



MEMORANDUM CIRCULAR NO. 18  
SERIES OF 2005

SUBJECT: **AMENDMENT OF A.O. NO. 14, S. 2004 ON THE ADOPTION OF PROGRESSIVE DISCIPLINING IN THE DSWD**

Parts V and VI of Administrative Order No. 14 s. 2004 are hereby amended to incorporate the following:

Part V shall read as follow:

“For this purpose, progressive disciplining shall apply to the following:

1. Discourtesy in the course of official duties
2. Violation of reasonable office rules and regulations
3. *Borderline cases of habitual tardiness (when an employee incurs tardiness, regardless of the number of minutes, nine (9) times a month for two (2) consecutive months, or during the first instance when an employee incurs tardiness, regardless of the number of minutes, ten (10) times in one month*
4. *Borderline cases of frequent absenteeism*
5. Refusal to render overtime services
6. Failure to act promptly on letters and request within fifteen (15) days from receipt, except as otherwise provided in the rules implementing the code of conduct and ethical standards for public officials and employees
7. Failure to process documents and complete action on documents and papers within a reasonable time from preparation thereof, except as otherwise provided in the rules implementing the code of conduct and ethical standards for public officials and employees
8. Failure to attend to anyone who wants to avail himself of the services of the office, or act promptly and expeditiously on public transactions
9. Simple neglect of duty
10. Simple misconduct
11. Insubordination “

Part VI shall read as follow:

- “ 1. Progressive disciplining shall be observed for *borderline cases of habitual tardiness, borderline cases of frequent absenteeism and the offenses specified under Part V* prior to the commencement of an administrative case against a subordinate official or employee.
2. *The Personnel Division / Personnel Unit shall inform the head of the Office / Service / Bureau of borderline cases of habitual tardiness and frequent absenteeism, copy furnished the employees concerned. The notification shall be done on a monthly basis.*
3. Consistent with their supervisory role and functions, the immediate supervisor or the head of the office/service/bureau shall issue written notice to concerned employee who:
- a) Exhibited discourteous behavior in the course of official duties;
  - b) Violated reasonable office rules and regulations;
  - c) *Is a borderline case for habitual tardiness or frequent absenteeism*
  - d) Refused to render overtime services;
  - e) Failed to act promptly on letters and request within fifteen (15) days from receipt, except as otherwise provided in the rules implementing the code of conduct and ethical standards for public officials and employees;
  - f) Failed to process documents and complete action on documents and papers within a reasonable time from preparation thereof, except as otherwise provided in the rules implementing the code of conduct and ethical standards for public officials and employees;
  - g) Failed to attend to anyone who wants to avail himself of the services of the office, or act promptly and expeditiously on public transactions; and
  - h) Committed simple neglect of duty, simple misconduct or insubordination
4. In the event that the concerned employee failed to take heed of said notice, the immediate supervisor or the head of the office/service/bureau may issue a written warning on the subject behavior. The written warning should clearly communicate the nature of the rule broken or duty failed and the possible consequences if the conduct persists.



5. In the event that the concerned employee failed to take heed of the warning, the immediate supervisor or the head of office / service / bureau shall require the employee to undergo counseling or negotiation or mediation, whichever is appropriate.
6. Counseling or negotiation shall be conducted by the supervisor or the head of Office/Service/Bureau to the erring employee. In the event that this is not feasible due to strained relationship between the parties, the case may be referred to the Personnel Division/Unit which shall facilitate the conduct of the counseling or negotiation or mediation session. The Personnel Division/Unit may tap qualified personnel to conduct the counseling or negotiation or mediation.

Counseling, negotiation or mediation shall include the following processes:

- a) Review and analyze the facts of the current situation – a finding or awareness of the situation which led to the performance problem and behavior.
  - b) Set objectives (Desired Results) – indicate what has to be done, where the primary emphasis is to be placed and what is to be accomplished. Objectives should be specific, realistic and time-bound.
  - c) Develop possible alternative courses of action and decide on a basic course of action – the advantages of each alternative should be explored and the benefits provided by each alternative identified in order to relate these to the behavior that is expected to be modified or the problem to be resolved.
  - d) Agree on the course of action – a course of action is adopted which best accomplishes the basic objective (s) and resolve the performance problem and behavior.
7. Counseling, negotiation or mediation shall be documented. The parties involved in the counseling, negotiation or mediation shall sign an agreement containing the following:

- a) the work rule violated or inappropriate behavior of the employee;
- b) the corrective action (s) that will be taken by the employee to improve the behavior;
- c) time period for the implementation of the course of action;
- d) a statement by the employee that he/she shall exert earnest effort to abide by the agreement; and
- e) a statement by the supervisor or counselor that he/she shall assist the employee in complying with the agreement.

*All parties shall be given a copy of the signed agreement.*

*The other provisions of Part VI shall be renumbered accordingly: Sec. 7 as Sec. 8; Sec. 8 as Sec. 9; and Sec. 9 as Sec. 10.*

This Order takes effect fifteen (15) days after the date of signing.

Let copies of this Circular be disseminated to all bureaus, services, and offices at the Central Office and Field Offices.

Issued in Quezon City, this 21 day of JULY, 2005.

  
LUWALHATI F. PABLO  
OIC - Secretary