



Republic of the Philippines
Department of Education
Region VII - CENTRAL VISAYAS
SCHOOLS DIVISION OF BOHOL

Office of the Schools Division
Superintendent

January 3, 2022

Division Memorandum
No. 005, s. 2022

TO : Public Schools District Supervisors
Secondary School Principals
Secondary School Financial Staff
Others Concerned

SUBJECT : **PROCEDURES AND DOCUMENTARY REQUIREMENTS ON THE GRANT OF GRATUITY PAY
FY 2021 TO CONTRACT OF SERVICE AND JOB ORDER WORKERS IN THE GOVERNMENT**

1. On December 29, 2021, President Rodrigo R. Duterte signed Administrative Order No. 38 entitled "Authorizing the Grant of Gratuity Pay to Contract of Service and Job Order Workers in the Government for Fiscal Year 2021" (see Annex A).
2. This AO provides that all JO/COS who have rendered a total or an aggregate of four (4) months of actual satisfactory performance of service, as stipulated in their respective contracts, as of 15 December 2021, and whose contracts are still effective as of the same date, may be granted a one-time Gratuity Pay not exceeding Five Thousand Pesos (P5,000.00). Those who have rendered less than four months of actual satisfactory performance of service, as stipulated in their respective contracts, as of 15 December 2021, and whose contracts are still effective as of the same date, may be granted a one-time Gratuity Pay, on a pro-rata basis, as follows:

Length of Service	Amount of Gratuity Pay
3 months or more but less than 4 months	Not exceeding P 4,000.00
2 months or more but less than 3 months	Not exceeding P 3,000.00
Less than 2 months	Not exceeding P 2,000.00

3. COA-DBM Joint Circular No. 2 s. 2020 (see Annex B) defined contract of service and job order as follows:

Contract of Service refers to the engagement of the services of an individual, private firm, other government agency, non-governmental agency or international organization as consultant, learning service provider or technical expert to undertake special project or job within a specific period.

Job Order refers to piece work (pakyaw) or Intermittent or emergency jobs such as clearing of debris on the roads, canals, waterways, etc. after natural/ man-made disasters/occurrences, and other manual/trades and crafts services such as carpentry, plumbing, electrical, and the like. These jobs are of short duration and for a specific piece of work.



4. In order to determine the total amount payable to these workers, each District Offices through the District Bookkeepers shall submit on or before January 6, 2022 (Thursday) the following documentary requirements to DepEd Bohol Budget Office through Its email address depedboholbudget@gmail.com for consolidation of total funding requirement for the whole SDO:
 - i. Payroll of Entitled Personnel (Consolidated by District) – See Annex C
 - ii. Contract Agreement FY 2021 between the worker and the school head

Kindly submit the ecopy of the Contract using scanner or *Camscanner* saved in Portable Document Format (PDF). JPEG images shall not be accepted. While the payroll shall be through MS Excel file format.

For the SDO Proper, the Division Payroll Services Unit (DPSU) shall prepare the payroll for its JO/COS.

5. Only JO/COS personnel paid through the MOOE are entitled to claim the one-time Gratuity Pay.
6. There will be no extension on the deadline set. This is to ensure that the DO will have sufficient to time to obligate the payables and request for NCA to the Department of Budget and Management (DBM).
7. The release of the gratuity pay shall be announced in a separate memorandum.
8. JO/COS under Implementing Units (IUs) shall be paid through the available allotment of their schools, being financially independent operating units. The school bookkeepers of the IUs shall facilitate the obligation of the gratuity pay and the payment thereof when the NCA is already available either through common-fund system or a separate funding request to DBM.
9. For information, guidance and strict compliance.


BIANITO A. DAGATAN, Ed.D. CESO V
Schools Division Superintendent





MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 46

**AUTHORIZING THE GRANT OF GRATUITY PAY TO
CONTRACT OF SERVICE AND JOB ORDER WORKERS IN
GOVERNMENT FOR FISCAL YEAR 2021**

WHEREAS, various government agencies have engaged and continue to engage workers under contract of service (COS) and job order (JO) schemes;

WHEREAS, the Commission on Audit (COA) and Department of Budget and Management (DBM) Joint Circular (JC) No. 2 (s. 2020) or the "Updated Rules and Regulations Governing COS and JO Workers in the Government," prescribes the existing policies and guidelines on the engagement of services of these workers;

WHEREAS, COS and JO workers, together with other government personnel, are required by their respective agencies to report for work regardless of the varying forms of community quarantine and mobility restrictions to ensure the continuous and responsive delivery of government services;

WHEREAS, COA and DBM JC No. 1 (s. 2020) or the "Interim Guidelines Governing COS and JO Workers in Government for the Duration of the State of Calamity and Community Quarantine Due to Corona Virus Disease," integrates the work schedule of COS and JO workers in the alternative work arrangements adopted by various government agencies during the period of implementation of community quarantine;

WHEREAS, while COS and JO workers in the government are paid salaries/wages equivalent to those received by personnel occupying comparable positions in government and a premium of up to 20% of such salary/wage, they do not enjoy benefits accorded to regular government employees such as the Personnel Economic Relief Allowance, Mid-Year and Year-End Bonuses and Performance-Based Bonus, among others, as they have no employer-employee relationship with the government;

WHEREAS, granting a year-end Gratuity Pay to COS and JO workers is a well-deserved recognition of their hard work in implementing programs, projects and activities, including those which are part of the emergency COVID-19 response efforts of the government;

WHEREAS, Administrative Order No. 38 (s. 2020) authorized the grant of Gratuity Pay to JO and COS workers in government for Fiscal Year (FY) 2020; and

WHEREAS, Section 17, Article VII of the Constitution vests the President with control over all the executive departments, bureaus and offices;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

THE PRESIDENT OF THE PHILIPPINES

SECTION 1. Grant of Gratuity Pay. All workers whose services are engaged through COS and JO, who have rendered a total or an aggregate of at least four (4) months of actual satisfactory performance of services, as stipulated in their respective contracts, as of 15 December 2021, and whose contracts are still effective as of the same date, may be granted a one-time Gratuity Pay not exceeding Five Thousand Pesos (P5,000) each.

Those who have rendered less than four (4) months of actual satisfactory performance of service, as stipulated in their respective contracts, as of 15 December 2021, and whose contracts are still effective as of same date, may also be granted the one-time Gratuity Pay, on a pro rata basis, as follows:

Length of Service	Amount of Gratuity Pay
3 months or more but less than 4 months	Not exceeding P4,000
2 months or more but less than 3 months	Not exceeding P3,000
Less than 2 months	Not exceeding P2,000

For purposes of this Order, actual service shall refer to services rendered on-site, *i.e.*, the COS and JO workers physically report for work at their designated stations. Subject to the discretion of the Agency Head and the availability of funds, services rendered by COS and JO workers offsite during the period of community quarantine/alert level, *e.g.*, work from home arrangement, may also be considered as actual service.

SECTION 2. Coverage. This Order shall cover workers whose services are directly engaged through COS and JO by national government agencies (NGAs), state universities and colleges (SUCs), government-owned or -controlled corporations (GOCCs) and local water districts (LWDs).

SECTION 3. Funding Source. Funds needed to implement this Order shall be chargeable against the following sources:

- a. For NGAs and SUCs, against their respective available Maintenance and Other Operating Expenses (MOOE) allotment for the same program, activity or project (P/A/P) where the compensation of workers engaged through COS and JO are sourced, subject to approval of the Agency Head.

In case of deficiency, agencies may modify the allotment issued within a P/A/P, subject to approval by the Agency Head or the Department of Budget and Management (DBM), as the case may be, pursuant to the rules on the modification in allotments under Section 72 of the General Provisions of Republic Act No. 11518 or the "FY 2021 General Appropriations Act (GAA)," and existing laws and issuances; or submit a request to augment actual deficiencies from savings in other P/A/Ps, subject to approval of the President, in accordance with rules on use of savings and augmentation under Sections 69 and 70 of the General Provisions of the FY 2021 GAA, and existing laws and issuances; and

- b. For GOCCs and LWDs, against their respective approved corporate operating budgets.

SECTION 4. Use of Savings. Requests for the use of savings under Section 3(a) hereof shall be submitted by NGAs and SUCs to the DBM not later than five (5) working days from the effectivity of this Order, for endorsement to the Office of the President. All such requests shall be supported by the following documents:

- a. Report on the number and names of workers engaged through COS and JO qualified for Gratuity Pay, as certified by the head of the human resource management unit and endorsed by the Department Secretary or Agency Head concerned; and
- b. Certification from the budget officer that the required amount from the existing MOOE allotment is free from any obligation and may be declared as savings pursuant to Section 69 of the General Provisions of the FY 2021 GAA, to cover the funding requirements for the grant of Gratuity Pay, likewise endorsed by the Department Secretary or Agency Head concerned.

The DBM shall release the corresponding Special Allotment Release Order and Notice of Cash Allocation, as needed, upon approval of the President.

SECTION 5. Grant of Gratuity Pay in Local Government Units (LGUs). LGUs are enjoined to adopt in their respective offices the grant of Gratuity Pay to workers whose services are engaged through COS and JO, utilizing appropriate and available funding sources from their respective local government funds.

The corresponding supplemental budget for the purpose shall be enacted by the local *Sanggunian* within FY 2021.

SECTION 6. Supplemental Guidelines. As may be necessary, the DBM shall issue supplemental guidelines for the effective implementation of this Order.

SECTION 7. Repeal. All orders, rules and regulations and other issuances or parts thereof, which are inconsistent with this Order are hereby revoked, amended or modified accordingly.

SECTION 8. Separability. If any provision of this Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 9. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 29th day of December, in the year of our Lord, Two Thousand and Twenty-One.

R Duterte 

By the President:

SALVADOR C. MEDIALDEA
Executive Secretary

