

NPM No. 106-2016

6 December 2016

MS. MARY ANGELENE DP. ARABIT-TOLENTINO

Director III

Procurement Service

DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT

IBP Road, Batasan Pambansa Complex,

Constitutional Hills, Quezon City

Re: Honoraria for Job Order Employees

Dear Director Arabit-Tolentino:

This refers to your letter requesting clarification on whether Job Order (JO) employees are entitled to receive Honoraria when they are designated members of the Technical Working Group (TWG), in addition to their regular functions outside the procuring units of the Office.

Section 15 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 provides that the procuring entity may also grant payment of Honoraria to the BAC Secretariat and the TWG members, subject to the rules of the Department of Budget and Management (DBM). To implement the provision of Section 15 of RA 9184 and its IRR, the DBM issued Budget Circular Nos. 2004-5A¹ and 2007-3². Under these Budget Circulars, members of the BAC, BAC Secretariat and TWG are entitled to the payment of Honoraria for successfully completed procurement projects.

We note, however, that the cited Circulars are silent on whether the members of the TWG who are entitled to receive Honoraria shall be holding a *plantilla* position or even those under a Contract of Service or Job Order are included. The requirement imposed for the entitlement to Honoraria is that the personnel should be duly assigned as chair or member of the BAC or the TWG by the head of the department/agency concerned, or the BAC.

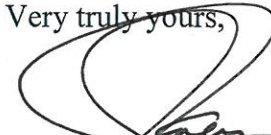
In this regard, it is our considered view that personnel duly assigned as chair or member of the TWG may be entitled to the payment of honoraria for successfully completed projects regardless of whether the personnel is occupying a *plantilla* position, or is engaged under a Contract of Service or Job Order. This notwithstanding, we refer you to the DBM, as the issuing agency of the cited Budget Circulars, for a more authoritative response on the matter.

¹ Issued on 7 October 2005.

² Issued on 29 November 2007.

We hope that this opinion issued by the GPPB-TSO provided sufficient guidance on the matter. Note that this is issued on the basis of particular facts and situations presented, and may not be applicable given a different set of facts and circumstances. Should there be other concerns, please do not hesitate to contact us.

Very truly yours,



DENNIS S. SANPIAGO
Executive Director V

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