



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

AUG 03 1993

CUSTOMS MEMORANDUM ORDER
NO. 35-93

TO: District Collectors of Customs
Customs Operations Chiefs
And All Others Concerned

SUBJECT: Guidelines for the sharing in the payments
of flat rates of compensation prescribed in
Paragraph IA of CAO 3-91 dated Jan. 22, 1991.

In order to amplify Paragraph IA of CAO 3-91 and provide a standard for the disbursement of flat rate compensation for overtime services and allowances, the following guidelines are hereby prescribed:

1. The distribution and sharing of flat rates of compensation shall be based on the ratios of the salaries of the personnel assigned to the total collected, as hereunder demonstrated;

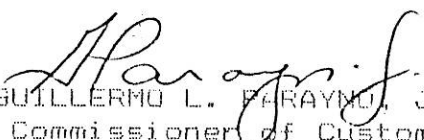
	CUSTOMS INSPECTOR	CUSTOMS GUARD
Salary	P 3,309.00	P 2,355.00
% Share	58%	42%
Share in P	1,160.00	840.00

	CUSTOMS INSPECTOR	CUSTOMS GUARD	CUSTOMS GUARD
Salary	P 3,309.00	P 2,355.00	P 2,355.00
% Share	42%	29%	29%
Share in P	840.00	580.00	580.00

2. The salaries of the personnel concerned, used without deduction as base figures, shall be taken from the payroll of the previous month; and
3. Any excess in decimal points shall be computed in favor of the Customs Inspector or other supervisory officer.

This Order supplements CAO 3-91 and shall take effect immediately.

All concerned shall be guided accordingly.


GUILLERMO L. FARAYNO, JR.
Commissioner of Customs



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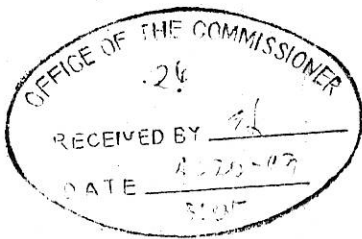
CMO-35-93

1st Indorsement
April 13, 1993

Respectfully referred to the Collector of Customs, Support of Dadiangas, General Santos City, the within letter dated March 15, 1993 of Mr. Margarito C. Tan, Customs Inspector, concerning the sharing of the lump sum billing and payment for overtime services and allowances pursuant to CAO 3-91, which appropriately identifies an area of contention which the regulations fail to provide for.

Consultation with other offices of the Bureau elicited various proposals one of which appear to be more equitable and workable for being based on established and incontrovertible standards, that is, the salaries of the personnel concerned. The proposal suggests that the salaries be used as determinants of the percentage shares of the personnel concerned. Thus, a Customs Inspector whose salary is ₱3,309.00 and whose Customs Guard's salary is ₱2,355.00 will share in the total ₱2,000.00 per day on a 58% to 42% basis, or a share for the former of ₱1,160.00 and for the latter, ₱840.00. In situations where there are two Customs Guard assigned, the shares will by percentage be 42%: 29%: 29% or ₱840.00: ₱580.00: ₱580.00.

The application of the foregoing method is thus enjoined, pending the issuance of an amplifying order.



TITUS B. VILLANUEVA
Deputy Commissioner
Assessment and Operations

Copy Furnished:

The Commissioner of Customs



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

CMO-35-93

March 19, 1993

Memorandum for:

The Acting Director
Port Operations Service

This is in connection with the letter of Mr. Margarito C. Tan, Customs Inspector, Sub-Port of Dadiangas, dated March 15, 1993.

The rate of overtime pay by the shipping companies is covered by CAO 3-92 in a lump sum of P2,000.00 per day for every vessel.

Under CAO 3-92, the apportionment of the overtime pay between the Customs Inspector and Customs Guard were not cleared. Since CAO 3-92 is partly an amendment of CAO 2-82 on the rates of overtime services without touching the division of lump sum for the Customs Inspector and Guard, I am submitting the following proposal of apportionment based on the salary scale of P 3,309.00/month for Customs Inspector and P 2,355.00 for Customs Guard.

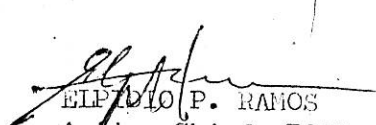
- A. For one (1) Customs Inspector and one (1) Guard assigned they will receive the following:

Customs Inspector - P1,160.00 or 58% of P2,000.00
Customs Guard ----- P 840.00 or 42% of P2,000.00

- B. For one (1) Inspector and two (2) Customs Guards assigned:

Customs Inspector - P840.00 or 42% of P2,000.00
Customs Guard ----- P580.00 or 29% of P2,000.00
Customs Guard ----- P580.00 or 29% of P2,000.00

If ever you are amenable to the above computation, I would like to recommend that these be written by way of a CMO so that such kind of problem in every port will be resolved once and for all.


ELPIDIO P. RAMOS
Acting Chief, POCD

March 15, 1993

Director Oscar Brillo
Office of the Commissioner
Port Operations Service
Port of Manila

CMO 35-93

Sir :

I would like to request for a ruling on the division or apportionment of the overtime pay between the Customs Inspector and Customs Guard in cases where only two are assigned to a vessel.

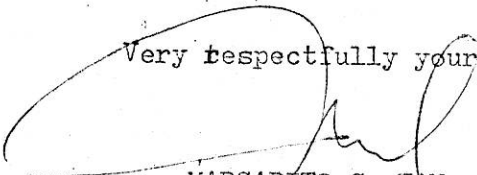
I learned from the Piers and Inspection Division at the Manila International Container Port that only two are assigned per vessel one Customs Inspector and one Customs Guard and that the apportionment of the overtime pay which is ₱2,000.00 per day is ₱1,200.00 for the Customs Inspector and ₱800.00 for the Customs Guard or a ratio of 60% to 40% respectively.

We in the outport is not aware of this practice at the MICP.

Your enlightenment on this matter is earnestly sought.

Thank you, Sir.

Very respectfully yours,


MARGARITO C. TAN
Customs Inspector
Subport of Dadiangas