



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

Regional Office No. I, San Fernando City, La Union

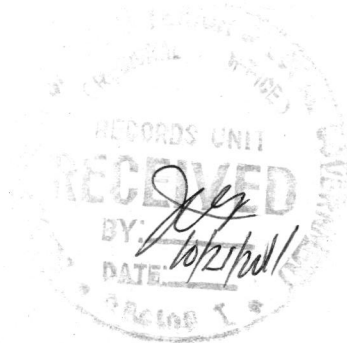
Tel. Nos. (072) 888-21-08; 700-57-46; 888-22-89; 700-27-01; 700-36-79; 607-12-45

Fax Nos. 888-22-94; 700-27-03



October 18, 2011

AMIE RONA A. GAPASIN
Barangay Secretary
Payocpoc Sur, Bauang
La Union



Dear Ms. Gapasin;

This refers to your letter requesting for legal opinion on whether or not a barangay secretary is entitled to a leave of absence.

Before dwelling on the issues, may we first invite your attention to the Book V, Rule XVI, Section 1 of the Omnibus Rules Implementing EO 292 otherwise known as the Administrative Code of 1987, to wit:

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." (as amended by Resolution No. 99-1885 dated August 23, 1999)

xxx

Dwelling on the issues, this Office opines that you are entitled to such leave privileges because you are an appointive employee (Barangay Secretary of Payocpoc, Bauang, La Union). The rules implementing Book V of EO 292 is very clear as to appointive officials who have leave privileges.

What you should do is to file your application for leave with your PunongBarangay being the Head of the Barangay.



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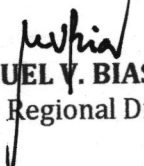
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We hope to have enlightened you on the issue at hand. Our opinion, however, is without prejudice to any ruling or opinion rendered by a higher authority or a competent tribunal.

Very truly yours,


MANUEL V. BIASON, CESO III
Regional Director

Legal/joa