



Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
Manila

ABSC-DC-18L15- 030

**DEPARTMENT CIRCULAR NO. 053**

**TO : OFFICIALS AND EMPLOYEES OF THE DEPARTMENT**

**SUBJECT : IMPLEMENTING GUIDELINES ON OVERTIME SERVICES AND OVERTIME PAY FOR DOJ EMPLOYEES**

**DATE : 18 December 2015**

**1. PURPOSE**

To provide the implementing guidelines to effectively implement the Civil Service Commission (CSC) and Department of Budget and Management (DBM) Joint Circular No. 1 s. 2015 dated 25 November 2015.

**2. COVERAGE AND EXEMPTIONS**

- 2.1 The following may be **authorized** to render overtime services with pay or compensation:
- 2.1.1 employees holding permanent positions of division chief or equivalent level or below
  - 2.1.2 incumbents of positions of division chiefs or equivalent level and below who are designated as Officers-In-Charge of higher level positions
- 2.2 However, the following are **not authorized to** render overtime services with pay or compensation:
- 2.2.1 personnel holding positions higher than division chief or equivalent levels
  - 2.2.2 personnel who are receiving other forms of allowances or benefits for services rendered beyond the prescribed working hours
  - 2.2.3 those who are on travel status

### **3. APPROVING AUTHORITY**

- 3.1 Rendition of overtime services should be authorized by the respective heads of the service, specifying the following:
- i. names of personnel who are authorized to render overtime services
  - ii. the work or activity to be undertaken/accomplished to justify the rendition of overtime services
  - iii. the period of overtime services to be rendered
- 3.2 Rendition of overtime services shall be authorized only when **extremely necessary**, such as when a particular work or activity cannot be completed within the regular work hours and that non-completion of the same will a) cause financial loss to the government or its instrumentalities; b) embarrass the government due to its inability to meet its commitments; or c) negate the purposes for which the work or activity was conceived

### **4. PERIOD OF OVERTIME SERVICES**

- 4.1 Employees who are authorized to render overtime services should render at least 8 hours of work a day for 5 days a week. This means that hours rendered for overtime services for a specific week by those who incurred tardiness, undertime and leave of absence during said week will not be counted/considered.
- 4.2 The minimum number of hours of overtime services rendered is two (2) hours on weekdays while the maximum number of hours to be considered rendered on weekends and holidays shall be twelve (12) hours
- 4.3 Period of overtime services rendered during weekdays should commence from 4:30pm, or, for those who are on flexible work hours, from 4:00pm or 5:30 pm, as the case may be

## **5.COMPUTATION FOR PAYMENT OF OVERTIME SERVICES RENDERED**

- 5.1 The following is the formula for computation of the hourly rate (HR) of overtime services rendered:  
**HR= salary rate/22 workdays/8 workhours**

The overtime pay shall be 125% or 1.25 of HR during weekdays and 150% or 1.5 of HR during Saturdays; Sundays and holidays.

Thus, the computation of the total overtime pay for a month is as follows:

$$\text{OT PAY} = \text{HR [1.25(N1) + 1.5 (N2)]}$$

Wherein

- N1** = total number of hours rendered during weekdays  
**N2** = total number of hours rendered during Saturdays, Sundays and holidays

- 5.2 Payment of overtime services rendered shall be subject to withholding tax

## **6. DOCUMENTARY REQUIREMENTS**

The following documents should be submitted to the Personnel Division, this Department, to support payment of overtime services rendered:

- Approved authority to render overtime services
- Accomplishment Report for the period rendered
- Approved Daily Time Record for the period covered

## **7.LIMITATIONS**

- 7.1 Overtime services rendered should not be used to offset undertime.
- 7.2 Handwritten entries in the Daily Time Record (DTR) will not be counted/considered as overtime services rendered.

7.3 Only a maximum of 12 hours of overtime services during Saturdays, Sundays and holidays shall be compensated through overtime pay.

7.4 The total overtime pay of an employee in a year shall not exceed 50% of his/her total basic salary for the year.

### **8.FUNDING**

8.1 Payment of overtime services rendered is chargeable against available appropriation for overtime or savings subject to existing rules and regulations under the Personnel Service (PS) Fund of the OSEC. It shall, however, not exceed 5% of the total appropriation for PS for the current year.

The Personnel Division, this Department, shall prepare a "Report on Overtime Services with Pay" using the enclosed form, to be submitted to the DBM and CSC before 31 March of each year.

This Circular shall take effect on 1 January 2016.

  
**ALFREDO BENJAMIN S. CAGUIOA**  
Secretary

Department of Justice  
CN : 0201601038



Encl.: As stated.

**cc.: All concerned**

DEPARTMENT OF JUSTICE  
RECORDS MANAGEMENT SECTION  
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