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REPUBLIC OF THE PHILIPPINES  
MINISTRY OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE MINISTER  
MANILA

14 June 1983

MINISTRY ORDER

NO. **42**  
Series of 1983

SUBJECT: Re-issuance of the Guidelines to be followed in dealing with Officials and employees going on protracted absence without the benefit of approved applications for leave of absence (AWOL) and who never return back for duty. (Former MPH Ministry Order No. 37 series of 1981).

Reports gathered from the different offices and bureaus of the Ministry including regional/district/city offices show that there is an alarming incidence of protracted and unauthorized absences of their officials and employees. This practice is in violation of existing civil service rules and regulations, and is inimical to the interest of the service.

In order to stop this bad practice, the following guidelines on how to deal with situations like these are hereby promulgated, to cover all MPWH Officials and Employees, except Presidential appointees:

1. When an employee has been absent from the service for at least one (1) week without any approved application for leave of absence or any notice to the Chief of Office that he is sick or temporarily physically incapacitated for work, a memorandum order shall immediately be issued to him by the Head of Office concerned requiring him to report immediately for duty. This memorandum order shall be delivered personally to his residence or sent by registered mail with return card.
2. If the employee fails to report for work or submit information why he is not reporting for work within one (1) month from the date of delivery of the memorandum order requiring him to report for duty, then he shall be issued a memorandum to explain why no administrative action should be taken against him for protracted, unexplained and unauthorized absence. This memorandum shall also be delivered personally to his residence or sent by registered mail with return card.

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3. If after one (1) month from the date of delivery of this memorandum to explain, the employee does not submit an explanation or report back for duty, then corresponding formal charges for violation of the Civil Service Law and Rules and abandonment of position shall be preferred against him. These formal charges shall be delivered personally to his residence or sent by registered mail with return card.
4. If upon receipt of the formal charges the employee should decide to report back for duty, then he should be formally investigated of the charges against him and such charges should be decided in accordance with the evidence adduced.
5. However, if after one (1) month from the date of delivery of the formal charges the employee does not answer the charges or report back for duty, then the Head of Office concerned shall request the Civil Service Commission, through the Minister of Public Works and Highways, to drop the employee's name from the rolls of the service informing the Civil Service Commission that said employee has been on AWOL, specifying the length of time of such unauthorized absence, and that he has been formally charged for abandonment of office and has failed to answer such charges, much less has reported back for duty.
6. Officials and employees who are dropped from the rolls under the foregoing circumstances shall be considered as having been separated from the service for cause, and therefore shall be deemed to have forfeited all benefits earned by reason of previous employment, including leave benefits.

This Ministry Order shall take effect immediately.

  
JESUS S. HIPOLITO  
Minister