



VISAYAS STATE UNIVERSITY
6521-A Visca, City of Baybay, Leyte, Philippines

BOR RESOLUTION NO. 10, s. 2009

**A RESOLUTION DISAPPROVING THE
REQUEST OF DR. MARILYN M. BELARMINO FOR
A ONE-YEAR LEAVE WITHOUT PAY TO WORK FOR THE
ASIAN VEGETABLE RESEARCH AND DEVELOPMENT CENTER**

WHEREAS, the Visayas State University was created by virtue of Republic Act 9437 last April 27, 2007 which renamed the Leyte State University (created by virtue of Republic Act 9158 last 11 August 2001) which, in turn, converted the then Visayas State College of Agriculture (ViSCA) into a state university;

WHEREAS, Section 7 of R.A. 9158 as well as Section 4 of R.A. 8292 specifically empowers the Board of Regents of the University to exercise all the powers granted to the Board of Directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporate Code of the Philippines;

WHEREAS, among other powers granted to a corporation, is the power "to develop academic arrangements for institution capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts/specialists as consultants, or visiting or exchange professors, scholars, researchers, as the case may be" as stipulated in Paragraph t, Section 7 of R.A. 9158;

WHEREAS, Dr. Marilyn M. Belarmino has requested for a Secondment to the Asian Vegetable Research and Development Council (AVRDC), Shanhua, Tainan, Taiwan, Republic of China based on the letter of invitation of Dr. J.D.H. Keatinge, Director-General of AVRDC, by way of a letter to the Vice President for Academic Affairs dated 24 November 2008;

WHEREAS, it is very clear that the tenor of the letter of Dr. J.D.H. Keatinge, Director-General of AVRDC, to Dr. Marilyn M. Belarmino is one of "employment" rather than one of academic exchange;

WHEREAS, Civil Service Circular (CSC) No. 15, s. 1989 dated 02 May 1989 and signed by then CSC Chairman Patricia A. Sto. Tomas has repealed CSC Resolution No. 85-444;

WHEREAS, CSC No. 15, s. 1989 is very specific about the prohibition of government workers going on leave of absence for the purpose of seeking employment, to wit:

Government employees, as mandated by the Constitution, are expected to serve with the highest degree of responsibility, integrity, loyalty and efficiency.

Under existing civil service law and rules, government employees have been granted liberal leave benefits in keeping with the philosophy that an officer or employee who has been subjected to long and continuous work needs rest and recuperation so that he may return to work with renewed vigor and energy.

Section 30, Rule XVI of the Civil Service Rules provides that leave without pay exceeding one year may be granted in addition to the vacation and/or sick leave.

In Resolution No. 85-444, the Commission allows government officials and employees who intend to work abroad, leave of absence without pay, for a period not exceeding one year.

It has been observed that since the promulgation of Resolution No. 85-444, applications for vacation leave for purposes of working abroad have become rampant. It has also been noted that there are cases of circumvention of the said Resolution such as when the expiration of the authorized leave of absence, the employee usually returns to his work for a short period of time and thereafter re-applies for another year vacation leave to continue working abroad. Oftentimes this practice repeatedly goes on.

Such practice adversely affects agency operations which is considered inimical to the public service and is not in accordance with the philosophy behind the granting of leave benefits.

To protect the interest of public service, the Commission as the central personnel agency charged with the responsibility of adopting measures to promote morale, integrity, responsiveness and progressiveness in the civil service, hereby repeals Resolution No. 85-444. Henceforth, all applications for leave of absence where the purpose or reason for such leave is for employment in private or other government offices, either inside or outside the country, will no longer be allowed.

This Memorandum Circular shall take effect immediately.

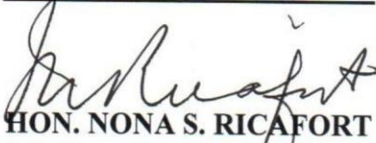
WHEREAS, the VSU Board of Regents, as a collegial body, is fully aware of the CSC MC 15, s. 1989;

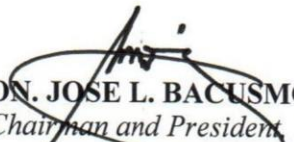
THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED to disapprove the request of Dr. Marilyn M. Belarmino, Associate Professor IV, Department of Horticulture, College of Agriculture, Visayas State University for a one (1) year leave without pay to work for the Asian Vegetable Research and Development Center (now known as World Vegetable Center) effective immediately.

RESOLVED FURTHER ordering the University President, Dr. Jose L. Bacusmo to immediately issue a return to work order to Dr. Marilyn M. Belarmino in view of the CSC prohibition.

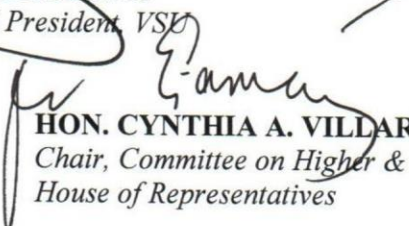
IN WITNESS of our approval thereof, we hereby affix our signatures this 3rd day of February 2009 at LNU Conference Room, Leyte Normal University, Tacloban City, Leyte.

VSU BOARD OF REGENTS


HON. NONA S. RICAFORT
CHED Commissioner and Chairman
VSU-Board of Regents


HON. JOSE L. BACUSMO
Vice Chairman and President, VSU

HON. MAR A. ROXAS
Chair, Committee on Education, Arts & Culture
Senate of the Philippines



HON. CYNTHIA A. VILLAR
Chair, Committee on Higher & Tech. Educ.
House of Representatives


Represented by:


JOSE CARLOS L. CARI

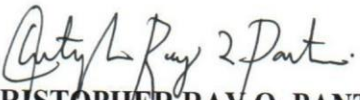
MARCELINO C. MENDOZA


HON. BUENAVENTURA C. GO-SOCO, JR.
Regional Executive Director
National Economic & Dev. Authority-RO8
Gov't. Center, Palo, Leyte


HON. LEO P. CAÑEDA
Regional Executive Director
Department of Agriculture-RO8
Tacloban City



HON. ALAN L. PRESBITERO
Faculty Regent - VSU System
Visayas State University, Visca, Baybay, Leyte


HON. EDGARDO M. ESPERANCILLA
Regional Executive Director
Dept. of Science and Technology
Government Center, Palo, Leyte


HON. CHRISTOPHER RAY Q. PANTIN
Student Regent - VSU System
Visayas State University, Visca, Baybay, Leyte

HON. BERNARDO H. TOCMO
President, VSU Federated Alumni Assn.
Visayas State Univ., Visca, Baybay, Leyte

Private Sector Representatives:


HON. VICENTE A. QUITON
Tacloban City

HON. RUFINO L. BRODETH
Ormoc City