I. REFERENCES

1. Rule XII Section II of the BJMP 2007 Manual;
2. Minutes of Regular Staff Conference, dated 20 April 1998;
5. Presidential Decree No. 442 dated 01 May 1974 re: Labor Code of the Philippines;
6. Presidential Decree No. 1921 dated 01 May 1984 re: Further Amending Certain Provisions of Title II, Book IV of the Labor Code Of The Philippines; and

II. RATIONALE

Every BJMP personnel is aware of the impending death corollary to the performance of his/her official duties and responsibilities. Nonetheless, this reality never pose discouragement to us BJMP personnel, instead, it became a gesture of acceptance of inevitable death, thus, a program was initiated to assist dependents/beneficiaries thru the provision of monetary contributions from all personnel in the organization. This noble act is not merely extending the giving of financial assistance, but it is also a recognition to jail personnel who dedicated his/her productive years in active service with the BJMP.

While this humble deed is designed to assist the grieving family of the deceased BJMP personnel, delay of its release defeats the very purpose of the program. Valuing the sacrifices of the valiant men and women of the Bureau, it is but fitting that timely support be responsive to the increasing number of beneficiaries. Hence, our jail personnel specially their families are ascertained of monetary emolument that will assuage the grief caused by the loss of a love one.

III. DEFINITION OF TERMS – As used in this guideline, unless the context indicates otherwise, the following terms shall have the following import:

Death Contribution – An amount voluntarily deducted from the salaries of the BJMP personnel as well as from the pension of BJMP retirees.

Dependents – means the legitimate, illegitimate, legitimated, legally adopted illegitimate child who is not married, not gainfully employed, and not over twenty-one years of age or over twenty-one years of age provided he/she is incapacitated and incapable of self-support due to a physical or mental defect which is congenital or acquired during minority; the legitimate spouse living with the BJMP personnel; and the parents of said personnel wholly dependent upon him/her for regular support.” (As amended by Sec. I, P.D. 1921).
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TOPIC
VOLUNTARY DEATH CONTRIBUTION

SUB-TOPIC
Guidelines/Procedures on the Expanded Grant of Monetary Contribution for Deceased Personnel

Beneficiaries – means the dependent spouse until he/she remarries and dependent children, who are the primary beneficiaries. In their absence, the dependent parents and subject to the restrictions imposed on dependent children, the illegitimate children and legitimate descendants who are the secondary beneficiaries.

Death – means loss of life resulting from injury or sickness.

IV. OBJECTIVES— this policy aims to:

1. Provide clear guidelines on the monetary contribution for deceased BJMP personnel.
2. Lay-down procedures to avail of voluntary contributions.
3. Identify beneficiaries of the deceased jail personnel in accordance with established guidelines.

V. SCOPE

The policy on voluntary death contribution shall cover all BJMP personnel, uniformed and non-uniformed, including retirees. All those who were separated from the service whether voluntary or involuntary, and retirees who suspended voluntary contributions and those who signified in writing their intention NOT to be covered by this policy are excluded.

VI. POLICIES AND GUIDELINES

BENEFICIARIES:

In the order of priority, the following shall be the beneficiaries under the policy:

a) Surviving spouse if married to the deceased prior to the latter’s retirement/separation, and not legally separated by judicial decree from the deceased issued on ground not attributable to said spouse; Provided, that entitlement to benefits shall terminate upon the re-marriage of said spouse;

b) Surviving children of the deceased born of his/her marriage contracted prior to his/her retirement/separation from the service, and adopted children, while the deceased parent was still in the active service; provided, that entitlement to the benefits shall terminate when such children attain twenty-one (21) years of age or get married or over twenty-one (21) years of age provided he/she is incapacitated and incapable of self-support due to a physical or mental defect which is congenital or acquired during minority;

c) In default of those mentioned in paragraphs a and b, surviving legitimate, adopted or illegitimate children who have reached twenty-one (21) or in default thereof, the surviving mother, father or unmarried brothers and sisters.

Prepared By:

Reviewed By:

Approved By:

JO3 Juvy B. Mintar Jr
Research, Policies and Standards JNOR
JCSUPT PAUL S. MOREN, JR, CSEE
Director for Personnel and Records Management

JCSUPT ALLAN S. IRAL, CESE
Deputy Chief for Administration of the Jail Bureau/ QMR

JDIR DENGRAZIA P. RAMAN, CESE
Chief, BJMP
d) In case the deceased personnel shall be survived by any other person or relative not falling within paragraphs a and b, said person or relative shall be given priority as a beneficiary in default of the immediately preceding paragraphs (a) and (b). Provided that in addition to those requirements provided in the Procedures para (1), except requirement (c), he/she must also present proof that he/she had been designated by the deceased personnel as the beneficiary under this program. For such purpose, the designation shall be in writing and duly notarized.

In the absence of a written designation, the death benefits may still be awarded, provided that he/she can present competent proof to show that he/she actually shouldered the expenses for hospitalization prior to death and/or burial/wake of the deceased. In such case, the release of the benefits may be deferred pending the submission of the documentary proofs.

**BENEFITS:**

The computation of the exact amount to be received by the beneficiary shall be based on this formula:

\[ VDC = CF \times (UP+NUP+RET) \]

Where:

- **VDC** represents the amount Voluntary Death Contributions
- **CF** represents the constant factor which Php 20.00
- **UP** represents the no. of Active Uniformed Personnel
- **NUP** represents the no. of Non-Uniformed Personnel
- **RET** represents the no. of retirees who are still part of the program

For this purpose, a deduction of TWENTY PESOS (Php 20.00) shall be made from the salary of every BJMP personnel and pension of retirees as voluntary contributions for every deceased personnel, but the amount of contribution shall not exceed two hundred pesos (Php 200.00), representing ten (10) deaths, at any given month.

Deduction shall not exceed Php 200.00 representing 10 claimants each month. Claimants in excess of ten (10), shall be scheduled for payment in the succeeding months.

However, in no case shall the deduction be made without providing an authority to deduct which subsists until such a written notice from the personnel to exclude him from the coverage of the program is executed.

**PROCEDURES:**

1. A qualified beneficiary or his/her duly authorized representative may file the claim for death benefits at the Directorate for Personnel and Records Management, Attention: Chief, Morale and Welfare Division. Documentary requirements are as follows:

   **Prepared By:**
   - JOG Juvy B. Mintar
   - Research, Policies and Standards JNOR
   - JCSUPT PAULINO H. MORENO JR, CSEE
   - Director for Personnel and Records Management
   - U.P. LAW CENTER
   - OFFICE OF THE NATIONAL ADMINISTRATIVE REGISTER
   - Administrative Rules and Regulations

   **Reviewed By:**
   - JCSUPT ALLAN S. IRAL, CSEE
   - Deputy Chief for Administration of the Jail Bureau/ QMR
   - FEB 15 2018
   - RECEIVED

   **Approved By:**
   - JDIR DEGORDADAS & TARAYAN, CSEE
   - Chief, BJMP
a. Original or authenticated copy of Death Certificate;

b. Original or authenticated copy of Marriage Contract, birth certificate, or other competent proof of filiation to the deceased;

c. Original or authenticated copy of the latest payslip;

d. Notarized authorization to file/claim the benefits, in case the application is filed through a representative.

2. Upon initial verification of the document duly submitted, the Chief, Morale and Welfare Division, DPRM shall forward the application for death benefits to the Chief, BJMP for approval.

3. For purposes of collecting the contributions, approved applications will be indorsed to the Finance Service Office (FSO), BJMP-NHQ. The contribution shall be deducted from the salaries/pensions of the contributing members by the FSO on the month immediately after the approval of the claim.

CONTESTED CLAIMS:

Where there are two or more claimants, i.e. but not limited to a situation where the deceased was not legally separated or when his/her marriage was not terminated by judicial decree, and he/she was survived by a common-law spouse or live-in partner and a legal spouse, the adjudication of the contested claim shall be submitted to conciliation and mediation. However, if the parties cannot arrive at an amicable settlement, the benefits shall be awarded to the claimant who actually shouldered the deceased hospitalization and/or funeral and burial expenses upon presentation of valid supporting documents.

INSTRUCTIONS:

1. Any personnel who desired not to be included in the monetary contribution scheme shall submit his/her written intention to the Directorate for Personnel and Records Management. However, upon the filing of such written statement, his/her non-inclusion to the program on voluntary death contributions shall be final.

2. Retirees who opted either for a three (3) years lump sum gratuity or automatic pension shall not be deducted with the contribution but shall still be covered by the benefits for the 3-year period immediately after the date of retirement. For the succeeding years, the retiree shall contribute the rate similar to those in the active service.

3. It shall be the responsibility of every BJMP personnel to inform his/her dependents/beneficiaries about the policy.

VII. MISCELLANEOUS
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While a retiree is exempt from paying the monthly contributions during the first three (3) years from the period commencing on the effectivity date of his/her retirement, an authority to deduct must be submitted to the finance service office to effect deductions after the period of exemption.

All personnel and retirees who are included in the previous issuances on Voluntary Death Contributions are deemed covered by the present policy.

VIII. SEPARABILITY CLAUSE

In any event that any provision or part of this policy be declared unauthorized, unconstitutional or declared invalid by a competent authority, provisions not affected by such declaration shall remain valid and effective.

IX. REPEALING CLAUSE

All other issuances which are inconsistent with this policy are hereby rescinded or modified accordingly.

X. EFFECTIVITY

This Circular shall take effect fifteen (15) days following the filing of a copy hereof at the University of the Philippines Law Center in consonance with Section 3 and 4, Chapter 2, Book VII of Executive Order No. 292, otherwise known as "The Revise Administrative Code of 1987".
AUTHORIZATION FOR DEDUCTION AND REMITTANCE
(Deed of Undertaking)

TO WHOM IT MAY CONCERN:

I ___________________________ a bona fide member of the Bureau of Jail Management and Penology do hereby authorize the BJMP Finance Service Office (FSO) to deduct from my monthly salary or pension the amount not exceeding Two Hundred Pesos (Php 200.00) as monetary contribution for deceased personnel of the BJMP. This authorization is made voluntarily and shall not be rescinded nor revoked without my written approval.

Date: ________________________

(Personnel's Signature Over Printed Name)