

DE LA FUENTE, Cecilia C.

Re: Query

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RESOLUTION No. **990850**

Cecilia Dela Fuente, Civil Service Field Officer, Civil Service Commission-National Capital Region (CSC-NCR), requests the opinion of the Commission relative to the declaration of a half-day on December 24, 1998 by the Office of the President. The pertinent portion of her letter states as follows:

" This is to request an opinion whether the declaration of a half-day on December 24, 1998 by the Office of the President is covered by Section 24, Rule XVI of the Omnibus Rules Implementing Book V EO No. 292."

" Section 24, Rule XVI of the Omnibus Rules Implementing Book V of EO No. 292 provides that "Where an employee fails to report for work on a regular day for which a holiday is declared, he shall be considered absent on that day."

" the cases included above are those days wherein the day was declared a holiday on the same day i.e. typhoon, jeepney strike, etc. However, in the case of December 24, 1998 the day was declared a half-day holiday by the Office of the President on December 23, 1998 or prior to the day of the holiday. We would like to ask therefore whether those who absent (sic) themselves that day will (sic) be marked absent the whole day or half-day only.

"In this connection we are of the opinion that since the Office of the President declared December 24, 1998 as half-day on December 23 or the declaration or the declaration was prior to December 24, 1988, therefore all those who absent themselves on that day will be marked as half-day only. If you are of the same opinion, we believe that same should be circularized for uniform interpretation."

The Commission holds that an employee who did not report for work in the morning of December 24, 1998 after it had been declared half-day on December 23, 1998 should be considered absent for half-day only. The declaration of a half-day holiday was made prior to the holiday on December 23, 1998. Apparently, the holiday was already made known to all employees before December 24 and in the event that an employee absents himself on said date, it is presumed that he intends to be absent for a half-day only.

WHEREFORE, the Commission hereby rules that employees who absented themselves from work in the morning of December 24, 1998 must be treated as absent for a half-day only.

Quezon City, **MAY 04, 1999**

(Sgd.) **CORAZON ALMA G. DE LEON**
Chairman

(Sgd.) **THELMA P. GAMINDE**
Commissioner

DID NOT PARTICIPATE
JOSE F. ERESTAIN, JR.
Commissioner

Attested by:

(Sgd.) **ARIEL G. RONQUILLO**
Director III