

**FAMBAANSANG PANGASIWAAN NG FATUBIG**

(National Irrigation Administration)

Lungsod ng Quezon

MC 53 s. 1972

**MEMORANDUM CIRCULAR**

TO : ALL CHIEFS OF DEPARTMENTS, STAFFS AND DIVISIONS; REGIONAL, PROVINCIAL AND PROJECT IRRIGATION ENGINEERS; CHIEFS OF IRRIGATION SYSTEMS AND NIA SPECIAL PROJECTS; AND ALL OTHERS CONCERNED.  
National Irrigation Administration

SUBJECT : Security Guards/Watchmen Not Entitled to Benefits under Section 562, Revised Administrative Code, as Amended; Repeal of Paragraph 2, MC No. 15(b) s. 1971.

For your information and guidance, hereinafter quoted is an opinion of the Auditor General dated July 20, 1964, interpreting the application of Section 562 of the Revised Administrative Code, as amended by R.A. 1880, to wit:

"2nd Indorsement  
July 20, 1964

Respectfully returned to the Honorable, the Executive Secretary, Office of the President, Malacañang, Manila.

This is an appeal by Mr. Leonardo H. Daguman, a Security Guard in the Office of the City Engineer, Ozamis City, from a decision of the City Auditor thereat to the effect that the provisions of Section 562 of the Revised Administrative Code, as amended by Republic Act No. 1880 are not applicable to Mr. Daguman, who should therefore render service even during Saturdays, Sundays and holidays without additional compensation. Mr. Daguman is paid on the monthly basis.

This Office concurs in the opinion of the City Auditor that Security Guards are not entitled to the benefits granted under said Section 562 as amended, and may therefore be required to render service even beyond the forty hours of work prescribed in the said provision of law. Consequently, Mr. Daguman may be required to render service as Security Guard on such days and for such number of hours as the head of the office in the exercise of his sound discretion considers the exigencies of the service to require, provided the total hours of service shall not be less than the forty hours a week required by the said Section 562 as amended, supra.

Accordingly, the days and hours of guard duty which Mr. Daguman is legally obliged to render should be fixed in a schedule to be promulgated by the head of office, taking into consideration the

exigencies of the service as well as the physical well-being of Mr. Dagupan. While said schedule may legally require eight hours of guard duty every day, the head of office is also legally empowered to authorize days off or hours of duty of less than eight hours a day provided the total period of service a week shall not be less than forty hours. It is informed that the usual practice in national government offices is to allow permanently appointed Security Guards one day off with pay per week in recognition of the fact that service efficiency invariably deteriorates under extended continuous service.

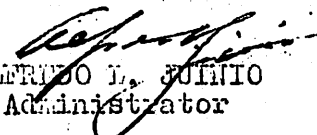
With respect to compensation for overtime services, Security Guards rendering occasional service outside of and in addition to the working hours indicated in their respective schedules of duty may be allowed meal and transportation expenses, if duly authorized in accordance with General Circular No. 301 dated January 3, 1959, as amended of this Office and provided such extra hours of duty falls within meal time and not less than three hours each.

(SGD) PEDRO M. GIMENEZ  
Auditor General"

The Chiefs of Office and Projects are hereby duly authorized to make a monthly schedule of guarding duties, especially fixing off-days in a week for each of their respective monthly paid security guards/watchmen. Services rendered by these personnel in accordance with the schedule are not considered overtime services, notwithstanding that such services are rendered on Saturdays, Sundays and/or holidays. Security guards/watchmen paid on daily basis and rendering services in accordance with the schedule are entitled to their usual daily rates when rendering services on Saturday, Sundays and/or holidays.

The provisions of paragraph 2, MC No. 15(b) s. 1971 and all memorandum circulars inconsistent herewith are hereby repealed.

Please be guided accordingly.

  
ALFERINO L. JUNIO  
Administrator

September 12, 1972

DER/dtr