
Omnibus Rules on Leave

**Rule XVI of the Omnibus Rules
Implementing Book V of EO 292**

CIVIL SERVICE COMMISSION
July 2010

FOREWORD

The past few years have seen rapid, sometimes radical developments in a broad range of social, political and economic issues which mirror both our social and political consciousness.

These welcome developments are best manifest in the laws of the land and the administrative issuances which lay the ground rules for an ever growing number of concerns in both the public and private sector. Thus, recent years have seen the passage of such laws as the Paternity Leave Act of 1996 and the Anti-Sexual Harassment Law. Similarly, the Civil Service Commission issued directives granting special leave privileges to all government employees. Earlier, policies such as forced leave and monetization of leave credits were adopted for the well-being and benefit of government employees.

The Omnibus Rules on Leave does not merely consolidate all laws and administrative issuances relative to leave administration in the government sector. Whenever possible within the bounds of existing law, the Omnibus Rules on Leave updates all implementing rules and regulations on leave administration to make them more relevant and responsive to current realities and concerns. The Omnibus Rules on Leave also harmonizes the various rules when needed in the interest of equity and fairness. For example, married contractual female employees can now enjoy maternity leave benefits, correcting the inequitable situation relative to their regular counterparts and the anomalous situation relative to their spouses who, if they happen to be government contractual employees, started receiving Paternity Leave benefits since 1996.

This Omnibus will be a perfect complement to the CSC's thrust of humanizing the bureaucracy.

The CSC hopes that with these Omnibus Rules on Leave, the unresolved issues and gray areas relative to leave administration will be clarified and thus enhance the efficiency of the government personnel administration system. Ultimately, the final result will be a highly productive, energetic and professional public service.

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RULE I

(from the Omnibus Rules Implementing Book V of
Executive Order No. 292
[The Revised Administrative Code of 1987])

- (p.) The following terms used in Rule XVI shall be construed as follows:
1. *Leave of absence* is generally defined as a right granted to officials and employees not to report for work with or without pay as may be provided by law and as the rules prescribe in Rule XVI hereof.
 2. *Commutation of leave credits* refers to conversion of unused leave credits to their corresponding money value.
 3. *Cumulation of leave credits* refers to incremental acquisition of unused leave credits by an official or employee.
 4. *Immediate family* refers to the spouse, children, parents, unmarried brothers and sisters and any relative living under the same roof or dependent upon the employee for support. *(Amended by CSC MC 6, s. 1999)*
 5. *Sick leave* refers to leave of absence granted only on account of sickness or disability on the part of the employee concerned or any member of his immediate family.
 6. *Vacation leave* refers to leave of absence granted to officials and employees for personal reasons, the approval of which is contingent upon the necessities of the service.
 7. *Monetization* refers to payment in advance under prescribed limits and subject to specified terms and conditions of the money value of leave credits of an employee upon his request without actually going on leave.
 8. *Pregnancy* refers to the period between conception and delivery or birth of a child. For purposes of maternity leave, miscarriage is within the period of pregnancy.

9. *Maternity leave* refers to leave of absence granted to female government employees legally entitled thereto in addition to vacation and sick leave. The primary intent or purpose of granting maternity leave is to extend working mothers some measure of financial help and to provide her a period of rest and recuperation in connection with her pregnancy.
10. *Paternity leave* refers to the privilege granted to a married male employee allowing him not to report for work for seven (7) days while continuing to earn the compensation therefor, on the condition that his legitimate spouse has delivered a child or suffered a miscarriage, for purposes of enabling him to effectively lend care and support to his wife before, during and after childbirth as the case may be and assist in caring for his newborn child.
11. *Vacation Service Credits* refers to the leave credits earned by public school teachers for services rendered during activities authorized by proper authorities during long and Christmas vacation. These credits are used to offset their absences due to illness or to offset proportional deduction in vacation salary due to absences for personal reasons or late appointment.
12. *Terminal leave* refers to money value of the total accumulated leave credits of an employee based on the highest salary rate received prior to or upon retirement date/voluntary separation.
13. *Special leave privileges* refer to leave of absence which officials and employees may avail of for a maximum of three (3) days annually over and above the vacation, sick, maternity and paternity leaves to mark personal milestones and/or attend to filial and domestic responsibilities.
14. *Relocation leave* refers to a special leave privilege granted to official/employee whenever he/she transfers residence.

N.B. *These definitions were not part of the original Rule XVI of the Omnibus Rules Implementing Book V of Executive Order No. 292 (The Revised Administrative Code of 1987) but are part of CSC MC No. 41, s. 1998.*

RULE XVI

(of the Omnibus Rules Implementing Book V of Executive Order No. 292)

LEAVE OF ABSENCE

Section 1. *Entitlement to leave privileges.* — In general, appointive officials up to the level of heads of executive departments, heads of departments, undersecretaries and employees of the government whether permanent, temporary, or casual, who render work during the prescribed office hours, shall be entitled to 15 days vacation and 15 days sick leave annually with full pay exclusive of Saturdays, Sundays, Public Holidays, without limitation as to the number of days of vacation and sick leave that they may accumulate. *(Amended by CSC MC Nos. 41, s. 1998 and 14 s. 1999)*

Sec. 2. *Leave of absence of part-time employees.* — Employees rendering services on part-time basis are entitled to vacation and sick leave benefits proportionate to the number of work hours rendered. A part-time employee who renders four (4) hours of work five (5) days a week or a total of 20 hours a week is entitled to 7.5 days vacation leave and 7.5 days sick leave annually with full pay. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 3. *Leave of absence of employees on rotation basis.* — Employees on rotation basis shall be entitled to vacation and sick leave corresponding to the periods of service rendered by them. If an employee has been allowed to work in two or more shifts or rotation, the periods of actual service covered by each shift or rotation should be added together to determine the number of years, months and days during which leave is earned. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 4. *Leave of contractual employees.* — Contractual employees are likewise entitled to vacation and sick leave credits as well as special leave privileges provided in Section 21 hereof. *(Amended by CSC MC Nos. 41, s. 1998 and 14, s. 1999)*

Sec. 5. *Leave credits of local elective officials.* — Local elective officials are entitled to leave privileges effective May 12, 1983 pursuant to Batas Pambansa 337 and Local Government Code of 1991 (RA 7160). Said leave credits shall be commutative and cumulative. *(Amended by CSC MC Nos. 41, s. 1998 and 14, s. 1999)*

Sec. 6. *Teacher's leave.* — Teachers shall not be entitled to the usual vacation and sick leave credits but to proportional vacation pay (PVP) of 70 days of summer vacation plus 14 days of Christmas vacation. A teacher who has rendered continuous service in a school year without incurring absences without pay of not more than 1 ½ days is entitled to 84 days of proportional vacation pay.

Other leave benefits of teachers such as study leave and indefinite sick leave are covered by Section 24 and 25 of RA 4670 (Magna Carta for Public School Teachers). (*Provided for under CSC MC No. 41, s. 1998*)

Sec. 7. *Other employees under teacher's leave basis.* — Day Care Workers and all other appointive employees whose work schedule is the same as that of teachers, earn leave credits in accordance with Sections 6 and 9 hereof. (*Provided for under CSC MC No. 41, s. 1998*)

Sec. 8. *Teachers who are designated to perform non-teaching functions.* — Teachers who are designated to perform non-teaching functions and who render the same hours of service as other employees shall be entitled to vacation and sick leave. (*Provided for under CSC MC No. 41, s. 1998*)

Sec. 9. *Vacation service credits of teachers.* — Teachers' vacation service credits refer to the leave credits earned for services rendered on activities—during summer or Christmas vacation, as authorized by proper authority. These vacation service credits are used to offset absences of a teacher due to illness or to offset proportional deduction in vacation salary due to absences for personal reasons or late appointment. The manner by which service credits may be earned by teachers is subject to the guidelines issued by the Department of Education, Culture and Sports (DECS)*. (*Provided for under CSC MC No. 41, s. 1998*)

Sec. 10. *Leave credits of officials and employees covered by special leave law.* — The leave credits of the following officials and employees are covered by special laws:

- (a) Justices of the Supreme Court, Court of Appeals and Sandiganbayan;
- (b) Judges of Regional Trial Courts, Municipal Trial Courts, Metropolitan Trial Courts, Court of Tax Appeals and Shari'a Circuit Court; and Shari'a District Court.

*Department of Education (DepEd)

- (c) Chairmen and Commissioners of Constitutional Commissions;
- (d) Filipino officers and employees in the Foreign Service;
- (e) Faculty members of state universities and colleges pursuant to section 4 (h) of the Higher Education Modernization Act of 1997 (RA 8292). However, in the absence of such specific provisions, the general leave law and these rules shall be applicable; (*Amended by CSC MC No. 14, s. 1999*)
- (f) Other officials and employees covered by special laws.

Hence, members of the judiciary and other government officials and employees covered by special laws should promulgate their own implementing rules relative thereto. Said implementing rules should be submitted to the Civil Service Commission for record purposes. (*Amended by CSC MC Nos. 41, s. 1998 and 14, s. 1999*)

Sec. 11. *Conditions for the grant of maternity leave.* — Every woman in the government service who has rendered an aggregate of two (2) or more years of service, shall, in addition to the vacation and sick leave granted to her, be entitled to maternity leave of sixty (60) calendar days with full pay.

In the case of those in the teaching profession, maternity benefits can be availed of even if the period of delivery occurs during the long vacation, in which case, both the maternity benefits and the proportional vacation pay shall be received by the teacher concerned.

Maternity leave of those who have rendered one (1) year or more but less than two (2) years of service shall be computed in proportion to their length of service, provided, that those who have served for less than one (1) year shall be entitled to 60-day maternity leave with half pay.

It is understood that enjoyment of maternity leave cannot be deferred but it should be availed of either before or after the actual period of delivery in a continuous and uninterrupted manner, not exceeding 60 calendar days.

(*Amended by CSC Resolution No. 040740 published July 13, 2004 in Today newspaper*)

Sec. 12. *Formula for the computation of maternity leave.* — Employees who have rendered less than two (2) years of service may only receive full pay for a number of days based on the ratio of 60 days to two years of service.

Where: y = the no. of days in the service
 x = the no. of days to be paid
 two years = 720 days

$$\frac{60}{720} = \frac{x}{y}$$

$$720x = 60y$$

$$x = \frac{60y}{720}$$

$$x = \frac{y}{12}$$

For example, an employee has rendered one year and six months of service:

Where x = number of days to be paid
 y = 1 year and 6 months (540 days)

$$x = \frac{y}{12}$$

$$x = \frac{540}{12}$$

$$x = 45 \text{ days}$$

(Provided under CSC MC No. 41, s. 1998)

Sec. 13. *Every woman, married or unmarried, may be granted maternity leave more than once a year. — Maternity leave shall be granted to female employees in every instance of pregnancy irrespective of its frequency. (As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)*

Sec. 14. *Every married or unmarried woman may go on maternity leave for less than sixty (60) days. — When a female employee wants to report back to duty before the expiration of her maternity leave, she may be allowed to do so provided she presents a medical certificate that she is physically fit to assume the duties of her position.*

The commuted money value of the unexpired portion of the leave need not be refunded and that when the employee returns to work before the expiration of her maternity leave, she may receive both the benefits granted under the maternity leave law and the salary for actual services rendered effective the day she reports for work.

(As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)

The formula of computation for this purpose is as follows:

$$\text{SALARY} = \frac{\text{Monthly Salary Rate}}{22 \text{ Days}} \times \text{Actual No. of Days Worked}$$

(Provided under CSC MC No. 14, s. 1999)

Sec. 15. *Maternity leave with pay may be granted even if delivery occurs just a few days after the termination of an employee's service. — Maternity leave with pay may be granted even if the delivery occurs not more than 15 calendar days after the termination of an employee's service as her right thereto has already accrued. (Provided for under CSC MC No. 41, s. 1998)*

Sec. 16. *Maternity leave of an employee on extended leave of absence without pay. — If already entitled, a woman employee can still avail of sixty (60) days maternity leave with pay even if she is on extended leave of absence without pay. (Provided for under CSC MC No. 41, s. 1998)*

Sec. 17. *Maternity leave of a female employee with pending administrative case. — Every woman employee in the government service is entitled to maternity leave of absence with pay even if she has a pending administrative case. (As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)*

Sec. 18. *Maternity leave of contractual employees.* — All contractual female employees whether or not receiving 20% premium on their salary shall be entitled to maternity leave benefits like regular employees in accordance with the provisions of Section 11 hereof. (As amended by CSC Resolution No. 021420 published Nov. 1, 2002 in Today)

Sec. 19. *Conditions for the grant of paternity leave.* — Every married male employee is entitled to paternity leave of seven (7) working days for the first four (4) deliveries of his legitimate spouse with whom he is cohabiting.

The first of the four deliveries shall be reckoned from the effectivity of the Paternity Leave Act on July 15, 1996.

Married male employee with more than one (1) legal spouse shall be entitled to avail of paternity leave for an absolute maximum of four deliveries regardless of whichever spouse gives birth. (Provided for under CSC MC No. 41, s. 1998)

Sec. 20. *Paternity Leave non-cumulative/non-commutative.* — Paternity leave of seven (7) days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately before, during and after the childbirth or miscarriage of his legitimate spouse. (Provided for under CSC MC No. 41, s. 1998 and amended by CSC MC no. 14, s. 1999)

Sec. 21. *Special leave privileges.* — In addition to the vacation, sick, maternity and paternity leave, officials and employees with or without existing or approved Collective Negotiation Agreement (CNA), except teachers and those covered by special leave laws, are granted the following special leave privileges subject to the conditions hereunder stated:

- a) Personal milestones such as birthdays/wedding/wedding anniversary celebrations and other similar milestones, including death anniversaries.
- b) Parental obligations such as attendance in school programs, PTA meetings, graduations, first communion, medical needs, among others, where a child of the government employee is involved.
- c) Filial obligations to cover the employee's moral obligation toward his parents and siblings for their medical and social needs.
- d) Domestic emergencies such as sudden urgent repairs needed at home, sudden absence of a *yaya* or maid, and the like.

- e) Personal transactions to cover the entire range of transactions an individual does with government and private offices such as paying taxes, court appearances, arranging a housing loan, etc.
- f) Calamity, accident, hospitalization leave pertain to *force majeure* events that affect the life, limb, and property of the employee or his immediate family.

1. An employee can still avail of his birthday or wedding anniversary leave if such occasion falls on either a Saturday, Sunday or Holiday, either before or after the occasion.
2. Employees applying for special privilege leaves shall no longer be required to present proof that they are entitled to avail of such leaves.
3. Three-day limit for a given year shall be strictly observed: an employee can avail of one special privilege leave for three (3) days or a combination of any of the leaves for maximum of three days in a given year. Special leave privileges are non-cumulative and strictly non-convertible to cash.
4. Immediate family in Rule I (Definition of Terms) refers to spouse, children, parents, unmarried brothers and sisters or any relative living under the same roof or dependent upon the employee for support.

(Provided under CSC MC No. 41, s. 1998 and further amended by CSC MC No. 6, s. 1999)

Sec. 22. *Monetization of leave credits.* — Officials and employees in the career and non-career service whether permanent, temporary, casual, or coterminous, who have accumulated fifteen (15) days of vacation leave credits shall be allowed to monetize a minimum of ten (10) days: Provided, that at least five (5) days is retained after monetization and provided further that a maximum of thirty (30) days may be monetized in a given year. (Provided for under CSC MC No. 41, s. 1998)

Sec. 23. *Monetization of 50% or more of vacation/sick leave credits.* — Monetization of fifty percent (50%) or more of the accumulated leave credits may be allowed for valid and justifiable reasons such as:

- a. Health, medical and hospital needs of the employee and the immediate members of his/her family;

- b. Financial aid and assistance brought about by force *majeure* events such as calamities, typhoons, fire, earthquake and accidents that affect the life, limb and property of the employee and his/her immediate family;
- c. Educational needs of the employee and the immediate members of his/her family;
- d. Payment of mortgages and loans which were entered into for the benefit or which inured to the benefit of the employee and his/her immediate family;
- e. In cases of extreme financial needs of the employee or his/her immediate family where the present sources of income are not enough to fulfill basic needs such as food, shelter and clothing;
- f. Other analogous cases as may be determined by the Commission.

The monetization of 50% or more of the accumulated leave credits shall be upon the favorable recommendation of the agency head and subject to availability of funds.

Immediate family is used herein as defined in Rule I (Definition of Terms) of the Omnibus Rules Implementing the Administrative Code of 1987.

(As amended by CSC Resolution No. 020731 published June 7, 2002 in Today)

Sec. 24. *Computation of Leave Monetization.* — Either of the following formula shall be used for the computation of Monetization of Leave Credits:

$$\text{Monthly salary} \times \text{No. of days to be monetized} \times \text{C F (.0478087)*} = \text{Money value of the monetized leave}$$

OR

Monthly Salary	x	No. of days to be Monetized	=	Money value of the monetized leave
20.916667**				

*Constant Factor based on Section 40 of CSC MC No. 14, s. 1999

**Equivalent number of days in a month for computation of MLC based on the total number of working days per year (251) [Section 40 of CSC MC No. 14, s. 1999] divided by the number of months in a year (12).

*As amended by CSC MC No. 8, s. 2003

Also, the Commission further reiterates its policy on Maternity Leave as follows:

Salaries for the actual services rendered within the unexpired portion of the maternity leave shall be computed based on the daily wage rate. Pursuant to R.A. 6758 (Salary Standardization Law), the daily wage rate shall be determined by dividing the monthly salary by 22 working days in a month.

Sec. 25. *Five days forced/mandatory leave.* — All officials and employees with 10 days or more vacation leave credits shall be required to go on vacation leave whether continuous or intermittent for a minimum of five (5) working days annually under the following conditions:

- (a) The head of agency shall, upon prior consultation with the employees, prepare a staggered schedule of the mandatory five-day vacation leave of officials and employees, provided that he may, in the exigency of the service, cancel any previously scheduled leave.
- (b) The mandatory annual five-day vacation leave shall be forfeited if not taken during the year. However, in cases where the scheduled leave has been cancelled in the exigency of the service by the head of the agency, the scheduled leave not enjoyed shall no longer be deducted from the total accumulated vacation leave.
- (c) Retirement and resignation from the service in a particular year without completing the calendar year do not warrant forfeiture of the corresponding leave credits if concerned employees opted not to avail of the required five-day mandatory vacation leave.
- (d) Those with accumulated vacation leave of less than ten (10) days shall have the option to go on forced leave or not. However, officials and employees with accumulated vacation leave of 15 days who availed of monetization for 10 days, under Section 22 hereof, shall still be required to go on forced leave. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 26. *Accumulation of vacation and sick leave.* — Vacation and sick leave shall be cumulative and any part thereof which may not be taken within the calendar year may be carried over to the succeeding years. Whenever any official or employee retires, voluntarily resigns, or is allowed to resign or is separated from the service through no fault of his own, he shall be entitled

to the commutation of all the accumulated vacation and/or sick leave to his credit, exclusive of Saturdays, Sundays, and holidays, without limitation as to the number of days of vacation and sick leave that he may accumulate provided his leave benefits are not covered by special law.

When a person whose leaves have been commuted following his separation from the service is reemployed in the government before the expiration of the leave commuted, he shall no longer refund the money value of the unexpired portion of the said leave. Insofar as his leave credits are concerned, he shall start from zero balance. *(Amended by CSC MC No. 41, s. 1998)*

Sec. 27. *Computation of vacation leave and sick leave.* — Computation of vacation leave and sick leave shall be made on the basis of one day vacation leave and one day sick leave for every 24 days of actual service using the tables of computations as follows: *(Provided for under CSC MC No. 41, s. 1998 and further amended by CSC MC No. 14, s. 1999)*

**Table I
VACATION AND SICK LEAVE CREDITS
EARNED ON A MONTHLY BASIS**

NUMBER OF MONTH/S	VACATION LEAVE EARNED	SICK LEAVE EARNED
1	1.25	1.25
2	2.50	2.50
3	3.75	3.75
4	5.00	5.00
5	6.25	6.25
6	7.50	7.50
7	8.75	8.75
8	10.00	10.00
9	11.25	11.25
10	12.50	12.50
11	13.75	13.75
12	15.00	15.00

**Table II
VACATION AND SICK LEAVE CREDITS EARNED ON A DAILY BASIS**

NUMBER OF DAYS	VACATION LEAVE EARNED	SICK LEAVE EARNED
1	.042	.042
2	.083	.083
3	.125	.125
4	.167	.167
5	.208	.208
6	.250	.250
7	.292	.292
8	.333	.333
9	.375	.375
10	.417	.417
11	.458	.458
12	.500	.500
13	.542	.542
14	.583	.583
15	.625	.625
16	.667	.667
17	.708	.708
18	.750	.750
19	.792	.792
20	.833	.833
21	.875	.875
22	.917	.917
23	.958	.958
24	1.000	1.000
25	1.042	1.042
26	1.083	1.083
27	1.125	1.125
28	1.167	1.167
29	1.208	1.208
30	1.250	1.250

Table III
LEAVE CREDITS EARNED IN A MONTH BY OFFICIAL/EMPLOYEE
WITHOUT ANY VACATION LEAVE CREDIT LEFT

NO. OF DAYS PRESENT	NO. OF DAYS ON LEAVE WITHOUT PAY	LEAVE CREDITS EARNED	NO. OF DAYS PRESENT	NO. OF DAYS ON LEAVE WITHOUT PAY	LEAVE CREDITS EARNED
30.00	0.00	1.250	14.50	15.50	0.604
29.50	0.50	1.229	14.00	16.00	0.583
29.00	1.00	1.208	13.50	16.50	0.562
28.50	1.50	1.188	13.00	17.00	0.542
28.00	2.00	1.167	12.50	17.50	0.521
27.50	2.50	1.146	12.00	18.00	0.500
27.00	3.00	1.125	11.50	18.50	0.479
26.50	3.50	1.104	11.00	19.00	0.458
26.00	4.00	1.083	10.50	19.50	0.437
25.50	4.50	1.063	10.00	20.00	0.417
25.00	5.00	1.042	9.50	20.50	0.396
24.50	5.50	1.021	9.00	21.00	0.375
24.00	6.00	1.000	8.50	21.50	0.354
23.50	6.50	0.979	8.00	22.00	0.333
23.00	7.00	0.958	7.50	22.50	0.312
22.50	7.50	0.938	7.00	23.00	0.292
22.00	8.00	0.917	6.50	23.50	0.271
21.50	8.50	0.896	6.00	24.00	0.250
21.00	9.00	0.875	5.50	24.50	0.229
20.50	9.50	0.854	5.00	25.00	0.208
20.00	10.00	0.833	4.50	25.50	0.187
19.50	10.50	0.813	4.00	26.00	0.167
19.00	11.00	0.792	3.50	26.50	0.146
18.50	11.50	0.771	3.00	27.00	0.125
18.00	12.00	0.750	2.50	27.50	0.104
17.50	12.50	0.729	2.00	28.00	0.083
17.00	13.00	0.708	1.50	28.50	0.062
16.50	13.50	0.687	1.00	29.00	0.042
16.00	14.00	0.667	0.50	29.50	0.021
15.50	14.50	0.646	0.00	30.00	0.000
15.00	15.00	0.625			

Table IV
CONVERSION OF WORKING HOURS/MINUTES
INTO FRACTIONS OF A DAY

<i>Based on 8-Hour Workday</i>			
HOURS		EQUIVALENT DAY	
1			.125
2			.250
3			.375
4			.500
5			.625
6			.750
7			.875
8			1.000
MINUTES	EQUIV. DAY	MINUTES	EQUIV. DAY
1	.002	31	.065
2	.004	32	.067
3	.006	33	.069
4	.008	34	.071
5	.010	35	.073
6	.012	36	.075
7	.015	37	.077
8	.017	38	.079
9	.019	39	.081
10	.021	40	.083
11	.023	41	.085
12	.025	42	.087
13	.027	43	.090
14	.029	44	.092
15	.031	45	.094
16	.033	46	.096
17	.035	47	.098
18	.037	48	.100
19	.040	49	.102
20	.042	50	.104
21	.044	51	.106
22	.046	52	.108
23	.048	53	.110
24	.050	54	.112
25	.052	55	.115
26	.054	56	.117
27	.056	57	.119
28	.058	58	.121
29	.060	59	.123
30	.062	60	.125