I. REFERENCES

a. Revised BJMP Manual of 2007;

b. Memorandum of Agreement (MOA) between the Bureau of Jail Management and Penology (BJMP) and the Land Bank of the Philippines (LBP) Re: Automated Payroll System;

c. Executive Order No. 209 otherwise known as the Family Code of the Philippines promulgated on July 6, 1987;


e. Executive Order No. 462 entitled Adopting Measures and Safety Nets to Protect the Income of Government Employees, Creating the Committee on Protection of Income of Government Employees, and for Other Purposes promulgated on September 19, 2005;


g. Republic Act No.386, as amended, otherwise known as the "Civil Code of the Philippines"; and

h. Republic Act No. 10964 otherwise known as the General Appropriations Act for Fiscal Year 2018 approved on December 19, 2017.

II. RATIONALE

Salary Assignment/Class “E” Allotment was first introduced by the Armed Forces of the Philippines (AFP) to assist their personnel assigned in remote areas in sending a part of their salary to their dependents. The set-up allows their personnel most especially those who are assigned in combat duties to focus on their crucial tasks. The Philippine National Police (PNP) adopted the system for the same purpose.

The continuous increase in the number of requests for Salary Assignment/Class “E” Allotment presents a problem in the preparation of the agency payroll system. To accommodate the requests, the payroll data of the assignors need to be extracted and manually adjusted from the original program of the Automated Payroll System (APS). Moreover, most agreements contain differing terms and conditions. In most cases, the amount of monthly support is expressed in percentage of either the gross or net salary of the assignor. In other instances, the terms include the partitioning of the bonuses of the assignors.

The current set-up brings about unnecessary hitches in the preparation of the monthly payroll of the Bureau. In the simplest context, the extraction and manual adjustment of the
data of all personnel with Salary Assignment/Class “E” Allotment every posting period defeats the paramount purpose of the Bureau’s Automated Payroll System (APS).

III. PURPOSE

This Memorandum Circular prescribes the guidelines and procedures in the enrollment and payment of Salary Assignment/Class “E” Allotment of BJMP personnel to their dependents that is compatible with the APS of the BJMP. It also defines the duties and responsibilities of all personnel concerned in the administration of the same.

IV. SCOPE

This Memorandum Circular shall cover all BJMP personnel in the active service only.

V. DEFINITION OF TERMS

As used in this Memorandum Circular, the following terms shall be taken to mean as follows:

a. Assignee – the person or dependent to whom the Salary Assignment/Class “E” Allotment is being paid;

b. Assignor – the BJMP Personnel who executes the Salary Assignment/Class “E” Allotment;

c. Automated Payroll System – Computer based application currently used by the BJMP to facilitate the payment of the salary of its personnel;

d. ATM Card – LBP issued card used by BJMP personnel to access and withdraw their salary and allowances from any accredited ATM machines;

e. Dependents - Dependents shall be the following: (a) the legitimate spouse dependent for support upon the member; (b) the legitimate, legitimated, legally adopted child, including the illegitimate child, who is unmarried, not gainfully employed, not over the age of majority, or is over the age of majority but incapacitated and incapable of self-support due to a mental or physical defect acquired prior to age of majority; and (c) the parents dependent upon the member for support. Provided that two (2) persons cohabiting as husband and wife for at least five (5) years without legal impediment to marry shall be considered dependent of each other;
f. Guardian – A guardian is the caretaker of a minor, his or her property, or both. A person lawfully invested with the power, and charged with the obligation, of taking care of and managing the property and rights of a person who, because of age, understanding, or self-control, is considered incapable of administering his or her own affairs;

g. Letter of Introduction (LOI) – a letter signed by the Chief, FSO addressed to the manager of any LBP branch endorsing any personnel or assignee for enrollment in the BJMP Automated Payroll System;

h. BJMP Personnel – active personnel of the BJMP including Jail Officer Ranks (JOR), Jail Non-Officer Ranks (JNOR), and Non-Uniformed Personnel (NUP);

i. Salary Assignment/Class “E” Allotment – a definite portion of the salary of a BJMP personnel which he/she has authorized to be paid to his assignee for a fixed period of time; and

j. Servicing Bank – LBP branches assisting the BJMP in the implementation of its Automated Payroll System (APS).

VI. GENERAL GUIDELINES

The amount of Salary Assignment/Class “E” Allotment should be subject to the provisions of the Family Code of the Philippines. The amount of support to be granted shall be based from and in proportion to the financial means and resources of the assignor. In no case shall the net take home pay of the assignor be reduced lower than what is mandated by law.

VII. OPERATING PROCEDURES

The following are the administrative and operational procedures to be observed in the enrollment and payment of the Salary Assignment/Class “E” Allotment of qualified beneficiaries.

1. Request for Salary Assignment/Class “E” Allotment shall be made by the assignor using the prescribed form (Annex-“A”). The request shall be supported by a photocopy of the BJMP ID of the assignor, valid ID of the assignee, and a document showing the relationship of the assignor and assignee (e.g. marriage contract, birth certificate, etc.).
2. The form shall be submitted to the Chief, Personnel and Records Management Division (C, PRMD) who shall validate the legality of the dependent/assignee;

3. The Disbursing Officer (DO) shall check and certify if the salary of the assignor is enough to cover the amount requested;

4. The Regional Legal Officer shall certify the veracity of the undertaking;

5. The request shall then be endorsed by the Regional Director (RD) to the Chief, Finance Service Office (C, FSO), who shall, after evaluation, act on the request. Once approved, the C, FSO shall issue a corresponding Letter of Introduction (LOI) to the assignee to open an ATM Account with an LBP Branch nearest to his/her residence;

6. After opening an account, the assignee shall submit the following documents to the Disbursing Officer (DO) who shall validate and endorse the same to the C, FSO:
   a. Certification of account opening from LBP; and
   b. Photocopy of the ATM Card signed by the assignee and authenticated by the DO.

7. Once received, the FSO shall calendar the inclusion of the Salary Assignment/Class “E” Allotment on the succeeding pay period; and

8. Any changes on the approved Salary Assignment/Class “E” Allotment shall be made in writing. Both parties should appear before the Regional Legal Officer who shall certify the veracity of the undertaking.

VIII. SPECIFIC GUIDELINES

In order to fully implement the computerization of the payroll system of the BJMP, all Salary Assignments/Class “E” Allotments shall conform to the following requirements:

1. The monthly Salary Assignment/Class “E” Allotment shall be indicated in a specific amount and not in percentage form;

2. The monthly Salary Assignment/Class “E” Allotment shall be in whole numbers;

3. The monthly Salary Assignment/Class “E” Allotment shall not exceed one-half (1/2) of the base pay computed on a thirty (30) working day period;

4. The monthly Salary Assignment/Class “E” Allotment shall be for a fixed term. In no case shall the term extend up to the retirement of the assignor; and
5. Bonuses shall not be included in any Salary Assignment/Class "E" Allotment.

All existing Salary Assignments/Class "E" Allotments covered by court orders shall continue to be deducted in accordance with the tenor thereof.

However, private parties to existing Salary Assignments/Class "E" Allotments covered by a contract/compromise agreement shall be given a period of sixty (60) days from the effective of this circular to renew their respective contract, otherwise, the allotment shall be discontinued. The new contract shall conform to the requirements herein set forth and shall be submitted or endorsed by the RD to the C, FSO within sixty (60) days from the effective of this circular.

IX. SEPARABILITY CLAUSE

In the event that any provision of this Memorandum Circular is declared illegal or rendered invalid by competent authority, the provisions not affected thereby shall remain valid and effective.

X. REPEALING CLAUSE

All other existing BJMP issuances which are inconsistent with the provisions of this Memorandum Circular are hereby rescinded or modified accordingly.

XI. EFFECTIVITY

This amendment shall not affect the effectivity of this Memorandum Circular.