I. LEGAL BASIS

a. Executive Order No. 161. Prescribing the Adoption of New Standard Forms to be Accomplished by Officials and Employees for Foreign Trainings, dated February 18, 1994;


c. Executive Order No. 367. Further Amending Executive Order No. 129 Dated May 6, 1968, as Amended by Executive Order No. 421, dated November 26, 1973;

d. CSC Memorandum Circular No. 3, Series 2012, Re: Program to Institutionalize Meritocracy and Excellence in Human Resource Management (PRIME—HRM); and

e. BJMP Memorandum Circular re: Human Resource Development Council, Renaming the Personnel Development Council (PDC) to Human Resource Development Council (HRDC) and Establishing its Policies, Guidelines, and Procedures.

II. OVERVIEW/RATIONALE

The Bureau of Jail Management and Penology (BJMP) is a government agency that specializes in safekeeping and development of Persons Deprived of Liberty (PDL). The complexity and peculiarity of the profession requires specific skills that are honed through experience and undergone specialized trainings. Currently, majority of the specialized trainings and seminars of personnel are facilitated by allied agencies or other organizations making selection and evaluation of BJMP delegates vital in maximizing opportunities for career growth and Bureau development.

However, despite careful selection of participants, their service/assignment to offices that require their gained experience is not institutionalized. This results in personnel underperformance and the Bureau’s non-return of investment (ROI) in terms of human resource investment.

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"Changing Lives, Building a Safer Nation"
MEMORANDUM CIRCULAR
STANDARD OPERATING PROCEDURE ON LEARNING AND DEVELOPMENT
SERVICE OBLIGATION CONTRACT FOR SCHOLARSHIP GRANTS

The process stated herein aims to institutionalize the placement/designation of personnel to positions they are most capable of based on training/seminars attended or completed pursuant to their Service Obligation Contract. This will maximize the investment of the Bureau on its human resources as well as promote competency-based career progression.

III. PURPOSE

The purpose of this policy is to institutionalize Service Obligation of personnel who undergo specialized training/seminar/course whether facilitated by the Bureau or other agencies/organizations.

IV. SCOPE

This policy shall apply to all personnel of the BJMP.

V. PROCEDURE

DHRD shall process all requests/endorsement of personnel for any specialized learning and development intervention following the procedure stated in the DHRD Handbook and policy creating the Human Resource Development Council. Prior to the issuance of official endorsement to sponsoring agency or organization, personnel, whose Council recommendation is approved and upon successfully passing all qualifying examinations of the sponsoring agency/organization, if necessary, shall be made to sign a Service Obligation Contract for Scholarship Grants with the Bureau.

The contract shall state, among others, his/her willingness to serve under the capacity wherein the gained expertise is needed in accordance with BJMP placement standards and BJMP Competency Framework. Personnel not willing to sign the Service Obligation Contract for Scholarship Grants shall be the least priority among qualified candidates for any BJMP facilitated training/seminar/scholarship. However, for any local or foreign scholarships/trainings/seminars offered by other agencies or organization, signature of the Service Obligation Contract for Scholarship Grants is mandatory to

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endorsement. HRDC resolution shall include therein the prospective designation(s)/office(s) for grantees based on the program applied for and duration of obligatory months of service based on the table provided hereunder (Table 1).

Signing of the Service Obligation Contract for Scholarship Grants is a requirement for endorsement to any learning and development intervention but does not entitle personnel to any position or designation. Placement of personnel is separate and distinct to the requirement to serve under the contract and is within the discretion of the appointing authority.

DHRD shall maintain a list of personnel who underwent any specialized learning and development intervention for reference. Upon graduation, DHRD shall recommend appropriate placement/designation of personnel based on HRDC resolution. DPRM shall consider such recommendation in the issuance of order following the standard procedure in personnel placement.

VI. SERVICE OBLIGATION CONTRACT FOR SCHOLARSHIP GRANTS

Personnel shall sign multiple copies of the Service Obligation Contract for Scholarship Grants: one (1) copy for DHRD, one (1) copy for DPRM, one (1) copy for Regional Office, if assigned at the Regional Office or jail unit, and one (1) personal copy. A template of the contract is provided herein (Annex A).

Time of service for any training/seminar/scholarship shall depend on the length of the learning and development intervention, to wit:

<table>
<thead>
<tr>
<th>TRAINING DURATION</th>
<th>LENGTH OF SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>For every year or a fraction thereof not less than 6 months</td>
<td>2 years</td>
</tr>
<tr>
<td>A fraction of a year less than 6 months but not less than 2 months</td>
<td>1 year</td>
</tr>
<tr>
<td>A fraction of a year less than 2 months</td>
<td>6 months</td>
</tr>
</tbody>
</table>

Table 1. Length of Service Obligation Corresponding to Training Availed by Personnel

During his/her scholarship/training, failure of the grantee to fulfill obligations provided in the contract shall be sufficient cause for the cancellation of his/her

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scholarship/training grant and for his recall. Should failure in any of such cases be due to his/her own fault or willful neglect, he/she shall refund all expenses in accordance with the provision/s of the contract.

When proportionate refund is applicable, the amount and mode of payment shall be determined by the HRDC and recommended to the Chief, BJMP for approval. Said amount shall be paid within three (3) years from approval of the Chief, BJMP and notice to the grantee of the same. The grantee shall then execute an affidavit of undertaking duly secured by a bond with the agency attesting to his/her agreement to the payment of proportionate refund.

The Bureau, in the following cases, may waive payment of refund:

a. Abolition of the Office or involuntary phase-out of the grantee in a reorganized office; and

b. Death or permanent disability of grantee.

Any violation or non-compliance herewith shall be deemed as Violation of Reasonable Office Rules and Regulations under the 2017 Comprehensive BJMP Administrative Disciplinary Machinery (2017 ADM) and shall be dealt with accordingly. The Bureau reserves the right to impose other administrative actions, to include but not limited to disqualification to avail of other foreign and/or local scholarship/training/seminar, to erring personnel.

Upon successful completion of the scholarship/training, he/she shall fully serve his/her obligation once designated by competent authority through the issuance of an official order.
VI. PROCESS FLOW

START

DHRD disseminates invitation for any learning and development intervention

→

DHRD receives and endorses applicants to HRDC for evaluation

→

C, BJMP approves Council resolution

If disapproved, C, BJMP states justification(s)

DHRD maintains a list of personnel endorsed to any learning and development intervention

→

DHRD shall require submission of duly accomplished Service Obligation Contract

→

DHRD shall inform successful candidates

DHRD shall guide candidates through the qualifying examinations, if applicable

DHRD shall monitor compliances to contract and any other obligations of personnel/grantees

→

Submission of contract is a requirement for issuance of formal endorsement to sponsoring agency

If ordered, personnel shall fully serve obligation(s) under the contract

Upon return, DHRD recommends placement of personnel to DPRM

Recommended placement shall be in accordance with HRDC resolution

The full period of service shall be rendered continuously

END

VII. REPEALING CLAUSE

All BJMP issuances/directives that are inconsistent with the provisions of this policy are hereby repealed and/or modified accordingly.

VIII. SEPARABILITY CLAUSE

If, for any reason, any part or provision of this policy is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.

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Jail Director
Chief, BJMP

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IX. EFFECTIVITY

This Memorandum Circular (MC) shall take effect fifteen (15) days from filing thereof at the University of the Philippines Law Center (UPLC) in accordance with Sections 3 and 4, Chapter II, Book VII of Executive Order No. 292, otherwise known as the "Administrative Code of 1987."

Approved and signed this ______ day of ____________ 2019 at BJMP National Headquarters, 144 Mindanao Avenue, Quezon City.

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Director, DHRD

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Approved By:  
DEOGRACIAS S. CAPAYAN, CESE  
 Jail Director  
Chief, BJMP

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ANNEX A
(BJMP Header)

SERVICE OBLIGATION CONTRACT FOR SCHOLARSHIP GRANTS

The Government of the Philippines through the
BUREAU OF JAIL MANAGEMENT AND PENOLOGY
represented by

Chief, BJMP
hereinafter referred to as the GRANTOR; and

________________________ of legal age, Filipino, (civil status),
presently residing at _______________________________________
hereinafter called the GRANTEE; and

________________________ of legal age, Filipino, (civil status),
presently residing at _______________________________________
hereinafter called the GUARANTOR,
hereby agree to be bound by this Service Obligation Contract.

WITNESSETH:

That pursuant to the Standard Operating Procedure on Service Obligation Contract
and in consideration of the grant and acceptance by the GRANTEE of a
scholarship/training award to undergo on official time a program entitled

from ________________ to ________________, 20__. The GRANTEE hereby agrees to
the following terms and conditions:

1. That the GRANTEE shall keep up with the standards of the scholarship/training;

2. That the GRANTEE shall conduct himself/herself in a manner as not to bring
disgrace or dishonor to himself/herself or his/her country;

3. That the GRANTEE shall submit to the Chief, BJMP and to the DHRD his/her
official transcript of grades, certificate of performance or the equivalent;

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Approved By:

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Jail Chief Superintendent

DEOGRAHCAS C. TAPIAYAN, CESE
Jail Director

JSSUPT BRENDAN O FULGENCIO
Director, DHRD

Chief

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4. That the GRANTEE shall return immediately to the Philippines, if outside the country, and report to his/her office upon the completion or termination of his/her scholarship/training;

5. That the GRANTEE shall submit to his/her Office, to DHRD, and to other concerned offices, a Completion Report or After Activity Report on his/her training/scholarship within five (5) days after his/her return to duty;

6. That the GRANTEE shall submit his/her Re-Entry Action Plan (REAP) or Learning Action Plan (LAP) within five (5) days upon return to duty;

7. That the GRANTEE shall serve the BJMP as/under (designation/office) fit for his/her expertise for a minimum period of ________ months as exigency of service require;

8. That should the GRANTEE fail to comply with the foregoing conditions through his/her fault or willful neglect, resignation, voluntary retirement or other causes within his/her control, he/she shall refund to his/her Office the full amount defrayed by the Philippine Government as enumerated below:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Transportation</td>
<td>P_____</td>
</tr>
<tr>
<td>b. Tuition and other fees</td>
<td>P_____</td>
</tr>
<tr>
<td>c. Allowances (GOP)</td>
<td></td>
</tr>
<tr>
<td>i. Clothing</td>
<td>P_____</td>
</tr>
<tr>
<td>ii. Living/Stipends</td>
<td></td>
</tr>
<tr>
<td>iii. Establishments</td>
<td></td>
</tr>
<tr>
<td>iv. Books</td>
<td></td>
</tr>
<tr>
<td>d. Salaries, other emoluments and adjustments</td>
<td>P_____</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
</tr>
</tbody>
</table>

Proportionate refund shall be allowed provided that the GRANTEE has served the Bureau at least 75% of his/her total service obligation.

9. That the GRANTEE shall have a GUARANTOR as his/her co-maker or co-signor in this contract that shall assume full responsibility jointly and severally should he/she fail to comply with the conditions set forth.
MEMORANDUM CIRCULAR

TOPIC
STANDARD OPERATING PROCEDURE ON LEARNING AND DEVELOPMENT

SUB-TOPIC
SERVICE OBLIGATION CONTRACT FOR SCHOLARSHIP GRANTS

In WITNESS WHEREOF, we have hereunder set our hands this _____ day of ____________, 20__ at ________ .

__________________________                    ____________________________
Chief, BJMP                                GRANTEE

__________________________
GUARANTOR
(Relative of Grantee)

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
__________________________ ) S.S.

BEFORE ME, this _____ day of ____________, 20__ in the ____________ of ______________, Philippines, personally appeared
__________________________
(name of GRANTEE)
on ______________________: ________________________, with Residence
(name of GUARANTOR)
Certificate Number ______________________ issued at ______________
on ______________________ respectively, known to me to be the same persons who
executed the foregoing instrument and they acknowledged to me that they are the same
persons in their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of
______________, 20__.

Prepared By:

Reviewed By:

Approved By:

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