

[PNP CIRCULAR NO. 2008-005, May 17, 2008]

GUIDELINES ON AWOL CASES

1. PURPOSE

This Circular prescribes the guidelines in handling Absence Without Official Leave (AWOL)/Neglect of Duty offenses incurred by PNP uniformed personnel.

2. REFERENCES

a. DPRM Memorandum dated July 28, 1998 as approved by the Acting Chief, PNP on August 11, 1998;

b. Section 41 and 42 of RA No. 6975 as amended by Section 53 of RA No. 8551;

c. Memorandum Circular No. 95-017, entitled: *"Prescribing Guidelines Governing the Personnel Action of Dropping from the Rolls of Officers and Non-Officers of the PNP for Incurring Absences Without Official Leave/Unauthorized Absences"*-,

d. Memorandum Circular No. 96-004, entitled: *"Clarifying the Service Status of PNP members Who Have Been Marked on AWOL Pending Issuance of Dropping from the Rolls Order and/or Decision Suspending/Dismissing them from the service"*

e. NAPOLCOM Memorandum Circular No. 94-001A which amended NAPOLCOM Memorandum Circular No. 94-001, entitled: *"Identifying the PNP Officers Falling Within the Category of Equivalent Supervisors under Sec 41 (b), RA No. 6975"*;

f. Pursuant to paragraph 2 (e) hereof, the following aside from the Chief, PNP, are authorized to exercise non-disciplinary and disciplinary authority over PNP personnel under their respective offices:

- 1) Regional Directors;
- 2) Directors, Administrative Support Units; and
- 3) Directors, Operational Support Units.

g. NAPOLCOM Memorandum Circular No. 2007-001.

3. DEFINITION OF TERMS

a. *Absence Without Official Leave (AWOL)* - In general, it refers to the status of any official or employee who absents himself from work without approved leave of absence;

b. *Dropped from the rolls*-A non-disciplinary administrative sanction by which the name of the PNP personnel is deleted from the roster of personnel;

c. *Returned to PNP Control* - Refers to the status of a PNP personnel who before the issuance of an order officially dropping him from the rolls, reported back to his unit and was restored to duty status without prejudice to disciplinary proceedings that shall be taken against him.

d. *Restoration to Duty* - Is a mode of entry by a PNP member into the active service after suspension, serving a penalty and/or for the purpose of administrative investigation.

e. *Exigency of the Service*-

1) Urgent need of the service during crisis situations, such as occurrence of calamities, serious insurgency problems, strikes, etc, at the locality where respondent is assigned.

2) Urgent need of the service such as, when respondent's station is severely undermanned as to materially affect the effectiveness of the Station, taking into account the ratio of one policeman for every thousand population; or the minimum required strength of twenty one (21) PNP personnel for every municipal stations; and

3) Unique individual skill or expertise of respondent in certain area of police work, such that his continuous absence will most likely prejudice the service.

4. STATUS OF AWOL

a. AWOL as applied to the Police Commissioned Officers (PCOs) and Police Non-Officers (PNCOs) of the PNP, shall encompass but not limited to the following:

1) Absence from place of work or assignment without approved leave; or Abandonment of work or assignment without prior approval of his immediate : superior officer;

2) Failure to report for duty after expiration of approved leave of absence;

3) Failure to give notice to his immediate superior officer the fact of his inability to report for work on account of sickness or injury, or failure to file appropriate application for sick leave after his return for work, attaching the required medical certificate; and

4) Failure to report to his new assignment/unit within three (3) days from receipt of the order of reassignment or for reporting to a unit where he is not officially assigned.

5. CONCEPT

a. Dropping from the Rolls/PNP Roster of personnel - is a mode of separation which is non-disciplinary in character and does not result in the forfeiture of any benefits on the part of the officer or employee nor in disqualifying him from reemployment in the government As such, it does not require the stringent observance of due

process.

b. However, while separation from the service through dropping from the rolls is not a disqualification from reappointment, as a matter of policy in the police service, it is considered as a derogatory record and as such, will affect his reappointment or reemployment in the PNP.

6. PROCEDURE

a. Non-Disciplinary Action

Any member of the PNP falling under any of the categories mentioned in paragraph 4 hereof, for a period of five (5) calendar days or more but not to exceed thirty (30) calendar days shall be dropped from the rolls, (DFR) after due notice, in accordance with the procedure hereunder prescribed.

As regards a member who has been on AWOL for thirty (30) calendar days or more, he shall be dropped from the rolls without prior notice. However, he shall be informed of his separation not later than five (5) days from its effectivity which shall be sent to his address appearing in his latest 201 file.

- 1) Immediately after the lapse of five (5) calendar days from the date the PNP personnel has been on absence without official leave in any of the categories mentioned in Paragraph 4 hereof, the immediate superior officer shall forthwith serve a written notice, either by registered mail or personal delivery, at the former's last known address directing him to report/return for work due to exigency of the service, within three (3) days from receipt of said notice, with a warning that failure or refusal to comply with the same shall be a valid ground to drop him from the rolls.

- 2) If after the expiration of three (3) days, the absentee PNP member fails to return for work, the immediate superior officer shall submit thru proper channel, within three (3) days, the corresponding report with the recommendation to drop him from the rolls to the proper PNP authorities.

- 3) Upon receipt of the official report, the PNP authority vested with jurisdiction to exercise this non-disciplinary power shall thoroughly evaluate the records, and if the recommendation is found to be meritorious, shall forthwith issue the order of dropped from the rolls.

- 4) That pending the issuance of a dropped from the rolls order or promulgation of a decision in an administrative case for AWOL, said PNP personnel on AWOL is still considered in the service and as such, shall be allowed to report back to duty, subject to the outcome of the administrative case.

- 5) The order of dropped from the rolls issued by the Chief, PNP, Regional Directors and those PNP officers delegated with such authority, shall be immediately executory, without prejudice to the filing of a Motion for Reconsideration or Appeal, as the case may be.

In case the Motion for Reconsideration filed by the PNP member found to