

**[CID ADMINISTRATIVE INSTRUCTIONS NO. 38,
February 02, 1988]**

**" EXPRESS LANE" OVERTIME SERVICES AND PAYMENT FOR
OVERTIME AND TRANSPORTATION AND MEAL ALLOWANCES**

Concept

The Express Lane Service provides faster processing of applications. Immigration Regulation Instructions No. 10 dated 2 February 1988, allows the release of morning applications on or before 2 00 p.m. and afternoon applications on or before 6:00 p.m. on the same day, provided, that the services to be rendered are to be paid by the applicant alien or other persons seeking registration, extensions of stay, conversion of status, and legalization.

Legal Basis

By virtue of the authority vested upon the Commissioner by the Immigration Act, Section 7-A as amended, and in line with Commission on Immigration and Deportation (CID) Memorandum Orders, dated 1 January 1985 and 21 June 1984, both previously approved by the then Minister of Justice, the following rules and regulations regarding the newly created "Express Lanes" overtime services and payment thereof are hereby prescribed:

SECTION 1. Authority to Allow Rendition of Overtime Services . —

1. The CID Commissioner may, when the interest of the service so requires, authorize CID officials and employees to render overtime services on the " Express Lane".
2. The overtime fees charged in the Express Lane are shown on Annex B [Not included.] The Commissioner may amend the transactions covered and the amount of corresponding overtime fees.
3. The Commissioner may rotate, replace, increase, or decrease the number of employees directly involved in the processing of documents, provided, that when the Commissioner assigns additional direct participants to the Express Lane, proper officials of the Commission shall adequately brief the new personnel on their assigned tasks and their corresponding duties and responsibilities, and issue certificates of orientation to the participants.
4. The Commissioner may assign other personnel in addition to the regular CID officials and employees who are

directly involved in the processing of documents to ensure the effectiveness and efficiency of the Express Lane Service.

SECTION 2. Rates of Overtime Pay . — The Immigration Act Section 7-A provides that: "Immigration employees may be assigned by the Commissioner of Immigration to do overtime work at rates fixed by him when the service rendered is to be paid for by shipping companies and airlines or other persons served."

The rates of overtime pay are as follows:

1. Commissioner, Associate Commissioner or equivalent rank P50/hr.
2. Executive Officer or equivalent rank P40/hr.
3. Division Chief or equivalent rank P30/hr.
4. All other employees P25/hr.

Provided, that before the payment of overtime earnings, and the reimbursements of meal and transportation expenses, Sections, V, VI, and VII of this Memorandum shall first be satisfied.

SECTION 3. Overtime Periods . —

1. On regular working days, overtime periods shall be between 7:00 a.m. and 8:00 a.m. and starting at 5:30 p.m.
2. On Saturdays, Sundays and holidays, overtime period shall be from 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m. An additional one hour of chargeable overtime between 12:00 noon and 1:00 p.m. shall be allowed for employees who are directly involved in the Express Lane Service.

SECTION 4. Limitations . —

1. An employee who is earning overtime pay from the Express Lane Service, shall not earn overtime pay for the same month from airlines and shipping companies. Any income from airlines and shipping companies shall be deducted from his Express Lane overtime earnings.
2. A direct participant whose services are rendered for less than one month shall earn proportionate overtime pay and allowances as direct participant.
3. Any employee whether direct or support participant who is absent or fails to complete the 8-hour work during a regular working day shall not be allowed to render overtime for that day. Further, an employee who is under suspension shall not be allowed to render overtime services and collect overtime payment for the duration of his suspension.