Cumulative/Non-Commutative. –*

*Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. Said leave shall be availed of not later than sixty (60) days after the date of the child's delivery."*

This Memorandum Circular shall take effect fifteen (15) days after the publication of CSC Resolution No. 1501531\* in a newspaper of general circulation.

*Alicia*  
ALICIA dela ROSA-BALA  
Chairperson

12 JAN 2016

\*CSC Resolution No. 1501531 dated December 21, 2015 was published on January 7, 2016 in Philippine Star

*In a R. A. C. E. to Serve: Responsive, Accessible, Courteous and Effective Public Service*



Amendment to Section 20 of the Omnibus Rules on Leave  
Re: Paternity Leave; Period Within Which To Avail

Number : 1501531

Promulgated: 21 DEC 2015

x-----x

RESOLUTION

WHEREAS, Section 12 (2), Chapter 3, Subtitle A, Title I, Book V of Executive Order No. 292 conferred on the Civil Service Commission the power and function to "prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws";

WHEREAS, it is the Commission's mandate to formulate rules and regulations on the entitlement to leave of officers and employees in the civil service;

WHEREAS, Republic Act No. 8187 (Paternity Leave Act of 1996) is enacted to grant paternity leave of seven (7) days with full pay to all married male employees in the private and public sectors to enable the married male employee to effectively render support, provide care and assistance to his wife in her period of recovery and/or in the nursing of their newly-born child;

WHEREAS, Section 4 of RA No. 8187 provides that the Secretary of Labor and Employment, the Chairman of the Civil Service Commission and the Secretary of Health shall issue the necessary rules and regulations for the implementation of the law;

WHEREAS, Joint CSC-DOH Memorandum Circular No. 1, s. 1996, Implementing Rules and Regulations of RA No. 8187, was issued by then CSC Chairperson Corazon Alma G. de Leon and then DOH Secretary Carmencita M. Reodica;

WHEREAS, the Commission, through Resolution No. 98-3142, adopted the amendments to Rule XVI (Leave) and the definitions of leave terms under Rule I of the Omnibus Rules Implementing Book V of the Administrative Code of 1987 (EO 292), otherwise known as the Omnibus Rules on Leave;

WHEREAS, Section 19 of the Omnibus Rules on Leave provides for the conditions for the grant of Paternity Leave;

WHEREAS, Section 20 of the same Rules provides that Paternity Leave of seven (7) days may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse;

Carinated True Copy:

SEYMOUR R. PAJARES  
Chief Personnel Specialist  
Commission Secretariat & Liaison Office

In a R. A. C. E. to Serve: Responsive, Accessible, Courteous and Effective Public Service

**WHEREAS**, the said Omnibus Rules does not specify the exact period within which the said leave may be availed of;

**WHEREAS**, Section 5 (Availment of the Implementing Rules and Regulations of Republic Act No. 8187 for the Private Sector) provides that Paternity Leave shall be availed of not later than sixty (60) days after the date of the child's delivery;

**WHEREAS**, there is a need to harmonize the policy on availing of Paternity Leave in the public sector with that of the private sector;

**WHEREFORE**, the Commission hereby **RESOLVES** to amend Section 20 of the Omnibus Rules on Leave, to read, as follows:

*"Section 20. Paternity Leave: Non-Cumulative/Non-Commutative. –*

*Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. Said leave shall be availed of not later than sixty (60) days after the date of the child's delivery."*

All rules, regulations and issuances which are inconsistent herewith are hereby repealed, amended or modified accordingly.

This Resolution shall take effect fifteen (15) days after its publication.

Quezon City.

*A. Bala*  
**ALICIA de la ROSA-BALA**  
Chairperson

*R. S. Martinez*  
**ROBERT S. MARTINEZ**  
Commissioner

*Nieves L. Osorio*  
**NIEVES L. OSORIO**  
Commissioner

Attested by:

*D. B. Bonifacio*  
**DOLORES B. BONIFACIO**  
Director IV  
Commission Secretariat and Liaison Office

HRPSO/PES/DI/PE/ULT/DOLM/ais  
paternity leave\_period of availment


**Confirmed True Copy:**  
*Seymour R. Pajares*  
**SEYMOUR R. PAJARES**  
Chief Personnel Specialist  
Commission Secretariat & Liaison Office

# NEWS CLIPS

Date: Jan 09, 2016

Publication: Phil Star

Page: B9

 **CIVIL SERVICE COMMISSION**  
Constitution Hills, Davao, Quezon City

Amendment to Section 20 of the Omnibus Rules on Leave - Number 1501531  
Re: Paternity Leave Period Within Which To Avail - Promulgated: 21 DEC 2015

**RESOLUTION**

WHEREAS, Section 12 (2), Chapter 3, Subtitle A, Title I, Book 1, of Executive Order No. 292 conferred on the Civil Service Commission the power and function to prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws;

WHEREAS, it is the Commission's mandate to formulate rules and regulations on the entitlement to leave of officers and employees in the civil service;

WHEREAS, Republic Act No. 8187 (Paternity Leave Act of 1996) is enacted to grant paternity leave of seven (7) days with full pay to all married male employees in the private and public sectors to enable the married male employee to effectively render support, provide care and assistance to his wife after period of recovery and/or in the raising of their newly-born child;

WHEREAS, Section 4 of RA No. 8187 provides that the Secretary of Labor and Employment, the Chairman of the Civil Service Commission and the Secretary of Health shall issue the necessary rules and regulations for the implementation of the law;

WHEREAS, JAN CSC-DOH Memorandum Circular No. 11 s. 1996, Implementing Rules and Regulations of RA No. 8187, was issued by then CSC Chairman Corason Alma G. de Leon and then DOH Secretary Camerota M. Rodon;

WHEREAS, the Commission through Resolution No. 86-3142 adopted its amendments to Rule XVI (Leave) and the definitions of leave items under Rule I of the Omnibus Rules Implementing Book V of the Administrative Code of 1987 (EO 292), otherwise known as the Omnibus Rules on Leave;

WHEREAS, Section 19 of the Omnibus Rules on Leave provides for the conditions for the grant of Paternity Leave;

WHEREAS, Section 20 of the same Rules provides that Paternity Leave of seven (7) days may be enjoyed either in a continuous or in an intermittent manner by the employee on the day immediately before, during and after the childbirth or miscarriage of his legitimate spouse;

WHEREAS, the said Omnibus Rules does not specify the exact period within which the said leave may be availed of;

WHEREAS, Section 5 (Availability) of the Implementing Rules and Regulations of RA No. 8187 for the Private Sector provides that Paternity Leave shall be availed of not later than sixty (60) days after the date of the child's delivery;

WHEREAS, there is a need to harmonize the policy on availing of Paternity Leave in the public sector with that of the private sector;

WHEREFORE, the Commission hereby **RESOLVES** to amend Section 20 of the Omnibus Rules on Leave, to read, as follows:

*Section 20. Paternity Leave. Non-Cumulative/Non-Convertible.*  
Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. Said leave shall be availed of not later than sixty (60) days after the date of the child's delivery.

All rules, regulations and measures which are inconsistent herewith are hereby repealed, amended or modified accordingly.

This Resolution shall take effect fifteen (15) days after its publication.

Quezon City

(SGD) ALICIA dela ROSA-BALA  
The Person

(SGD) ROBERT S. MARTINEZ  
Commissioner

(SGD) NEVES L. OSONIO  
Commissioner

Attested by:

(SGD) DOLores B. BONIFACIO  
Director IV  
Commission Secretary and Liaison Office

January 24, 2016, The Philippine Star