

**[ PNP CIRCULAR NO. 2004-003, August 15, 2004 ]**

**IMPLEMENTING GUIDELINES IN THE GRANT OF PARENTAL LEAVE TO PNP PERSONNEL (UNIFORMED AND NON-UNIFORMED) WHO ARE CONSIDERED SOLO PARENTS**

I. REFERENCES:

- a. Republic Act No. 8972, otherwise known as the "Solo Parents' Welfare Act of 2000"; and
- b. Civil Service Commission Resolution No. 040284 dated March 22, 2004.

II. OBJECTIVES:

- a. To identify PNP Personnel considered as solo parents;
- b. To clarify the scope and conditions on the grant of parental leave; and
- c. To provide uniform interpretation and implementation of the Rules on the grant of parental leave.

III. DEFINITION OF TERMS:

*Children* - shall refer to those living with and dependent for support by the solo parents who are unmarried, unemployed and below eighteen (18) years of age, or eighteen (18) years and above but are incapable of self-support and/or mentally and/or physically challenged.

*Family* - shall refer to a PNP Solo Parent and his/her child/children; family members or relative by consanguinity up to the fourth civil degree.

*Parental Leave* - shall refer to leave benefits granted for a solo parent to perform parental duties and responsibilities where physical presence is required.

*Parental Responsibility* - with respect to minor children, shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines" and hereunder enumerated as follows.

- a. To keep them in the company, to support, educate and instruct them by right precept and good example and provide for their upbringing in keeping with their means;
- b. To give them love and affection, advice, counsel, companionship and understanding;
- c. To provide them with moral and spiritual guidance; inculcate in them honesty, integrity, self-discipline, self-reliance, industry and thrift; stimulate their interest in civic affairs, and inspire in them compliance with the duties of citizenship;
- d. To furnish them with good and wholesome educational materials, supervise their

activities, recreation and association with others, protect them from bad company, and prevent them from acquiring habits detrimental to their health, studies and morals;

e. To represent them in all matters affecting their interest;

f. To demand from them respect and obedience;

g. To impose discipline on them as may be required under the circumstances; and

h. To perform such other duties as imposed by law upon parents and guardians.

#### V. COVERAGE:

Any PNP personnel who falls under any of the following categories shall be considered. i Solo Parent for availment of Parental Leave:

a. A woman who gives birth as a result of rape and other crimes against chastity, even without a final conviction of the offender: Provided, that the mother keeps and raises the child;

b. Parent left solo or alone with the responsibility of parenthood due to any of the following circumstances:

1. death of spouse;

2. detention of the spouse or serving sentence for a criminal conviction for at least one (1) year;

3. physical/mental incapacity of spouse as certified by a public medical practitioner;

4. legal separation or de facto separation from spouse for at least one (1) year provided he/she has custody of the children;

5. declaration of nullity or annulment of marriage as decreed by a court or by a church, provided, he/she has custody of the children; and

6. abandonment of spouse for at least one (1) year.

c. Unmarried person who has preferred to keep and rear the children instead of having others care for them or give them up to a welfare institution;

d. Any other person who solely provides parental care and support to a child or children provided said person is duly licensed as a foster parent by the DSWD or duly appointed legal guardian by the court;

e. Any family member who assumes the responsibility of head of family as a result of death, abandonment, disappearance or prolonged absence of the parents or solo parent: Provided, that such abandonment, disappearance, or absence lasts for at least one (1) year.

#### VI. CONDITIONS FOR AVAILING OF PARENTAL LEAVE:

The parental leave of seven (7) days in addition to existing leave privileges shall be granted to any PNP solo parent subject to the following conditions:

a. The PNP solo parent must have rendered service in the PNP, whether continuous or broken, for at least one (1) year regardless of employment status.

b. The parental leave shall be availed of every year and shall not be convertible to cash. If not availed of within the calendar year, said privilege shall be forfeited within the same year.

c. The parental leave shall be availed of on a staggered or continuous basis subject to the approval of the head office/unit. In this regard, the