



**MEMORANDUM**

**NO. 159 s. 2018**

**To:** School Heads, Elementary and Secondary  
All Division Office Personnel

**FROM:** AGUSTINES E. CEPE, Ph.D., CESO VI  
Schools Division Superintendent

**Subject:** Guidelines on the Private Practice of Profession

**Date:** June 7, 2018



1. Under section 7(b)(2) of RA 6713 provides: Section 7. *Prohibited Acts and Transactions*. - In addition to acts and omissions of public officials and employees now prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any public official and employee and are hereby declared to be unlawful:

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(b) Outside employment and other activities related thereto. - Public officials and employees during their incumbency shall not:

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(2) Engage in the private practice of their profession unless authorized by the Constitution or law, provided, that such practice will not conflict or tend to conflict with their official functions; or

xxx



2. Section 12, Rule XVIII of the Revised Civil Service Rules, which provides:

*Sec. 12. No officer or employee shall engage directly in any private business, vocation, or profession or be connected with any commercial, credit, agricultural, or industrial undertaking without a written permission from the head of Department; Provided, That this prohibition will be absolute in the case of those officers and employees whose duties and responsibilities require that their entire time be at the disposal of the Government: Provided, further, That if an employee is granted permission to engage in outside activities, the time so devoted outside of office hours should be fixed by the chief of the agency to the end that it will not impair in any way the efficiency of the other officer or employee: And provided, finally, That no permission is necessary in the case of investments, made by an officer or employee, which do not involve any real or apparent conflict between his private interests and public duties, or in any way influence him in the discharge of his duties, and he shall not take part in the management of the enterprise or become an officer or member of the board of directors.*

3. Pursuant to par. E. of D.O. no. 5 series of 2008, the Schools Division Superintendents are the approving authorities on request for permission to teach or practice of profession by school personnel and Division office personnel.
4. Accordingly, and pursuant to existing CSC issuances, R.A. 6713, and R.A. 3019, all are enjoined to adhere to the following, to wit:

- 1.) *There shall be absolutely no teaching by Government official and employees during office hours even if time spent is covered by corresponding vacation leave;*
- 2.) *Permission to teach may be granted only for subjects or courses which are related to the particular field of work of the official or employee concerned or for special fields or subjects where there is dearth of qualified teachers;*
- 3.) *If permission is to be granted, teaching load shall be limited to twelve hours per week, and in no case shall a government employee be*



*allowed to teach more than three hours a day on regular working days(Monday to Friday);*

- 4.) No official or employee shall be allowed to teach in any school or institution over which he directly or indirectly exercises jurisdiction, control or supervision, or influence by reason of his office or position in the Government in contemplation of the Anti-Graft and Corrupt Practices and Prohibited Acts under the Code of Ethics;*
  - 5.) Request of teachers for permission to teach or practice of profession shall be accompanied by a statement of his/her official loads with the schedule, signed by the School Head.*
  - 6.) To ensure compliance to load limitation, the applicant shall submit a certification from the authorized official of the private school or entity, where the profession is to be practice, as to his/her loads with the corresponding number of units and the schedule addressed to the Schools Division Superintendent;*
  - 7.) Officials and employees applying for permission to teach must be physically fit in order not to prejudice the performance of their duties, and for this purpose, he/she shall submit a medical certificate signed by a government physician;*
  - 8.) Permission to teach shall be on a per semester basis;*
5. Permission to teach may be withdrawn or revoke whenever the exigency of the service so requires if the herein conditions prescribed had been violated.
  6. For guidance and strict compliance.