

Republika ng Pilipinas
PAMBANSANG PANGASIWAAN NG PATUBIG
(National Irrigation Administration)
Lungsod ng Quezon

MC # 51, s. 1972

MEMORANDUM CIRCULAR

TO : ALL CHIEFS OF DEPARTMENTS, STAFFS,
SECTIONS, DIVISIONS; HEADS OF UPRP,
UNDP-GDP, MRPFs, AND COTABATO RIVER
PROJECT; REGIONAL, PROVINCIAL, AND
PROJECT IRRIGATION ENGINEERS; IRRI-
GATION SUPERINTENDENTS AND/OR OFFICERS-
IN-CHARGE OF IRRIGATION SYSTEMS/OFFICES
National Irrigation Administration

SUBJECT : Classification of administrative offenses
as per MC No. 8 S. 1972 of the Civil
Service Commission and other matters
relative thereto

Enumerated hereunder are administrative offenses
as classified by the Civil Service Commission in MC
8, s. 1970 in the order of their classification
under the said MC.

III. x x x x x, administrative offenses are
classified into grave, less grave and light.

A. The following are grave offenses:

1. Grave misconduct
2. Falsification in the accomplishment of
daily time record
3. Dishonesty
4. Disgraceful or immoral conduct
5. Disreputable or dishonest conduct
committed prior to entering the
service
6. Physical or mental incapacity or
disability due to immoral or vicious
habits
7. Allowing to continue in public service
any subordinate officer or employee who
is inefficient or incompetent or who is
guilty of any of the derelictions mentioned
in Sec. 19 of CSR XVIII, without submitting
such facts thru the Commissioner, to the
President, or the Proper Department Head
8. Contracting loans or money or other property
from persons with whom the bureau or office
of the employee concerned has business
relations
9. Purchasing or attempting to purchase,
directly or indirectly, property in one's
custody or solely under his authority
10. Gross insubordination
11. Partisan political activity
12. Making inquiry or giving consideration to
political or religious opinions or affilia-
tions of persons examined, or to be examined,
or in the appointment or promotion of officers
and employees, or discriminating against, or
favoring such persons examined or appointed
by reason thereof

13. Conduct prejudicial to the best interest of the service
14. Conviction by a competent court of a crime involving moral turpitude
15. Receiving for personal use a fee, gift, or other valuable things in the course of official duties or in connection therewith when such fee, gift or other valuable thing is given by any person in the hope or expectation of receiving a favor or better treatment than that accorded other persons
16. Intentionally making false statement in any material fact
17. Practicing or attempting to practice any deception or fraud in securing his examination, registration, appointment or promotion
18. Nepotism
19. Oppression
20. Willful violation of the provisions of the Civil Service Act

B. The following are less grave offenses:

1. Irregularities in the accomplishment and keeping of time record
2. Discourtesy in the course of official duties
3. Gross neglect of duty
4. Refusal to perform official duty
5. Inefficiency and incompetence in the performance of official duties
6. Borrowing money by superior officers or lending by subordinate to superior officers
7. Lobbying in legislative halls and offices without authority for personal interest or gain
8. Improper or unauthorized solicitation of contributions from subordinate employees and by teachers or school officials from school children
9. Willful violation of office regulation and/or refusal or neglect to comply with such provisions
10. Soliciting recommendation whether oral or written for promotion in the competitive service from person other than the employee's supervisor or having knowledge or consenting to such recommendation
11. Requiring an applicant for employment or any employee to sign any paper or document waiving any right or rights accruing to him under the Civil Service Law and Rules
12. Receiving additional or double compensation unless specifically authorized by law
13. Assigning a person appointed to a position in the classified service in a position of a grade or character not contemplated by the examination from the results of which appointment was made
14. Employing a person appointed to a position in the unclassified service to a position in the classified service
15. Making a donation or presenting any gift of substantial value by an officer or employee to an official to whom he is subordinate, or soliciting, or receiving contributions from other officers or employees for the making of such donations or accepting such donation or gift offered or presented by subordinate employee

16. Appointing or employing a person in violation of RA 2260 or rules made thereunder
17. Paying or causing the payment of a person employed contrary to law or in violation of the Civil Service Law and Rules
18. Lending money at usurious rate of interest
19. Directly or indirectly obstructing, defeating or violating the civil rights and liberties of an individual
20. Striking for the purpose of securing changes in the terms and conditions of employment

C. The following are light offenses:

1. Frequent absences or tardiness
2. Habitual drunkenness
3. Gambling prohibited by law
4. Insubordination
5. Willful failure to pay just debt
6. Willfull failure to pay taxes due the government
7. Pursuit of private business, vocation or profession without permission
8. Frequent absences or tardiness in reporting for duty or frequent absences from duty during regular office hours
9. Participation, directly or indirectly by government officials or employees in beauty, popularity or other contests either by being a candidate or by soliciting votes or coercing subordinate employees to cast, obtain or solicit votes in such contests
10. Promoting the sale of tickets in behalf of private enterprises that are not intended for charitable or public welfare purposes and even in the latter cases if there is no prior authority

Pursuant to the said CSC Memorandum Circular, the following specific instances shall be considered as administrative offenses falling within each of the classified offenses under the said MC as herein indicated opposite each of the specific instances.

SPECIFIC INSTANCES

A VIOLATION OF:

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|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1. Using the premises or facilities of the NIA in having illicit relations. | III-A-4, CSC MC # 8, s. 1970 |
| 2. Having illicit relations and under scandalous circumstances when either or both employees have legal impediments to contract a valid marriage. | III-A-4, CSC MC # 8, s. 1970 |
| 3. Accepting job orders or services or receiving materials and supplies below par specifications. | III-A-3, CSC MC # 8, s. 1970 |
| 4. Unauthorized use of the name of the NIA or any of its officials in soliciting services, financial contributions or favors from private persons. | III-A-15, CSC MC # 8, s. 1970 |

SPECIFIC INSTANCES

A VIOLATION OF:

5. Condoning financial obligations of private persons without legal authority, to the prejudice of the NIA. III-B-9, CSC MC # 8, s. 1970
6. Extending appointments or designations to subordinate employees without legal authority or allowing any subordinate employee to perform any other work not otherwise contemplated in his appointment. III-B-13, CSC MC # 8, s. 1970
7. Making it appear in reports or forms accomplished that service was actually rendered by falsifying the name of the person in whose favor such service shall have been rendered. III-A-16, CSC MC # 8, s. 1970
8. Misappropriating, for personal benefit, money entrusted by third persons, for delivery as payment of an obligation in favor of the NIA. III-A-3, CSC MC # 8, s. 1970
9. Intentionally withholding service of irrigation bills or other documents which must be served immediately to private persons. III-A-13, CSC MC # 8, s. 1970
10. Soliciting bets or wagers of NIA employees within the office and during office hours, for any game of chance. III-A-13, CSC MC # 8, s. 1970
11. Imposing on subordinate employees to give financial contributions for the benefit of any private person or organization, or exerting under influence upon subordinate employees under any guise for said purpose. III-C-10, CSC MC # 8, s. 1970
12. Engaging in blackmail, or any activity which may tend to cause jealousy, ill-feeling, anger or strained relations among personnel of the NIA. III-B-19, CSC MC # 8, s. 1970
13. Favoritism and giving undue privilege in rendering service to persons with whom the NIA transacts official business. III-A-13, CSC MC # 8, s. 1970
14. Abuse in the use of vehicles or equipment. III-A-13, CSC MC # 8, s. 1970
15. Certifying to the correctness of any reports or document without knowing the contents thereof. III-A-13, CSC MC # 8, s. 1970
16. Failure to submit time cards or to file application for leave of absence after a reasonable length of time. III-B-9, CSC MC # 8, s. 1970

The following instances shall be construed as falling under paragraph III-C-1 of MC # 8:

1. Arriving late for work for ten (10) or more minutes (morning and/or afternoon) for more than five (5) times within a month, shall be considered as count 1.
2. Going on half-days without written permission for more than three (3) times within a month shall be considered as count 1.
3. Undertimes incurred without written permission during office hours for more than three (3) times shall be considered as count 1.
4. Going on vacation leave without prior application for one (1) or more days for three (3) times within a month shall be considered as count 1.

Going on intermittent sick leave for one (1) or more days for four (4) times within a month shall be used against him/her in rating his/her performance during the current rating period/promotion.

CSC Rule No. XVI, C, Section 16(b) provides:

"Sick leave shall be granted only on account of sickness on the part of the employee concerned or of any member of his immediate family. The term "immediate family" includes any relative living under the same roof and dependent upon the employee for support. Ordinary application for sick leave already taken not exceeding five (5) days need not be accompanied by medical certificates; the head of department of agency concerned may duly determine whether or not granting of sick leave is proper under the circumstances. However, when sick leave is applied for in advance or whenever the head of department or agency doubts the employee's claim of ill-health, satisfactory medical certificate shall be required." Attached is the medical certificate form for the purpose.

5. For incurring a total of three (3) counts in any of items 1-4 above-mentioned or a total of five (5) counts of a combination of the above items within the semester, the corresponding administrative offense shall be instituted against the offending employee.

For purposes of Items 1 to 4, it shall be the responsibility of the Chief of Department or Staff, Regional Irrigation Engineers, Irrigation Superintendent concerned to issue a warning in writing and/or admonition to any offending personnel committing any of the said acts for the first and second time, furnishing the undersigned (ATTN.: ADMINISTRATIVE DEPT.) a copy of the written warning and further to forward a record of the acts above mentioned including undertimes as reflected in the employees approved Locator Slip.

6 -
It shall be the responsibility of the Administrative Officers in the Central Office, NIA-UNDP-GDP, and MRPFS, the Business Manager/Administrative Officer of the UPRP, and the Engineering Administrative Officers/Administrative Assistants of field offices to bring to the attention of the undersigned (Attn.: Chief, Administrative Department) any commission and/or omission of the offenses herein cited.

For speedy course of action in enforcing administrative discipline, the immediate supervisor of the offending employee shall initiate the necessary action and the next higher supervisor shall forward the same to the undersigned, thru the Administrative Department, together with a preliminary report citing the circumstances surrounding the commission/omission of the particular offense.

It shall be the responsibility of the Chief, Administrative Department of the Central Office to forward the above cited Report to the undersigned (Attn.: Legal Staff) for evaluation and institution of the corresponding administrative action.

It shall be the responsibility of the respective Chief of Offices concerned to see to it that the contents of this memorandum-circular are widely disseminated and explained to his subordinates/new employees. He shall, likewise, furnish a copy of this memo-circular to all subordinates who shall acknowledge receipt thereof.

NIA Memorandum Circular No. 30, series of 1968 is hereby modified/repealed accordingly.

This memorandum-circular shall take effect October 1, 1972.

Strict compliance hereon is enjoined.

(SGD.) ALFREDO L. JUINIO
Administrator

September 4, 1972

/dfu/Committee on Discipline
Encl.: a/s

PHILIPPINES CIVIL SERVICE
MEDICAL CERTIFICATE

I hereby waive all rights and privileges pertaining to professional confidence between physician and patient, and the physician accomplishing this form is authorized to answer in detail all questions contained herein.

(Signature of Patient)

(N.B. - Attending physician should fill in the blanks below. Every detail should be answered to avoid delay in action on application for leave submitted by the patient.)

(Name of Patient) of the Bureau of _____
having made application for leave of absence on account of illness, I do hereby certify that I was the applicant's actual attending physician from _____, 19____, to _____, 19____, inclusive and from my professional knowledge of the case the following statements are submitted, as contemplated by the provisions of Section 8 of Civil Service Rule XVI.

Name of disease or disability _____

Nature of disease or disability _____

{ Under this heading, in addition to giving fully the etiology
{ of the disease or disability, the physician must either state
{ in the language of the Executive Order. "There are no indica-
{ tions whatsoever that the disease named was due to immoral or
{ vicious habits" or give the indications.

History _____

Description _____

A laboratory test or examination was _____ made in this case.
(his house)

The applicant was confined to (hospital) from _____, 19____
to _____, 19____, inclusive.

I HEREBY CERTIFY that the above statements are complete and true in every detail, and that in consequence of the disease or the disability above specified the applicant was ill and unable to be on duty on account of illness from _____, 19____ to _____, 19____, inclusive, and that his claim is meritorious.

(Signature) _____, M.D.
Post-Office address _____

30-CENTAVO
DOCUMENTARY
STAMP

Date _____, 19____
/dfu
9/18/72