



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

August 29, 2013

CUSTOMS ADMINISTRATIVE ORDER
NO. 4-2013

TO: All District/Port Collectors
And All Other Concerned Personnel

SUBJECT: Rules, Regulations and Procedures Governing 24 x 7 Customs Services and the Payment of Corresponding Overtime and/or Night Differential Fees

I. Objectives:

1. To identify offices/divisions in ports and subports where 24 x 7 customs services or where beyond regular working hours customs services is required.
2. To define guidelines and procedures in the rendition of such customs services.
3. To prescribe rate of overtime and/or night differential fees and the procedures in the disbursement thereof.

II. Coverage

The following divisions/offices in ports and subports are required to provide customs services as herein specified beyond the regular working hours as maybe directed by duly authorized BOC officials and/or requested by airline operators, shipping line operators, CBW/PEZA operators, and other stakeholders:

1. Arrival Operations Division, Departure Operations Division, Baggage Assistance Division and Aircraft Operations Division or Equivalent Units in all international airports of entry in accordance with the flight schedules provided by airline operators for the following purposes, among others: entrance and clearance of aircrafts; monitoring and supervision of aircrafts while loading and unloading of passengers, baggage and cargoes; examination, clearance and/or collection of duties, taxes and other charges from passengers' baggage.
2. Piers and Inspection Division or Equivalent Units in all seaports of entry in accordance with the schedules provided by shipping operators for the following purposes, among others: entrance and clearance of vessels; and monitoring and supervision of vessels while loading and unloading passengers, baggage and cargoes.

3. Export Division or Equivalent Units in all ports of entry as maybe requested by the exporters, airline operators or shipping operators or exporters for the purpose of export cargo examination, processing of export declaration and issuance of authority to load.
4. Customs Container Control Division or Equivalent Units in all seaports of entry as maybe requested by shipping operators for the purpose of cargo control supervision.
5. Customs Offices in all PEZA Zones, Special Economic and Freeport Zones, Duty-Free Stores, Customs Bonded Warehouses, Container yard/Container Freight Stations (CY/CFS) and other customs jurisdictions as maybe requested by concerned locator/operator for specific customs services in the clearance of imports and exports.
6. Other offices/divisions as maybe requested by concerned stakeholders or duly authorized customs officials to render specific customs services beyond the regular working hours.

III. Prescribed Office Hours

1. In accordance with Civil Service rules and regulations, officers and employees of all agencies shall render not less than eight (8) hours of work a day for five (5) days a week or a total of forty (40) hours a week, exclusive of lunch time. As a general rule, such hours shall be from eight o'clock in the morning to twelve o'clock noon and from one o'clock to five o'clock in the afternoon on all days, except Saturdays, Sundays and Holidays.
2. Civil Service rules likewise provides that in the exigency of the service and when necessary by the nature of work of the agency, rescheduling or shifting of work schedule maybe allowed provided that government officials and employees render a total of forty hours a week and provided further, that the public is assured of core working hours from eight o'clock in the morning to five o'clock in the afternoon continuously for the duration of the work week.
3. Also when the interest of the service so requires, the daily work of officers and employees maybe extended, provided that work in excess of eight hours maybe properly compensated.
4. Accordingly, and in order that necessary customs services are well provided to concerned stakeholders and to accommodate the unique requirement of each customs service, different modes of time scheduling is authorized and prescribed as follows:

- a. Shifting working hours shall be observed by the Arrival Operations Division, Departure Operations Division, Baggage Assistance Division, Aircraft Operations Division, or equivalent units in all international airports of entry. This means that an employee shall be assigned to a single shift per day which shall be his/her regular working hours for a certain period of time, e.g. every 15 days. The first shift shall be from 8:00 AM to 5:00 PM, second shift shall be from 4:00 PM to 1:00 AM and the third shift from 12:00 MN to 9:00 AM.
 - b. Continuous working hours shall be observed by the Piers and Inspection Division or equivalent units in all seaports of entry. This means that the working hours of the employee shall be aligned with the duration of the vessel's stay in port from its entrance up to its clearance. Included under this scheme are off-shore duty, in cases of special exploration projects requiring customs officers to stay on board the vessel located at sea for a considerable period of time.
 - c. Extended working hours shall be observed by all other divisions/offices covered by this order as maybe directed by duly authorized BOC official and/or requested by concerned stakeholders. This means that the working hours of the employee shall be the regular government working hours of 8:00 AM to 5:00 PM, subject to extension before or after these times as maybe required in order to provide the required customs service/s.
5. It shall be incumbent upon the Division Chief/Collector concerned to issue the daily/weekly/monthly assignment of each employee in accordance with the working hours as prescribed above, subject to the following conditions:
- a. All employees shall be given at least one day off a week.
 - b. Except for employees under continuous working hours, no employee shall be assigned to render more than eight (8) hours of overtime duty in one day.
 - c. All employees whose working hours fall wholly or partly within 6:00 pm to 6:00 am of the following day shall be entitled to night differential fee and any excess from the forty (40) hours a week work shall be entitled to overtime pay.

IV. Suggested Manning Standards

In order to assure full customs services as required, the following manning standards for divisions/offices covered by this order shall be prescribed:

1. Arrival Operations Division or equivalent unit in an international airport of entry:
 - 1- Duty Collector per shift per airport terminal
 - 1- Supervisor (COO V) for every five (5) customs lanes per shift per airport terminal
 - 2- Customs Examiner (COO I or III) for each customs lane per shift per airport terminal
2. Departure Operations Division or equivalent unit in an international airport of entry:
 - 1- Supervisor (COO V) per shift per airport terminal
 - 2- Customs Examiner (COO I or III) for each customs jurisdiction per shift per airport terminal
3. Baggage Assistance Division or equivalent unit in an international airport of entry:
 - 1- Supervisor (COO V) per shift per airport terminal
 - 2- Customs Examiner (COO III) per shift per airport terminal
4. Aircraft Operations Division or equivalent unit in an international airport of entry:
 - 1- Customs Boarding Officer (COO III) for each customs jurisdiction per shift per airport terminal
 - 1- Customs Inspector (COO I) for each customs jurisdiction per shift per airport terminal
 - 6- Security Guard II (ACOO) for each customs jurisdiction per shift per airport terminal
5. Piers and Inspection Division or equivalent units in all seaports of entry:
 - 1- Customs Boarding Officer (COO III) per vessel
 - 2- Customs Inspector (COO I) per vessel
 - 3- Security Guard II/ACOO per vessel
7. Export Division or equivalent unit in all ports of entry:
 - 1- Supervising Trade Control Examiner (COO III) for each customs jurisdiction
 - 2- Trade Control Examiner (COO II or I) for each customs Jurisdiction

8. All other offices/divisions in all seaports and airports of entry:
 - 1- Customs Supervisor (specific position in the office/division) for each customs jurisdiction within the port of entry
 - 2- Customs Officer (specific position in the office/division) for each customs jurisdiction within the port of entry

V. Operational Procedures:

1. Airlines/Shipping Lines shall inform BOC through the concerned division/office of their monthly schedule of aircraft/vessel arrival at least five (5) days prior to the start of the month. The BOC shall be informed of any special arrival of aircraft/vessel at least twenty-four (24) hours prior to actual arrival. On the other hand, PEZA locators, CBW operators, CY/CFS operators, other stakeholders shall file with the division/office concerned a request for extended office hours, at least twenty-four (24) hours prior to the required customs service.
2. On these bases, the concerned office/division shall prepare the daily, weekly or monthly schedule of duty of personnel in accordance with the manning standards as prescribed.
3. At the end of each month, the office/division shall prepare its claim for night differential fee and/or overtime pay and submit the same to the Deputy Commissioner; Internal Administration Group through the District/Port Collector, with the following attachments:
 - a. Daily, Weekly and Monthly Schedule of Duty of Personnel which must be aligned with the submitted daily, weekly, and monthly schedule of aircraft/vessel arrivals and/or requests for customs services.
 - b. Individual list of accomplished tasks
 - c. Individual time record showing regular time and over time
 - d. Individual computation of overtime pay and/or night differential fee
 - e. Division payroll
4. The Deputy Commissioner, IAG shall authorized payment after review of the claim by the Accounting Division, FMO.

VI. Basis for Computation of Overtime Pay and Night Shift Differential Fee

Customs Services rendered by BOC personnel under this Order shall be compensated as necessary by BOC, applying government rates and using the appropriate guidelines, as follows:

1. DBM Budget Circular No. 8, s.1995, entitled, "Prescribing Guidelines and Procedures for the Grant of Night Shift Differential Pay to Government Employees."
2. DBM Circular No. 10 s. 1996, entitled, Prescribing and Updating the Guidelines and Procedures on the Rendition of Overtime Services with Pay to Government Personnel."
3. Such other applicable and existing laws, rules and regulations, or that maybe issued by the appropriate government agency.

Accordingly, all BOC personnel shall not directly or indirectly receive payment for overtime work, transportation, and/or accommodation in connection with the performance of their duty and services rendered under this order from airlines, shipping lines, locators, operators, importers, exporters and all other stakeholders served.

VII. Repealing Clause

This Order revokes, amends and/or supersede CAO 7-2011, CAO 6-2010, CAO 1-2005, CAO 2-2004 and all other customs memoranda, orders, issuances that are inconsistent with the provisions hereof.

VIII. Effectivity

This order shall take effect upon approval by the Secretary of Finance.

Rozzano Rufino B. Biazon
 ROZZANO RUFINO B. BIAZON
 Commissioner



30 AUG 2013

APPROVED:

Cesar V. Purisima

CESAR V. PURISIMA
 Secretary of Finance

Date _____

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