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Department of Social Welfare and Development

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ADMINISTRATIVE ORDER

No. 12
Series of 2014

SUBJECT : Guidelines on the Availment of Union Work time

I. RATIONALE

Pursuant to the Collective Negotiation Agreement (CNA) between the Department and the Social Welfare Employees Association of the Philippines (SWEAP) which was signed on January 30, 2013 with a validity of three (3) years, officials and members of the Association are entitled to annual Union Work Time, as follows:

SWEAP Officers – National	-	25 days
SWEAP Officers – Regional/Chapter	-	5 days
Association Members	-	1 day

It is also provided therein that such Union Work Time shall be used only for union related work and activities, and shall be subject to giving prior notice to concerned supervisors and in accordance with existing office rules and regulations on the availment of leaves.

The Union Work Time may be availed of by SWEAP officers and members in the Central Office and in the Field Offices. The organizational unit in-charge of personnel administration in the Central Office and in the Field Offices are responsible for ensuring proper implementation thereof. The staff of these units may have different interpretations, views and biases on the matter. Hence, the need to issue this Memorandum Circular for purposes of clarity, uniformity and consistency in the interpretation and implementation of this privilege.

II. COVERAGE

This Memorandum Circular shall cover all SWEAP officers and members in the Central Office and in the Field Offices who are either permanent, temporary, casual, or contractual employees of the Department. **SWEAP officers** shall include the elected officers and the **chairperson and members of the different Committees** duly constituted by the SWEAP through Board Resolution/s. It shall not apply to non-organic staff i.e. those who are hired under **Memorandum of Agreement or Contract of Services, consultants, on the job trainees** and the likes.

III. GENERAL GUIDELINES

1. Union Work Time shall refer to the time to be used/devoted by SWEAP officers and members in doing union related activities such as union meetings, lobbying and advocacies, committee work, researches, **emergency assistance to members in crisis**, and other lawful union activities related to protection and promotion of the rights and welfare of DSWD employees and better public service. The SWEAP shall submit to the AMCC Chairperson the definition of "emergency assistance" and "members in crisis", within fifteen (15) days from the issuance of this Circular.
2. The Union Work Time shall be covered by appropriate application for leave which shall be filed, whenever possible, five (5) days in advance by SWEAP officer or member availing of such privilege, **except for attendance to training/seminar and other similar activities which is already covered by appropriate Special Order, in which case leave application is not required.** The leave shall be processed in accordance with existing policies and guidelines on the availment of leave.
3. Notwithstanding the above, for valid and justifiable reason/s, the Union Officer/Member may file his/her application for union work time within three (3) working days upon return from such leave, provided that he/she has informed his/her immediate supervisor of his/her absence through any of the available means of communication, e.g. text message, email, telephone call, etc. Failure to do so could mean disapproval of the leave application.
4. The application for leave covering Union Work Time shall be officially endorsed by the SWEAP Chapter President concerned, or by his/her authorized representative, to the concerned head of office/bureau/service/division/operating unit where the Union Officer/Member concerned is assigned.
5. The head of office/bureau/service/division/operating unit shall endorse the union leave application for approval of authorized officials based on the delineation/delegation of authority.
6. A certificate of appearance, or certification signed by the SWEAP National/Chapter President, or other appropriate document/s officially endorsed by the SWEAP National/Chapter President as proof of participation in union related activities shall be submitted to the PAD not later than five (5) working days after the availment of the leave. Should the concerned officer/member fails to submit any of the documents mentioned herein within the said timeline, his/her union work time shall be deducted from his/her vacation leave credit/s or from his/her salary if his/her vacation leave credit/s is/are already exhausted.
7. The organizational unit in-charge of personnel administration shall properly record/monitor the Union Work Time availed by SWEAP officers and members to ensure that their availment shall not exceed the allowed number of days as provided herein.
8. In cases where the SWEAP Officer/Member has already gone on leave, and his/her leave application for Union Work Time is disapproved in the exigency of the service or is found to

be in excess of the Union Work time allotted to him/her, such absence shall be deducted from his/her vacation leave credits or from his/her salary if his/her vacation leave credits have already been exhausted.

9. A SWEAP National Officer who is also a Chapter Officer shall be entitled to both the twenty-five (25) days union leave as National Officer and five (5) days as Chapter Officer.
10. Cases not covered in this Circular shall be elevated to the AMCC Chairperson for resolution.


This Administrative Order shall take effect immediately.

Issued this 4TH day of NOVEMBER 2014.


CORAZON JULIANO-SOLIMAN
Secretary

RMS/caa

Certified Copy:


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Officer In-Charge
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