

**Office Circular No.: 24-008****Series of 2024****GUIDELINES ON AVAILMENT OF PATERNITY AND ADOPTION LEAVES****A. RATIONALE**

The Corporation recognizes the importance of supporting its employees during significant life events such as the birth of a child or the adoption of a child. The purpose of this guideline is to provide clear and comprehensive instructions on the application and granting of paternity leave and adoption leave in accordance with the amended Omnibus Rules on Leave and CSC MC No. 05 s. 2021

**B. OBJECTIVES**

1. To ensure that all eligible male employees are provided with sufficient time to support their spouses before, during, and after childbirth.
2. To enable adoptive parents to bond with their adopted children and facilitate the adoption process.
3. To align the Corporation's policies with the provisions of the amended Omnibus Rules on Leave.

**C. COVERAGE**

This guideline applies to all male employees of the Corporation, regardless of employment status, as well as employees eligible for adoption leave under the Domestic Adoption Act of 1998.

**D. DEFINITION OF TERMS**

<b>Adoption Leave</b>	Leave of absence granted to adoptive parents to develop bonding with the adoptee who is below seven (7) years of age.
<b>Adoptive Parent/Adopter</b>	Male or female government employee who is qualified to adopt under Section 7 of the Domestic Adoption Act of 1998, who shall undergo supervised trial custody and/or has obtained a decree of adoption from the court.
<b>Paternity Leave</b>	Leave of absence granted to married male employees for seven (7) days with full pay to support their legal spouses before, during or after childbirth or miscarriage.
<b>Permanent Incapacity</b>	Complete physical, mental, or psychological deficiency, disability, or illness that renders a parent incapable of complying with parental obligations, as certified by a competent medical practitioner.
<b>Pre-Adoptive Placement Authority (PAPA)</b>	Notice of approval from the Regional Director of the Department of Social Welfare and Development (DSWD) on the placement of the adoptee to the prospective adoptive parents from which the supervised trial custody shall commence. (Sections 22 and 23, Article V, IRR of R.A. No. 8552)

## **E. GENERAL GUIDELINES**

### **1. Paternity Leave**

- a. Every married male employee in the government service shall be entitled to paternity leave of seven (7) working days with full pay for the first four (4) deliveries, whether childbirth or miscarriage, of his legitimate spouse with whom he is cohabiting.
- b. A male employee with more than one (1) legal spouse shall be entitled to avail of paternity leave for an absolute maximum of four (4) deliveries regardless of whoever among his spouses deliver.
- c. 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 delivery of his legitimate spouse, but not later than the period of the maternity leave availed of by the spouse.
- d. A married male employee shall notify the Corporation in advance of the availment of paternity leave through memorandum endorsed by their Group/Unit Head and to be approved by the President and CEO. Approval of the leave application shall be mandatory on the part of the approving authority unless the services of the male employee are urgently needed to preserve life and property in which case the male employee shall be entitled to overtime pay.
- e. The paternity leave may be taken intermittently within a reasonable period before, during, and after childbirth but not exceeding the period of the spouse's maternity leave.
- f. The employee who shall avail of the paternity shall submit the following requirements to HR Unit:
  - a. Certified true copy of his marriage contract,
  - b. Birth certificate of the newborn child,
  - c. Medical certificate with pathology report in case of miscarriage duly signed by the attending physician or midwife showing the actual date of delivery.
- g. In case of complications requiring extended care, the employee may apply for additional leave subject to approval and available leave credits.

### **2. Adoption Leave**

- a. A female government employee, regardless of her civil status and employment status, and length of service who qualifies as an adoptive parent under R.A. No. 8552 or the "Domestic Adoption Act of 1998" and whose prospective adoptee is below seven (7) years of age as of placement, shall be qualified to avail adoption leave of sixty (60) days with full pay, which leave shall be enjoyed in a continuous and uninterrupted manner. If she is married, her legitimate spouse (government employee) can avail of adoption leave of seven (7) days with full pay which shall be enjoyed in a continuous or in an intermittent manner.
- b. A single male government employee, regardless of employment status and length of service who qualifies as an adoptive parent under R.A. No. 8552



and whose adoptee is below seven (7) years of age as of placement, shall be entitled to adoption leave of sixty (60) days with full pay, which leave shall be enjoyed in a continuous and uninterrupted manner. The same privilege may also be enjoyed by a married male employee with an unemployed (wife) spouse.

- c. Adoption leave shall provide an opportunity for the prospective adoptee and the adoptive parent/s to develop bonding similar to that between a child and his/her biological parents.
- d. Application for adoption leave shall be done thru a memorandum to be endorsed by the Group Head and to be approved by the President and CEO. and
- e. If the leave will be availed of before the grant of petition for adoption accompanied by an authenticated copy of the Pre-Adoptive Placement Authority issued by the Department of Social Welfare and Development (DSWD).
- f. If adoption leave is availed after the grant of the petition for adoption, the application for leave shall be accompanied by the authenticated copies of the Decree of Adoption issued by the proper court.
- g. Adoption leave must be taken in a continuous and uninterrupted manner to ensure proper bonding with the adoptee.

#### **F. SPECIFIC GUIDELINES**

1. The employee must prepare a memorandum for notification on the availment of paternity and adoption leave and secure approval thereof. This should be done at least one week prior to the availment.
2. Upon receipt of the approved memorandum, HR personnel encode leave entitlement in the leave ledger of the concerned employee.
3. Prior to the start of the leave, concerned employee shall file utilization of paternity or adoption leave in the ESS and the same shall be approved by the Group Head.
4. Employee shall immediately submit the required documents to HR upon its availability.

#### **G. DUTIES AND RESPONSIBILITIES**

<b>President and CEO</b>	<ul style="list-style-type: none"> <li>• Provide overall guidance and support for the implementation of the paternity and adoption leave guidelines.</li> <li>• Ensure that adequate resources are allocated for the smooth execution of these leave benefits.</li> <li>• Approve any policy revisions based on recommendations from HR Unit.</li> </ul>
<b>HR Unit</b>	<ul style="list-style-type: none"> <li>• Process and verify all leave applications in a timely manner.</li> <li>• Maintain accurate records of all paternity and adoption leave applications and granted leaves.</li> <li>• Provide guidance and clarification to employees regarding leave benefits and application procedures.</li> <li>• Ensure compliance with the amended Omnibus Rules on Leave and update the Corporation's leave policies accordingly.</li> </ul>

<b>Qualified Employees</b>	<ul style="list-style-type: none"> <li>• Submit complete and accurate requirements to be entitled to the paternity or adoption leave.</li> <li>• Provide prior notice of leave to the HR Unit and immediate superior whenever possible, specifying the effective dates of the leave.</li> <li>• Adhere to the guidelines and ensure that the leave is taken in a continuous and uninterrupted manner, as applicable.</li> <li>• Inform the HR Unit and immediate superior of any changes in the leave plan or any emergencies that might affect the leave period.</li> </ul>
<b>Immediate Superior</b>	<ul style="list-style-type: none"> <li>• Facilitate the approval of leave applications within their unit in a timely manner.</li> <li>• Ensure that the employee's duties are adequately covered during their leave period by reassigning tasks or arranging for temporary replacements.</li> <li>• Provide support to employees availing of leave and ensure a smooth transition back to work upon their return.</li> <li>• Communicate any unit needs or concerns regarding the leave to the HR Unit.</li> </ul>

#### H. EFFECTIVITY

These guidelines shall take effect on September 26, 2024.

**MICHAEL P. ARAÑAS**  
President/CEO

