



2017 Employees' Provident Fund Management of Eastern Visayas State University

**(EVSU-2017 EPFM)
MANUAL**

Approved per Board Resolution
No. 26, s. 2018 on March 21, 2018
by the EVSU Board of Regents.



Preface

This 2017 Employees' Provident Fund Management Manual of Eastern Visayas State University Manual is comprehensively crafted with the ultimate goal of making it consistent with and contributory to the proper, effective and efficient implementation of policies specifically Item No. 2, Section 7, Book V of Executive Order (E.O) No. 292, Section 41 of R.A. No. 7190 and subsequent GAAs, DBM Budget Circular No. 2008-3 dated June 20, 2008, Executive Order No. 641 issued on July 25, 2007, and related laws, rules and regulations promulgated by the President of the Philippines, Congress of the Philippines, Department of Budget and Management, Commission on Higher Education, Commission on Audit and such government agencies concerned including the jurisprudence or doctrines enunciated by the Supreme Court of the Philippines.

The 2017 EVSU-EPFM Manual is organized according to the relevance and similarity of the provisions, and is comprised of 7 Chapters, 24 Articles and 82 Sections: Chapter I provides the Preliminary Provisions; Chapter II states the Establishment, Coverage, Purpose, Objectives and Overall Responsibility; Chapter III provides the Administration and Management; Chapter IV presents the Governing Board of the EVSU-EPF; Chapter V states the Policies on Membership and General Membership Duties and Responsibilities, and Benefits of Members; Chapter VI contains the Fund and Resources' Management; and Chapter VII covers the Final Clauses.

This Manual clearly embodies the noble resolve of the EVSU Board of Regents to give the officials, faculty members and non-teaching personnel due recognition for their suggestions, inventions, superior accomplishment, and other personal efforts contributory to attain the efficiency, economy, or other improvement of University operations and such other extraordinary acts or services in the public interest in connection with, or in relation to, their official employment, along with the mandates, four-fold functions, vision, mission, objectives, goals and continuing improvement of the University.

This Manual is the first of its kind in the University's history which sets the operational rules and mechanisms in ascertaining and providing for awards and incentives to its officials, faculty members and non-teaching personnel as enunciated under Section 41 of R.A. No. 7190 and subsequent GAAs, DBM Budget Circular No. 2008-3 dated June 20, 2008, Executive Order No. 641 issued on July 25, 2007 and subsequent issuances thereof. Indeed, this Manual is a potent mechanism protecting, advancing and nurturing the welfare of the officials, faculty members and pro-non-teaching personnel of the University.

BY THE AUTHORITY OF THE EVSU BOARD OF REGENTS:

DOMINADOR O. AGUIRRE, JR., D.M.
University President III
Vice Chairperson, EVSU Board of Regents
Chairperson, EVSU- Administrative Council

J. PROSPERO E. DE VERA III, D.P.A.
Commissioner and Officer-in-Charge
Commission on Higher Education
Chairperson and Presiding Officer
EVSU Board of Regents



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

Board Resolution No. 26

Series of 2018

RESOLUTION APPROVING/ADOPTING THE 2017 EMPLOYEES' PROVIDENT FUND MANAGEMENT OF EASTERN VISAYAS STATE UNIVERSITY MANUAL OR THE EVSU-2017 EPFM MANUAL (COPY HERETO ATTACHED AS INTEGRAL PART HEREOF), EFFECTIVE IMMEDIATELY, SUBJECT TO THE PROVISIONS OF DBM BUDGET CIRCULAR NO. 2008-3 DATED JUNE 20, 2008, EXECUTIVE ORDER NO. 641 ISSUED ON JULY 25, 2007 AND SUBSEQUENT ISSUANCES THEREOF, AND APPLICABLE LAWS, RULES AND REGULATIONS

Adopted/Approved this 21st day of March 2018 pursuant to Board Resolution No. 26, s. 2018 approved during the 74th Regular Board Meeting (First Quarter, CY 2018) held at the at the Commission on Higher Education, Conference Room, 4th Floor, Higher Education Development Center Building, C.P. Garcia Ave., UP Campus, Diliman, Quezon City.

J. PROSPERO E. DE VERA III, D.P.A.

*CHED Commissioner
Chair, EVSU Board of Regents*

FRANCIS JOSEPH G. ESCUDERO

*Chair, Committee on Education
Senate of the Philippines
Member*

Represented by:

FRANCES ANN BASILIO PETILLA

EDGARDO M. ESPERANCILLA, CESO II

*Regional Director, DOST-Region VIII
Member*

ROGELIO D. BASAS

*President, Federation of EVSU Faculty
Association, Inc.
Member*

RAUL S. SOLIVA

*President, Federation of Alumni Associations
of EVSU, Inc.
Member*

DANIEL A. ARIASO SR., CESO II

*Private Sector Representative
Member*

DOMINADOR O. AGUIRRE, JR., D.M.

*University President III
Vice Chair, EVSU Board of Regents*

ANN K. HOFER

*Chair, Committee on Higher & Technical Education
House of Representatives
Member*

Represented by:

FLORENCIO "BEM" GABRIEL NOEL

BONIFACIO G. UY, CESO IV

*Regional Director, NEDA-Region VIII
Member*

MICHAEL L. MUZONES

*President, Federation of Supreme Student
Governments of EVSU
Member*

PACIENTE A. CORDERO, JR., D.Sc.

*Private Sector Representative
Member*

Certified Correct:

ANALYN C. ESPAÑO, M.A.

Board/University Secretary



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS
Board Committee on Finance

FOR: THE HONORABLE CHAIR AND MEMBERS
EVSU Board of Regents, Tacloban City

THRU: DR. DOMINADOR O. AGUIRRE, JR.
University President III

SUBJECT: Committee Report

FROM: Board Committee on Finance

=====

The Board Committee on Finance, to which the **2017 Employees' Provident Fund Management of Eastern Visayas State University Manual** or the **EVSU-2017 EPFM Manual** (*copy hereto attached as integral part hereof*) has been referred to for further review and evaluation, and after presentation by the Board Committee on Draft Writing and Review of Policies and Rules (*formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees*) Chaired by Regent Daniel A. Ariaso Sr., hereby respectfully submits its findings and recommendations, to wit:

1. The provisions of the subject **EVSU-2017 EPFM Manual** were found to be consistent and compliant to applicable laws, rules and regulations; and
2. The Committee strongly recommends for the immediate approval/adoption and implementation of the said **EVSU-2017 EPFM Manual**.

Adopted this 3rd day of December 2017 during the Committee Meeting held at the Office of the Regional Director, DOST-Regional Office No. VIII, Candahug, Palo, Leyte.

BONIFACIO G. UY, CESO IV

*Regional Director, NEDA-Region VIII/Member, EVSU Board of Regents
Committee Chair & Presiding Officer*

DOMINADOR O. AGUIRRE, JR., D.M.
*University President III
Vice Chair, EVSU Board of Regents
Committee Vice Chair*

EDGARDO M. ESPERANCILLA, CESO II
*Regional Director, DOST-Region VIII
Member, EVSU Board of Regents
Member, Board Committee*

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MICHAEL L. MUZONES

President, Federation of Student
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Member, Board Committee

Certified Correct:

ANALYN C. ESPAÑO, M.A.
Associate Professor III
Board/University Secretary
Committee Secretary



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

Board Committee on Academic and Administration

FOR: THE HONORABLE CHAIR AND MEMBERS
EVSU Board of Regents, Tacloban City

THRU: DR. DOMINADOR O. AGUIRRE, JR.
University President III

SUBJECT: Committee Report

FROM: Board Committee on Academic and Administration

=====

The Board Committee on Academic and Administration, to which the **2017 Employees' Provident Fund Management of Eastern Visayas State University Manual** or the **EVSU-2017 EPFM Manual** (*copy hereto attached as integral part hereof*) has been referred to for further review and evaluation, and after presentation by the Board Committee on Draft Writing and Review of Policies and Rules (*formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees*) Chaired by Regent Daniel A. Ariaso Sr., hereby respectfully submits its findings and recommendations, to wit:

1. The provisions of the subject **EVSU-2017 EPFM Manual** were found to be consistent and compliant to applicable laws, rules and regulations; and
2. The Committee strongly recommends for the immediate approval/adoption and implementation of the said **EVSU-2017 EPFM Manual**.

Adopted this 3rd day of December 2017 during the Committee Meeting held at the Office of the Regional Director, DOST-Regional Office No. VIII, Candahug, Palo, Leyte.

EDGARDO M. ESPERANCILLA, CESO II

*Regional Director, DOST-Region VIII/Member, EVSU-Board of Regents
Committee Chair & Presiding Officer*

DOMINADOR O. AGUIRRE, JR., D.M.

*University President III
Vice Chair, EVSU Board of Regents
Committee Vice Chair*

BONIFACIO G. UY, CESO IV

*Regional Director, NEDA-Region VIII
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Associate Professor III
Board/University Secretary
Committee Secretary



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

BOARD OF REGENTS

**Board Committee on Draft Writing and Review of Policies and Rules
(PWRPR)**

**(formerly Board Committee on Review of Policies, Fees, Incentives
and Assistance for Students and Employees)**

FOR: THE HONORABLE CHAIR AND MEMBERS

EVSU Board of Regents, Tacloban City

THRU: DR. DOMINADOR O. AGUIRRE, JR.

University President III

SUBJECT: Committee Report No. 2, s. 2018

**FROM: Board Committee on Draft Writing and Review of Policies and
Rules (formerly Board Committee on Review of Policies, Fees,
Incentives and Assistance for Students & Employees)**

=====

The Board Committee on Draft Writing and Review of Policies and Rules (formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees), to which the **2017 Employees' Provident Fund Management of Eastern Visayas State University Manual** or the **EVSU-2017 EPFM Manual** or the **EVSU-2017 EPFM Manual** (copy hereto attached as integral part hereof) has been referred to for drafting, study, review and evaluation, hereby submit its report and recommendations, to wit:

1. The draft **EVSU-2017 EPFM Manual** has been submitted to and discussed with the stakeholders or sectors on the schedules and venues, as follows:

1.1. Stakeholders' Consultations and Committee Meetings:

Dates	Time	Campuses	Number of Participants
May 18, 2017	9:00AM-12:30PM	EVSU Tanauan Campus	26
May 24, 2017	9:00AM-3:00PM	EVSU Ormoc Campus	53
May 27, 2017	9:00AM-3:00PM	EVSU Main campus	90
June 8, 2017	8:20AM-12:20PM	EVSU Tanauan Campus	70
June 9, 2017	9:00AM-12:30PM	EVSU Carigara Campus	72
June 13, 2017	8:00AM-12:00NN	EVSU Main Campus	35
June 24, 2017	9:30AM-5:30PM	EVSU Main Campus	140
June 28, 2017	8:00AM-10:00AM	EVSU Burauen Campus	26
	11:00AM-2:00PM	EVSU Carigara Campus	39
	3:00PM-6:00PM	EVSU Ormoc Campus	86
August 23, 2017	3:00PM-5:00PM	EVSU Main Campus	74
September 6, 2017	8:00AM-10:00AM	EVSU Main Campus	78

November 2, 2017	8:00AM-12:00NN	EVSU Main Campus	46
	11:00AM-1:00PM	EVSU Burauen Campus	47
	3:30PM-5:30PM	EVSU Carigara Campus	49
November 3, 2017	8:00AM-5:00PM	EVSU Ormoc Campus	76
November 4, 2017	8:30AM-4:00PM	EVSU Main Campus	67

1.2. Sectoral Focus Group Discussions (FGD) and Committee Meetings:

Sector/s	Dates	Time	Venue	Number of Participants
Student	August 22, 2017	9:00AM-12:00NN	Executive House, EVSU Main Campus	88
Vice Presidents, College Deans, Campus Directors	August 22, 2017	1:30PM-4:00PM	Executive House, EVSU Main Campus	68
Academic Department Heads, Non-Teaching Personnel	September 6, 2017	4:00PM-5:30PM	Executive House, EVSU Main Campus	70
Alumni and Industry	August 22, 2017	4:00PM-5:30PM	Executive House, EVSU Main Campus	30
Students and Parents	August 22, 2017	4:00PM-5:30PM	Executive House, EVSU Main Campus	49
	September 6, 2017	8:00AM-12:00NN	Graduate School, Function Room, EVSU Main Campus	35

The participants in the foregoing activities were selected by their respective officials or associations' officers, as the case may be.

2. The draft of the **EVSU-2017 EPFM Manual** was submitted to the Department of Budget and Management (DBM) Regional Office No. VIII for evaluation pursuant to the provisions of DBM Budget Circular No. 2008-3 dated June 20, 2008 and Executive Order No. 641 issued on July 25, 2007;
3. The draft of the **EVSU-2017 EPFM Manual** was published in the EVSU website for wide dissemination to and solicitation of inputs, comments and refinements to thereof; and
4. The Committee presented the foregoing draft Manual to the EVSU BOR during its 73rd Regular Board Meeting (Fourth Quarter, CY 2018) held on December 8, 2017 at Granda Manor, Juan Luna cor. Gomez St., Tacloban City, with the following manifestations:
 - 4.1. The draft Manual was endorsed by the EVSU-Academic Council, and EVSU-Administrative Council on November 22, 2017; and

- 4.2. Following the process done by the EVSU BOR to the 2017 Revised University Code¹, 2017 Program on Awards and Incentives for Service Excellence (PRAISE) System of the University Manual² and 2017 Peoples' Freedom of Information of the University Manual³, the Committee strongly recommended to give the Regents, officials, faculty members, non-teaching personnel, students and stakeholders to submit their individual or collective comments, inputs to suggestions to the draft Manual and the same be submitted to the Office of the University President and/or University/Board Secretary and to the Committee for consolidation on or before December 31, 2017;
5. In view of the manifestations in item 4 above, the EVSU BOR passed Resolution No. 174, s. 2017 and duly executed by the University President per Memorandum Order No. 12-02, s. 2017 issued on December 11, 2017⁴;
6. Due to a series of tropical storms namely, Urduja, Vinta and Agaton, had struck Eastern Visayas Region from December 18, 2017-January 2, 2018, which limited or prevented the Regents, officials, faculty members, non-teaching personnel and stakeholders from preparing and submitting their individual or collective comments, inputs or suggestions on or before December 31, 2017, the Committee passed Resolution No. 01, s. 2018 on January 4, 2018⁵;
7. The Committee did not receive any opposition to the final draft of the **EVSU-2017 EPFM Manual**, whether in whole or in part/s; and
8. The comments and inputs provided by the Eastern Visayas Regional Offices of DBM per letters dated December 10, 2017, December 19, 2017 and issuances thereafter and CSC per letter dated January 31, 2018, and submitted individually or collectively by the Board Committee Members, the Regents, officials, faculty members, non-teaching personnel, students and stakeholders were carefully studied, enhanced and integrated to the final and clean copy of the Manual subject to their applicability, except those comments or inputs which the Committee found them irrelevant and inconsistent with the purposes and intents of the Manual as well as existing laws, rules and regulations.

Premises considered, the Committee strongly recommends for the immediate approval/adoption and implementation of the said **EVSU-2017 EPFM Manual**.

¹ Approved per Board Resolution No. 115, s. 2017 on April 19, 2017 during the 2017 Second Special Board Meeting held at the 5th Floor, Conference Room, Ironwood Hotel, P. Burgos St., cor. Juan Luna St., Barangay 34, Tacloban City.

² Approved per Board Resolution No. 116, s. 2017 on April 19, 2017.

³ Approved per Board Resolution No. 118, s. 2017 on April 19, 2017.

⁴ "Request for Inputs, Comments, Suggestions and Recommendations to the 2017 Revised University Students' Handbook and Nine (9) Services Manuals."

⁵ "Resolution Most Respectfully and Strongly Recommending to the EVSU Board of Regents for the Extension of Submission of Comments, Inputs or Suggestions by the Regents, Faculty Members, Non-Teaching Personnel and Stakeholders to the Ten (10) Service Manuals as Provided Herein from December 31, 2017 to January 15, 2018, and For Other Purposes."

Adopted this 3rd day of February 2018 during the Committee Meeting held at Executive House, EVSU-Main Campus, Tacloban City.

DANIEL A. ARIASO SR., MEcon., CESO II

*Member, EVSU Board of Regents
(Private Sector Representative)
Committee Chair & Presiding Officer*

DOMINADOR O. AGUIRRE, JR., D.M.

*University President III
Vice Chair, EVSU Board of Regents
Committee Vice Chair*

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*President, Federation of EVSU Faculty
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Member, Board Committee*

MICHAEL L. MUZONES

*President, Federation of Student Governments of EVSU
Member, Board Committee*

Certified Correct:

ANALYN C. ESPAÑO, M.A.

*Associate Professor III
Board/University Secretary
Committee Secretary*



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

ADMINISTRATIVE COUNCIL

Resolution No. _____
Series of 2017

RESOLUTION RECOMMENDING TO THE EVSU BOARD OF REGENTS, THROUGH THE UNIVERSITY PRESIDENT, FOR APPROVAL/ADOPTION OF THE 2017 EMPLOYEES' PROVIDENT FUND MANAGEMENT OF EASTERN VISAYAS STATE UNIVERSITY MANUAL OR THE EVSU-2017 EPFM MANUAL (COPY HERETO ATTACHED AS INTEGRAL PART HEREOF), EFFECTIVELY AFTER EVALUATION OR APPROVAL BY THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM), REGIONAL OFFICE NO. VIII, SUBJECT TO THE PROVISIONS OF DBM BUDGET CIRCULAR NO. 2008-3 DATED JUNE 20, 2008 AND EXECUTIVE ORDER NO. 641 ISSUED ON JULY 25, 2007 AND SUBSEQUENT ISSUANCES THEREOF, AND APPLICABLE LAWS, RULES AND REGULATIONS

After presentation and thorough discussion by the Members, the EVSU-Administrative Council, on motion of _____ duly seconded by _____, hereby recommends EVSU Board of Regents, through the University President, for Approval/Adoption of the 2017 Employees' Provident Fund Management of Eastern Visayas State University Manual, hereinafter referred to, as the EVSU-2017 EPFM Manual (copy hereto attached as integral part hereof), Effective Immediately Upon Evaluation or Approval by the Department of Budget and Management (DBM), Regional Office No. VIII, Subject to the Provisions of DBM Budget Circular No. 2008-3 dated June 20, 2008 and Executive Order No. 641 issued on July 25, 2007 and Subsequent Issuances Thereof, and Applicable Laws, Rules and Regulations.

Adopted this 22nd day of November 2017 during the Council Meeting of the EVSU-Administrative Council held at Office of the University President, EVSU-Main Campus, Tacloban City.

ATTESTED/APPROVED:

DOMINADOR O. AGUIRRE, JR., D.M.
University President III
Chair & Presiding Officer, EVSU-Administrative Council

Certified Correct:

ANALYN C. ESPAÑO, M.A.
Board/University Secretary
Secretary, Administrative Council



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

ACADEMIC COUNCIL

Resolution No. _____
Series of 2017

RESOLUTION RECOMMENDING TO THE EVSU BOARD OF REGENTS, THROUGH THE UNIVERSITY PRESIDENT, FOR APPROVAL/ADOPTION OF THE 2017 EMPLOYEES' PROVIDENT FUND MANAGEMENT OF EASTERN VISAYAS STATE UNIVERSITY MANUAL OR THE EVSU-2017 EPFM MANUAL (COPY HERETO ATTACHED AS INTEGRAL PART HEREOF), EFFECTIVELY AFTER EVALUATION OR APPROVAL BY THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM), REGIONAL OFFICE NO. VIII, SUBJECT TO THE PROVISIONS OF DBM BUDGET CIRCULAR NO. 2008-3 DATED JUNE 20, 2008 AND EXECUTIVE ORDER NO. 641 ISSUED ON JULY 25, 2007 AND SUBSEQUENT ISSUANCES THEREOF, AND APPLICABLE LAWS, RULES AND REGULATIONS

After presentation and thorough discussion by the Members, the EVSU-Academic Council, on motion of _____ duly seconded by _____, hereby recommends EVSU Board of Regents, through the University President, for Approval/Adoption of the 2017 Employees' Provident Fund Management of Eastern Visayas State University Manual, hereinafter referred to, as the EVSU-2017 EPFM Manual (copy hereto attached as integral part hereof), Effective Immediately Upon Evaluation or Approval by the Department of Budget and Management (DBM), Regional Office No. VIII, Subject to the Provisions of DBM Budget Circular No. 2008-3 dated June 20, 2008 and Executive Order No. 641 issued on July 25, 2007 and Subsequent Issuances Thereof, and Applicable Laws, Rules and Regulations.

Adopted this 22nd day of November 2017 during the Council Meeting of the EVSU-Academic Council held at Office of the University President, EVSU-Main Campus, Tacloban City.

ATTESTED/APPROVED:

DOMINADOR O. AGUIRRE, JR., D.M.
University President III
Chair & Presiding Officer, EVSU-Academic Council

Certified Correct:

GREGORIA C. DE LA CRUZ, MAIS
University Registrar III
Secretary, Academic Council

Brief History of the University

The Eastern Visayas State University had its humble beginnings in 1907, as a part of the Provincial school. It became a separate educational entity in 1915 and was renamed as the Leyte Trade School funded by the Provincial government. In 1953, after thirty-eight years, it was renamed as the National Provincial Trade School by virtue of R.A. 406 funded jointly by the National and Provincial Government to cover a wider curricular area. In 1961, the Congress of the Philippines passed Republic Act 1516 converting it into the Leyte Regional Arts and Trades and authorizing it to become a training institution, for vocational and industrial education in Eastern Visayas. Finally, Republic Act 4572 enacted by the congress of the Philippines which took effect in the school year 1965-1966 further converting the school into a chartered college. It was renamed the Leyte Institute of Technology, an institute of higher learning committed to the service of a larger academic area of responsibility.

For SY 1999-2000, LIT has its satellite campus, the Ormoc satellite Campus. In 1999, pursuant to the provisions of RA 7722, 8292 and 8745 and Board Resolutions No. 59, Series of 1999, two CHED Supervised institutions (CSIs) in Leyte, namely the Leyte College of Arts and Trades and the Burauen Polytechnic College were integrated to LIT. The LIT Dulag Campus started in SY 2000-2001. The Carigara School of Fisheries was integrated to LIT, the second phase of CSIs institution to SUCs.

In 2002-2003, LIT had continued accomplishing its significant role and responsibility to the people in the region. The introduction of new programs, technological and business, the realignment of courses, and high-passing percentage of the engineering and other professional programs established a great challenge and gigantic responsibility to the institution.

Finally, in 2004, Republic Act 9311 converted the Leyte Institute of Technology, into Eastern Visayas State University, a challenge to serve Eastern Visayas, through academic excellence and technological development.

Vision, Mission, Philosophy of the University

VISION

Leading State University in Technological and Professional Education

MISSION

Develop a Strong Technologically and Professionally Competent Productive
Human Resource Imbued with Positive Values Needed to Propel
Sustainable Development

PHILOSOPHY

EVSU addresses its academic endeavors towards the development of the socio economic condition of region VIII by emphasizing the development of human resources and necessary input to production and growth. It plays a major role in providing the human resources for industrial agri-business enterprises as well as for the small, medium, and large-scale industries, which are the components for regional development

The University Hymn

Lyrics: BELINDA C. LORA
Music: BIATO C. AMBE, JR.

There's a dawn of a new day breaking
There's a ray of light reaching
Every corner of the land
It's radiance keeps on spreading
Bringing hope and strength and life

There's a flame that keeps on burning
Touching the mind, the heart and the soul
Sending Knowledge truth, love, and wisdom
abundant blessings from GOD above

Refrain:

Beloved Eastern Visayas State University
Your blessed flame shall forever burn in our hearts
We give you outmost commitment and dedication
You shall shine with pride throughout the nation

Coda:

Shine with gladsome light
Oh alma mater dear
Lead our steps to path of excellence
Success, fulfillment and glory awaits.

The EVSU March

You're the shining glory of love,
You're the light that comes from above,
You're the precious gift I have,
I will treasure you in my heart.

You're an utmost shelter of mind,
You're the greatest pride of mankind,
You have the golden fruits to reap,
You're the sweetest hope of land.

Oh dear Alma Mater,
Eastern Visayas State University,
Your name is ringing in my heart,
There is love and joy from the start,
The abundance of your foundation,
Is a great help of our nation,
For in you is the fountain of wisdom
And your light is our shining freedom.

You're the precious gift from heaven,
You're the sweetest hope of land.

The ASEAN Hymn

ASEAN, Oh ASEAN
Our voices rise as one
From land to land
From sea to sea
Reach out for everyone

ASEAN, Oh ASEAN
Let's link our arms and stand
Behold the sun has risen to
The level of our eyes

Behold the sun has risen to
The level of our eyes

Acknowledgement

The Eastern Visayas State University (EVSU), through its Board of Regents and the University President, wishes to extend its deepest appreciation and thanks to all persons, who in one way or another, helped craft, review, evaluate and polish this noble EVSU-2017 EPFM Manual.

Special thanks to the Department of Budget and Management (DBM) Regional Office No. VIII under the leadership of Director Imelda C. Laceras, CESO III, Director IV and her staff, for painstakingly reviewing or evaluating, and immediate submission of inputs which were integrated to and surely made this Manual compliant to the provisions of Executive Order No. 641, DBM Budget Circular No. 2008-3 and applicable laws, rules and regulations.

The EVSU Family is also grateful to the Board Committee on Draft Writing and Review of Policies and Rules (*formerly Board Committee on Review of Policies, Fees, Incentives and Assistance for Students & Employees*) Chaired by Regent Daniel A. Ariaso Sr., for drafting the first ever EVSU-2017 EPFM Manual I and for steering the Stakeholders' Consultation and Sectoral Focus Group Discussion (FGD); the Board Committee on Finance Chaired by Director Bonifacio G. Uy, and Board Committee on Academic and Administration Chaired by Director Edgardo M. Esperancilla for their immediate review and providing inputs which further strengthened this Manual.

We would like to also express our appreciation and thanks to all Vice Presidents, Campus Directors, College Deans, Heads, Chiefs, Chairpersons and Coordinators as well as Faculty Members, Non-Teaching Personnel, Students, Alumni, and Industry and Community Partners for their active participation during the Stakeholders' Consultation and Sectoral Focus Group Discussion, indeed, their inputs had contributed in shaping this Manual to be responsive and embodying the ideals and aspirations of the EVSU Family.

May the God Almighty Bless you all!

EVSU Family

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Chapter I
PRELIMINARY PROVISIONS

Article 1
Short Title, Legal Bases of Promulgation and Coverage

Section 1. **Short Title.** – This shall be known as the 2017 Employees' Provident Fund Management Manual of Eastern Visayas State University Manual, hereinafter referred to, as the 2017 Employees' Provident Fund Management of the University Manual or 2017 EVSU-EPFM Manual, *for brevity*.

Section 2. **Legal Bases of Promulgation.** – This 2017 EVSU-EPFM Manual is promulgated pursuant to pertinent provisions of Item No. 2, Section 7, Book V of Executive Order (E.O) No. 292¹, Section 41 of R.A. No. 7190² and subsequent GAAs, DBM Budget Circular No. 2008-3 dated June 20, 2008³, Executive Order No. 641 issued on July 25, 2007⁴, Section 7 of R.A. No. 9311⁵, Section 4 of R.A. No. 8292⁶ and its IRR⁷, Section 687.42, Article 163 of the 2017 Revised University Code⁸, PSLMC Resolution No. 02, s. 2009 dated June 11, 2009⁹, and such applicable laws, rules and regulations.

Article 2
Construction and Interpretation and Suppletory Application of Relevant Laws, Rules and Regulations Promulgated by Competent Authorities

¹ "Administrative Code of the Philippines."

² "An Act Appropriating Funds for Operation of the Government of the Republic of the Philippines from January One to December Thirty-One, Nineteen Hundred and Ninety-Two, for Other Purposes approved on January 15, 1992".

³ "Rules and Regulations and Procedure on the Establishment and Administration of Provident Funds in the Philippine Government."

⁴ "Authorizing the Establishment and Administration of Provident Funds in the Government."

⁵ "SEC. 7. Powers and Duties of the Board of Regents. – The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws:

(a) To promulgate rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the University;

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(w) To establish policy guidelines and procedures for participative decision-making and transparency within the University;

⁶ "SEC. 4. Powers and duties of Governing Boards. – The governing board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors as a corporation under Section 36 of Batas Pambansa Blg. 68 otherwise known as the Corporation Code of the Philippines:

(a) to enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the university or college;

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(v) to establish policy guidelines and procedures for participative decision-making and transparency within the institution;"

⁷ CHED Memorandum Order No. 03, s. 2001 entitled, "Implementing Rules and Regulations of Republic Act No. 8292 issued in January 17, 2001."

⁸ Approved per Board Resolution No. 115, s. 2017 on April 19, 2017.

⁹ "Further, this 2017 EVSU-EPFM Manual shall be considered or recognized as a consequence of the elevation of then Leyte Institute of Technology (LIT) into a State University and henceforth, the nature of LIT has completely changed when it became EVSU pursuant to R.A. No. 9311. LIT did not just changed its name. The law created a university which, in effect, a new entity that is the EVSU."

Section 3. **Construction and Interpretation of the 2017 EVSU-EPFM Manual.** – All doubts in the implementation of any of the provisions of this 2017 EVSU-EPFM Manual shall be interpreted and resolved in favor of the University.

Provided, further, that in matters affecting the welfare of a teaching and non-teaching personnel, all doubts in the implementation and interpretation of pertinent provisions of this 2017 EVSU-EPFM Manual shall be resolved in favor of the faculty member or non-teaching personnel, as the case may be, subject to applicable laws, rules and regulations.

Section 4. **Suppletory Application of Laws, Rules and Regulations.** – Notwithstanding as explicitly adopted or provided under this 2017 EVSU-EPFM Manual, all laws, rules and regulations promulgated by competent authorities such as, but not limited to, the President of the Republic of the Philippines, Congress of the Philippines, DBM, CSC, COA, CHED, and jurisprudence laid down by the Supreme Court of the Philippines, shall apply suppletorily and serve as governing guidelines to this 2017 EVSU-EPFM Manual, in so far as expressly determined and duly adopted by the EVSU Board of Regents.

Article 3 **Definition of Terms**

Section 5. **Definition of Terms.** – Notwithstanding as may be provided in relevant laws, rules and regulations, the following terms are hereby defined as used in this 2017 EVSU-EPFM Manual:

- 5.1. *Academic Officers* – *Academic Officers* – refer to the University President, Vice President for Academic Affairs, Deans of Colleges, Principal, Department Head, Director, and their Heads or Chairpersons or Coordinators of various academic departments or units.
- 5.2. *Administrative Services* – refer to the functions of the University which directly relates to the supervision and control of administration of the University other than academic in nature.
- 5.3. *Administrative Officials* – refer to the Chief Administrative Officer, Directors for Finance, Administration, Human Resource Development, IGP, research, extension and such other offices or units of the University.
- 5.4. *Agreements* – refer to contracts, memorandum of agreement (MOA), memorandum of understanding (MoU) and such legal instruments stipulating, among others, the object and purposes, terms and conditions of executing the same.
- 5.5. *Appointment* – refers to the selection, by the authority vested with the power, of an individual who is to exercise the functions of a given office. When completed, usually with its confirmation, the appointment results in security of tenure for the person chosen unless he is replaceable at

pleasure because of the nature of his office. It is essentially an executive in nature¹⁰.

- 5.6. *Board* – refers to the Board of Regents of Eastern Visayas State University which is the highest policy-making body of the University.
- 5.7. *Board Committee* – refers to the Committee created by the EVSU Board of Regents pursuant to Section 34, Article 8 of the 2017 Revised University Code approved per Board Resolution No. 115, s. 2017 and its subsequent issuances.
- 5.8. *Board of Trustees* – refers to the Board of Trustees of the EVSU-EPF, or BOT, for brevity, as its highest policy-making body.
- 5.9. *Campuses* – refer to the Main Campus of the University located in Tacloban City, integrated Campuses in the City of Ormoc and Municipalities of Burauen, Carigara, and Tanauan, and a Satellite Community Campus in the Municipality of Dulag, all in the Province of Leyte.
- 5.10. *Claim that the EVSU-EPF and the University Have Against a Member* – refers to the liabilities or obligations of the member such as, but not limited to, outstanding unpaid loans or credits, unreturned properties or materials, disallowance/s covered under the Notice of Disallowance issued by COA, etc.
- 5.11. *COA* – refers to the Commission on Audit created under Article IX-D of the 1987 Philippine Constitution.
- 5.12. *Code* –refers to the 2017 Revised Code of the Eastern Visayas State University or 2017 Revised University Code.
- 5.13. *Community Satellite Campus* – refers to a Campus established and funded by a Local Government Unit (LGU) and the responsibility of the University is limited to academic administration and management services only.
- 5.14. *Congress of the Philippines* – refers to the legislative branch of the Republic of the Philippines created under Article X of the 1987 Philippine Constitution.
- 5.15. *CSC* – refers to Civil Service Commission created pursuant to Article IX-B of the 1987 Philippine Constitution.
- 5.16. *DBM* – refers to Department of Budget and Management created pursuant to Executive Order No. 25 dated April 25, 1936, as amended.
- 5.17. *Designation* – is an imposition by law of additional duties of an incumbent official. It is essentially a legislative in nature. It may also be loosely defined as an appointment because it, likewise, involves the

¹⁰ *Tapispisan v. Court of Appeals*, G.R. No. 157950, June 8, 2005.

naming of a particular person to a specified public office. That is the common understanding of the term. However, where the person is merely designated and not appointed, the implication is that he shall hold the office only in a temporary capacity and may be replaced at will by the appointing authority. In this sense, the designation is considered only an acting or temporary appointment, which does not confer security of tenure on the person named¹¹.

- 5.18. *Duly Recognized Campus Faculty Association* – is a faculty association established and recognized by the University where each Campus shall have only one (1) organization comprised of the regular faculty members and instructional staff of the University Campus.
- 5.19. *Duly Recognized Federation of Faculty Associations* – is the federation of the duly recognized faculty associations in the different Campuses of the University which has been extended recognition by the EVSU Board of Regents to be its legitimate and lawful faculty association as manifested by its Constitution and By-Laws being ratified by 2/3 of its members.
- 5.20. *Duly Recognized Federation of Student Councils or Governments* – is the federation of the duly recognized student councils or governments in the different Campuses of the University which has been extended recognition by the EVSU Board of Regents.
- 5.21. *Emergency Loan* – is a loan made to eligible applicants who have suffered substantial losses from a qualifying natural disaster. A natural disaster means unusual and adverse weather conditions or natural phenomenon that has substantially affected members by causing severe physical or production, or both, losses.
- 5.22. *Employee* – when used with reference to a person in the public service, includes any person in the service of the University Campuses such as, but not limited to, Executive Officials, Academic and Administrative Officers, Faculty Members and Non-Teaching Personnel.
- 5.23. *E.O.* – refers to an Executive Order issued by the President of the Philippines.
- 5.24. *Equity* – is composed of member's contribution, EVSU contribution, and earnings.
- 5.25. *Equity Loan* – it is used to describe additional borrowing, normally secured as a *subsequent charge*. It also refers to a mortgage loan in which the borrower receives money.
- 5.26. *EVSU* – refers to the Eastern Visayas State University.

¹¹ ***Tapispisan v. Court of Appeals***, G.R. No. 157950, June 8, 2005, citing *Sevilla v. Court of Appeals*, G.R. No. 88498, 9 June 1992, 209 SCRA 637.

- 5.27. *EVSU BOR* – refers to the Board of Regents of Eastern Visayas State University.
- 5.28. *EVSU-EPF*– refers to the Employees' Provident Fund of Eastern Visayas State University.
- 5.29. *Executive Officials* – refers to the University President, Vice Presidents and Campuses Directors whose primary duties and functions are to ensure proper, effective and efficient execution of policies and directions laid down by the Board and such competent authorities.
- 5.30. *Extension Campus* – is the Campus that responds to special needs/demand (i.e. instruction, research or extension) with no administrative structure duly created by the EVSU Board of Regents or enabling law.
- 5.31. *External Campus* – is a campus classified as CHED-Supervised Institution integrated to the University pursuant to the provisions of Republic Act No. 9311 and pertinent laws, rules and regulations.
- 5.32. *Faculty Union* – refers to the organization of the faculty members duly registered and with a subsisting Collective Negotiation Agreement (CNA) with the University pursuant to E.O. No. 180¹² and subsequent issuances thereof;
- 5.33. *Faculty Member* – is an employee or personnel of the University who is hired with the primary duties and functions include instruction, research, extension services and production.
- 5.34. *Federation of Non-Teaching Personnel Associations* – is the Federation of the duly recognized employees associations in the different Campuses of the University.
- 5.35. *GAA* – refers to the annual General Appropriations Act enacted by the Congress of the Philippines and approved by the President of the Philippines.
- 5.36. *Governing Board* – refers to the higher policy-making body of the University Employees' Provident Fund Management or EVSU-EPF (see Board of Trustees).
- 5.37. *Head of the University* – refers to the President of the University or University President.
- 5.38. *Head of the Campus* – refers to the Campus Director who is authorized to manage the administrative operations of the Campus. He/She is also tasked to coordinate the plans, programs, projects and activities of the

¹² "Providing Guidelines for the Exercise of the Right to Organize of Government Employees, Creating a Public Sector Labor-Management Council, and for Other Purposes."

campus in accordance with the overall vision, mission, goals and objectives of the University¹³.

- 5.39. *Head of the College* – refers to the Dean who is authorized to manage the administrative operations of the College. He/She is also tasked to coordinate the plans, programs, projects and activities of the campus in accordance with the overall vision, mission, goals and objectives of the University.
- 5.40. *Head of the Department, Unit or Section* – refers to the Director or head, chairperson or coordinator, as the case may be.
- 5.41. *Hold-over Capacity (Principle)* – refers to the preservation of continuity in the transaction of official business and prevents a hiatus in government or in any office of the University pending the assumption of a successor into office¹⁴.
- 5.42. *Instructional Staff* – refers to faculty members who are employed on temporary basis and who are not Part-time faculty members of the University.
- 5.43. *IRR* – refers to Implementing Rules and Regulations of any law or statute enacted by the Congress of the Philippines or issued by the President of the Philippines and such competent authority/ies.
- 5.44. *Life Insurance* - a plan under which regular payments are made to a company during somebody's lifetime, and in return the Company pays a specific sum to the person's beneficiaries after the person's death.
- 5.45. *Main Campus* – is the Campus located in Tacloban City where the administrative services of the University are located and/or where the University President holds office permanently.
- 5.46. *Medical Insurance Loan* – it is a credit product especially designed to help pay the costs of medical-related expenses that are beyond the immediate financial capacity of the member.
- 5.47. *Multi-Purpose Loan* – it is a loan program that aims to provide financial assistance to qualified members for: house repair, minor home improvement, home enhancement, tuition/educational expenses, health and wellness, livelihood, and *other purpose*.
- 5.48. *Non-Teaching Personnel Union* – refers to the organization of the Non-Teaching Personnel duly registered and with a subsisting Collective

¹³ Section 3(b), Article I of CHED Memorandum Order No. 20, s. 2011.

¹⁴ **Adap, et al. v. Commission on Elections**, G.R. No. 161984, February 21, 2007, citing *Nueno, et al. v. Angeles, et al.*, G.R. No. L-89, February 1, 1946, the Supreme Court ruled:

"The application of the hold-over principle preserves continuity in the transaction of official business and prevents a hiatus in government pending the assumption of a successor into office. As held in *Topacio Nueno v. Angeles*, cases of extreme necessity justify the application of the hold-over principle."

Negotiation Agreement (CNA) with the University pursuant to E.O. No. 180¹⁵ and subsequent issuances thereof;

- 5.49. *Patronage Refund* – is the name for how provident fund send profits back to the members. Essentially, each member gets back part of the profit from their own purchases.
- 5.50. *Personnel* – as interchangeably used with employees, refers to executive officials, officers, faculty members and non-teaching personnel of the University which they are also called as employees.
- 5.51. *Provident Fund* – refers to a savings scheme consisting of contributions from both the employees and the University (in monetary form from member-employees; in monetary and/or on-monetary form/s from the University) which serves as a loan facility and provider of supplementary welfare and benefits to its members. It also refers to a supplementary and voluntary retirement fund established in the University to augment retirement benefits of its employees.
- 5.52. *R.A. or RA* – refers to Republic Act duly enacted by the Congress of the Philippines and approved by the President of the Philippines or lapse into law as provided under the 1987 Philippine Constitution.
- 5.53. *Regent* – refers to the Chairperson, the Vice Chairperson or any Member of the Board.
- 5.54. *Separation/Retirement Benefits* – it's a return of equity from the employer's share and member's contribution upon separation from service and retirement.
- 5.55. *Tenure* – represents the term during which the incumbent actually holds office. The tenure may be shorter (or, in case of holdover, longer) than the term for reasons within or beyond the power of the incumbent¹⁶.
- 5.56. *Term of Office* – refers to the time during which the officer may claim to hold the office as of right, and fixes the interval after which the several incumbents shall succeed one another. The term of office is not affected by the holdover. The term is fixed by statute and it does not change simply because the office may have become vacant, nor because the incumbent holds over in office beyond the end of the term due to the fact that a successor has not been elected and has failed to qualify¹⁷.
- 5.57. *Trustee* – refers to a Chairperson, or Vice Chairperson or Member of the EVSU-EPF Board of Trustees.

¹⁵ "Providing Guidelines for the Exercise of the Right to Organize of Government Employees, Creating a Public Sector Labor-Management Council, and for Other Purposes."

¹⁶ **Valle Verde Country Club, Inc. v. Africa**, G.R. No. 151969, September 4, 2009.

¹⁷ **Valle Verde Country Club, Inc. v. Africa**, G.R. No. 151969, September 4, 2009 citing *Topacio Nueno v. Angeles*, 76 Phil. 12, 21-22 (1946); *Alba v. Evangelista*, 100 Phil. 683, 694 (1957); *Paredes v. Abad*, 155 Phil. 494 (1974); *Aparri v. Court of Appeals*, No. L-30057, January 31, 1984, 127 SCRA 231., and *Gaminde v. Commission on Audit*, G.R. No. 140335, December 13, 2000, 347 SCRA 655.

- 5.58. *University* – refers to Eastern Visayas State University or EVSU.
- 5.59. *Vacancy* – a condition or situation “when there is no person lawfully authorized to assume and exercise at present the duties of the office”¹⁸.

Chapter II ESTABLISHMENT, COVERAGE, PURPOSE, OBJECTIVES AND OVERALL RESPONSIBILITY

Article 4 Establishment of the Provident Fund of the University

Section 6. ***The Provident Fund of the University.*** – A Provident Fund of the Eastern Visayas State University hereinafter referred to the EVSU-Employees' Provident Fund or EVSU-EPF, *for brevity*, is hereby established and shall be administered in accordance with the objectives, policies, governing structure and guidelines as provided for under this 2017 EVSU-EPFM Manual and consistent with the provisions of DBM BC No. 2008-3¹⁹, E.O. No. 641²⁰, Section 689, Article 164 of the 2017 Revised University Code²¹, and such applicable laws, rules and regulations in so far as authorized by the EVSU Board of Regents upon the recommendation of the University President.

Section 7. ***Authorized Deductions.*** – Provident fund contributions may be deducted from the salaries and other benefits accruing to the employees of the University pursuant to the pertinent provisions of the General Appropriation Acts (GAAs), among others:

7.1. Section 47 of Republic Act No. 10924²², among others, provides:

“Sec. 47. *Authorized Deductions.* Deductions from salaries and other benefits accruing to any government employee, chargeable against the appropriations for Personnel Services, may be allowed for the payment of an individual's contributions or obligations due to the following, and in the order of preference stated below:

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¹⁸ In ***Gamboa vs. Augiree, et al.***, G.R. No. 134213, July 20, 1999, citing, *Stocking v. State*, 7 Ind. 326 cited in Mechem. A Treatise on the Law on Public Offices and Officers, p. 61 cited in *Menzon v. Petilla*, 197 SCRA 251, the Supreme Court ruled that:

“A *sensu contrario*, there is a vacancy when there is no person lawfully authorized to assume and exercise at present the duties of the office.”

¹⁹ “Rules, Regulations and Procedure on the Establishment and Administration of Provident Funds in the Philippine Government.”

²⁰ “SECTION 1. ***Purpose.*** – A Provident Fund is hereby authorized to be established in each government agency to be administered in accordance with the objectives, policies, governing structure and general guidelines indicated herein.”

²¹ “Section 689. ***Establishment.*** – There is hereby an established Provident Fund of the University which shall cover all Officials or Officers, Faculty Members and Non-Teaching Personnel or Employees of the University subject to the qualifications and requirements provided in relevant laws, rules and regulations duly approved by the EVSU Board of Regents upon the recommendation by the University President.”

²² 2017 General Appropriations Act.

(c) Associations or provident funds organized and managed by government employees for their benefit and welfare;"

7.2. The same provisions were also provided under Section 52 of Republic Act No. 10717²³, Section 48 of Republic Act No. 10651²⁴, Section 46 of Republic Act No. 10633²⁵, Section 37 of Republic Act No. 10352²⁶, Section 43 of Republic Act No. 10155²⁷, Section 41 of Republic Act No. 10147²⁸, Section 37 of Republic Act No. 9970²⁹, Section 40 of Republic Act No. 9524³⁰, and Section 4 of Republic Act No. 9498³¹, to name a few.

Section 8. **Trusteeship of the EVSU-EPF.** – The EVSU-EPF is a trust fund in accordance with the doctrine laid down in **GERSIP Association, Inc., et al. v. GSIS**³² in which the Supreme Court categorically held:

"Trust is the legal relationship between one person having an equitable ownership in property and another person owning the legal title to such property, the equitable ownership of the former entitling him to the performance of certain duties and the exercise of certain powers by the latter. A trust fund refers to money or property set aside as a trust for the benefit of another and held by a trustee. Under the Civil Code, trusts are classified as either express or implied. An express trust is created by the intention of the trustor or of the parties, while an implied trust comes into being by operation of law.

There is no doubt that respondent intended to establish a trust fund from the employees' contributions (5% of monthly salary) and its own contributions (45% of each member's monthly salary and all unremitted Employees Welfare contributions). We cannot accept petitioners' submission that respondent could not impose terms and conditions on the availment of benefits from the Fund on the ground that members already own respondent's contributions from the moment such was remitted to their account. Petitioners' assertion that the Plan was a purely contractual obligation on the part of respondent is likewise mistaken."

Article 5

Coverage, Purpose, Objectives and Overall Responsibility

²³ 2016 General Appropriations Act.

²⁴ 2015 General Appropriations Act.

²⁵ 2014 General Appropriations Act.

²⁶ 2013 General Appropriations Act.

²⁷ 2012 General Appropriations Act.

²⁸ 2011 General Appropriations Act.

²⁹ 2010 General Appropriations Act.

³⁰ 2009 General Appropriations Act.

³¹ 2008 General Appropriations Act.

³² **GERSIP Association, Inc. et al. v. Government Insurance Service System**, G.R. No. 189827, October 16, 2013 citing IV A. M. Tolentino, COMMENTARIES AND JURISPRUDENCE ON THE CIVIL CODE OF THE PHILIPPINES 669 (1991); H. C. BLACK, BLACK'S LAW DICTIONARY 1357 (5th ed., 1979); and *Torbela v. Rosario*, G.R. Nos. 140528 & 140553, December 7, 2011, 661 SCRA 633, 661, citing *Heirs of Tranquilino Labiste v. Heirs of Jose Labiste*, G.R. No. 162033, May 8, 2009, 587 SCRA 417, 425.

Section 9. **Coverage.** – This 2017 EVSU-EPFM Manual shall cover the Eastern Visayas State University (EVSU) comprised of its Main Campus located in Tacloban City and its integrated Campuses located in Ormoc City, Municipalities of Burauen, Carigara and Tanauan, and the Community Satellite Campus of Dulag, all in the Province of Leyte.

Section 10. **Objectives.** – The EVSU-EPF shall serve as a savings and loan credit facility that may cater to the needs of officials and employees, and shall provide supplementary welfare benefits from the Fund³³.

Section 11. **Overall Responsibility.** – The University President shall be responsible for all actions carried under this 2017 EVSU-EPFM Manual and may delegate this responsibility to the Vice President for Administration and Finance or any Executive Official as he/she considers proper and necessary.

Chapter III **ADMINISTRATION AND MANAGEMENT**

Article 6 **Administration Mechanisms**

Section 12. **General Policies**³⁴. – The establishment and administration of the EVSU-EPF shall be guided by the following policies consistent with established management principles and practices:

- 12.1. Membership in the EVSU-EPF shall be voluntary;
- 12.2. Employees and employers alike shall share roles in the establishment and administration of the EVSU-EPF;
- 12.3. Reasonable regulatory structures shall be established to ensure uniformity, integrity and viability of the operation of the EVSU-EPF;
- 12.4. Consistent with the principles of fair remuneration and equity, all officers and employees shall have guaranteed access to the EVSU-EPF and shall have the same rights and privileges under the EVSU-EPF. There shall be no specific rules to benefit executives or a select group of employees;
- 12.5. The EVSU-EPF shall be managed prudently by a Board of Trustees with equal representation from the employer and employees to preserve Fund accounts, safeguard the viability of the EVSU-EPF and ensure the security of members;
- 12.6. To encourage employees to contribute as much as they can to the EVSU-EPF, as well as preserve their Provident Fund accounts and not withdraw

³³ Section 2 of E.O. No. 461.

³⁴ Section 3 of E.O. No. 461.

their shares before retirement or separation, advocacy measures should be instituted; and

- 12.7. Members shall have strong legal protections with government enforcement capabilities against the loss of EVSU-EPF assets due to fraud, theft or fiduciary mismanagement.

Section 13. **Funding Sources.** – The EVSU-EPF shall be sourced from the following:

- 13.1. *Employee Contributions.* – The following shall govern in the employee contributions:

- 13.1.1. The principal fund source for the EVSU-EPF shall be the members' regular monetary contributions of at least five percent (5%) of the net monthly salary of the member or such rate or amount as the Board of Trustees or General Assembly may determine.

Provided, that the Board of Trustees shall conduct a review every three (3) years thereafter on the monetary contributions of the members and any results or adjustments thereof shall be approved by the General Assembly subject to applicable laws, rules and regulations.

- 13.1.2. Membership in the EVSU-EPF shall constitute the authority to deduct from the payroll the member's contribution.

It is stressed that deductions for provident fund contributions from the salaries and benefits of the employee-member is consistent with the pertinent provisions of General Appropriations Acts (GAAs) identified under Section 7, Article IV hereof and as may be provided under the GAAs of the ensuing Fiscal Years duly enacted by the Congress of the Philippines and approved by the President of the Philippines

- 13.1.3. Members' contribution from monthly salary through payroll deduction. The contribution maybe increased/decreased as authorized by the member through membership updating Form and the Special Power of Attorney (SPA). *Provided,* Members who opt to pay over the counter or directly to the Cashier shall comply thereof within the same period of those payroll deduction. *Provided, further,* any delay through over the counter shall be subject to penalty as the Board of Trustees may determine as provided hereof and/or in the By-laws;

- 13.2. *University's Contributions.* – The University's contributions shall be subject to the following:

- 13.2.1. University's Initial Counterpart. - The initial University counterpart contribution shall be in the form of support for

reasonable operating requirements in the administration and operation of the EVSU-EPF such as the following:

1. Part-time assignment of existing personnel; and
2. Use of necessary University facilities and equipment.

13.2.2. University's Monetary Contributions and its Sources. – As manifestation of support for the promotion of the welfare of its employees, the University monetary contributions shall be sourced from savings may be authorized in the future when the University's financial position may allow, subject to the guidelines that will be issued by the Department of Budget and Management (DBM), and as provided for under Sections 67 and 69 of R.A. No. 10924 (FY 2017 GAA) as reproduced in sub-Section 13.2.4 hereof and the subsequent provisions in the GAA on the use of savings.

13.2.3. University's Contributions during Initial and Transition Period of Operation and its Sources. – To ensure a smooth initial and transition period of operations, the University shall allocate at least Three Million Pesos (Php3,000,000.00) as its initial contributions. *Provided*, that all contributions of the University shall be not less than Five Hundred Thousand Pesos (Php500,000.00) per annum subject to the availability of funds and requirements as may be required by the EVSU Board of Regents. *Provided, further*, that the University's initial contributions and the annual contributions thereafter shall be charged from savings and/or amounts from the GAA and income and/or appropriate fund/s subject to the provisions of item 5.3 of DBM Circular No. 2008-3 dated June 20, 2008³⁵, applicable laws, rules and regulations.

13.2.4. Guidelines on the Use of Savings. – The use of savings of the University in the fulfilment of its support and contributions to the EVSU-EPF as provided under sub-Section 13.2.2 to 13.2.3 shall be subject to the provisions of Sec. 67 (General Provisions) of R.A. No. 10924³⁶ as reproduced hereunder:

"Sec. 67. **Meaning of Savings.** – Savings refer to portions or balance of any released appropriations in this Act which have not been obligated as a result of any of the following:

- (a) Final discontinuance or abandonment of an ongoing program, activity or project (P/A/P) by the head of agency concerted due to causes not attributable to the fault or negligence of the said agency which would not

³⁵ "Rules, Regulations and Procedure on the Establishment and Administration of Provident Funds in the Philippine Government."

³⁶ 2017 General Appropriations Act of 2017.

render it possible for the agency to implement and P/A/P during the validity of the appropriations;

- (b) Non-commencement of the P/A/P for which the appropriations is released. For this purpose, non-commencement shall refer to the inability of the agency or its duly authorized agent to obligate the released allotment and implement of the P/A/P due to natural or man-made calamities or other causes not attributable to the fault or negligence of the agency concerned during the validity of the appropriations;
- (c) Decreased cost resulting from improved efficiency during the implementation or until the completion by agencies of their P/A/Ps: PROVIDED, That the agencies will still be able to deliver the targets and services as approved in this Act; and
- (d) Difference between the approved budget for the contract award price including any variations required for the project.

PROVIDED, HOWEVER, That savings may likewise refer to available balances of appropriations arising from unused compensation and related costs pertaining to: (i) unfilled, vacant or abolished positions; (ii) non-entitlement to allowances and benefits; (iii) leaves of absence without pay; and (iv) unutilized pension and retirement benefits arising from death of pensioners, decrease in the number of retirees, or other related causes.

Programmed appropriations which have not been released or allotments not yet obligated due to the fault of the agency concerned shall not be considered savings."

- 13.3. *Other Fund Sources.* – The following other funds sources may be tapped, subject to the approval of the Board of Trustees and the University President;
 - 13.3.1. Earnings of the EVSU-EPF to include interests on loans, dividends and other increments or returns from investments such as income-generating ventures;
 - 13.3.2. Membership Fee in the amount of Five Hundred Pesos (Php500.00) or such amount as the Board of Trustees may determine;
 - 13.3.3. Gifts;
 - 13.3.4. Donations in cash or in kind;

- 13.3.5. Proceeds from fund raising activities;
- 13.3.6. Amounts arising from withdrawal of membership;
- 13.3.7. Collection of penalties from faculty members due to late submission of grading sheets, appeal fees of administrative cases, and such collections authorized under the policies of the University approved by the EVSU Board of Regents upon the recommendation by the University President; and
- 13.3.8. Such other fund sources as the Board of Trustees may hereafter identify as legal, valid and authorized fund sources, such as the various funding facilities now available in government financial institutions.

Chapter IV **GOVERNING BOARD OF THE EVSU-EPF**

Article 8 **The Board of Trustees**

Section 14. ***The Board of Trustees of the EVSU-EPF.*** – The EVSU-EPF shall be managed prudently by a Board of Trustees, hereinafter referred to as the Board or BOT, which shall be a mix of managerial and rank and file employees.

- 14.1. ***Composition.*** – The Board of Trustees shall be in odd number with a minimum of five (5) to a maximum of fifteen (15) membership with the following:

Chairperson: Any Executive Official designated by the University President

Vice-Chairperson: Vice President for Administration and Finance

Members: Representatives proportionately from the employees belonging to the first, second and third levels who comprise the EVSU-EPF.

- 14.2. ***Selection Process of the Representatives to the Board of Trustees.*** – The representatives of the University shall be designated by the University President while the representatives of the employees shall be elected by the General Membership.
- 14.3. ***Continuing Re-Organization or Re-structuring of the Board of Trustees.*** – The number of board members shall depend on the EVSU-EPF magnitude and said mix shall depend on the University and employee stakes. Towards this end, the Secretary shall update the EVSU-EPF BOT on the stakes distribution such that the re-allocation of the Trustees and henceforth the Board of Trustees be re-organized or re-structured accordingly as the need arises subject to the rules and regulations approved by the Board of Trustees.

Section 15. **Functions and Responsibilities of the Board of Trustees.** – The Board of Trustees shall be directly responsible for the efficient and effective administration of the EVSU-EPF. Its functions shall be as follows:

- 15.1. Promulgate, implement and enforce the by-laws and rules and regulations governing the use, operation, and investment of the EVSU-EPF;
- 15.2. Identify and secure other legal, valid and authorized sources of funds to provide better credit facility and welfare benefits for the members;
- 15.3. Determine the type, use and amounts of loans that may be granted, and prescribe the applicable repayment schedule and interest rates;
- 15.4. Determine the benefits due to members of the EVSU-EPF;
- 15.5. Establish the eligibility requirements for membership, claimants and grantees of the EVSU-EPF;
- 15.6. Approve membership, loans to employees after considering the poverty threshold limit, benefits, and expenditures from the EVSU-EPF;
- 15.7. Designate or appoint officers and staff of standing committees for the Fund from among the regular personnel of the University, and prescribe their duties, and responsibilities;
- 15.8. Create and constitute campus representatives if and when the size and spread of operations so warrant and delegate such functions as may be necessary;
- 15.9. Determine sanctions/liabilities of officers managing the EVSU-EPF and of violators of the rules and regulations of the EVSU-EPF; and
- 15.10. Perform such other functions as may be necessary to carry out the objectives and purposes of the EVSU-EPF.

Section 16. **Duties and Responsibilities of the Chairperson and Vice Chairperson.** – The Chairperson and Vice Chairperson shall perform the following duties and responsibilities:

- 16.1. *The Chairperson:*
 - 16.1.1. Presides over all meetings of the Board of Trustees;
 - 16.1.2. Exercises general supervision over officers and support staff of the EVSU-EPF as deemed necessary in order to ensure that the by-laws, this 2017 EVSU-EPFM Manual, rules and regulations of the EVSU-EPF are followed;
 - 16.1.3. Countersigns all checks in behalf of the EVSU-EPF;

- 16.1.4. Negotiate and sign for and in behalf of the EVSU-PPF such agreements or ventures with any entities subject to the ratification by the Board of Trustees; and
- 16.1.5. Performs such other duties and responsibilities as the Board of Trustees may assign.
- 16.2. *The Vice Chairperson:*
 - 16.2.1. Acts a Chairperson in the latter's absence or temporary incapacity;
 - 16.2.2. Countersigns all checks in behalf of the EVSU-EPF in the absence of the Chairperson; and
 - 16.2.3. Performs such other duties and responsibilities as the Chairperson and/or the Board of Trustees may assign.

Section 17. **Term of Office of the Board.** – The term of office of the Board of Trustees shall be for a maximum term of two (2) years as may be prescribed in the by-laws of the EVSU-EPF and until such time that their successors shall have been appointed and qualified, *provided*, that no such member may be designated/elected more than three (3) consecutive terms as may be prescribed in the by-laws of the EVSU-EPF.

Section 18. **Meetings and Quorum.** – The following shall strictly be observed:

- 18.1. The Board of Trustees shall hold regular meetings at such frequency, dates and places as may be determined by the Board. Special meetings may be called by the Chairperson or upon a petition of at least three (3) members, as the need arises.
- 18.2. A majority vote of all members of the Board present shall be required in order to pass a resolution, *provided*, that a quorum exists.
- 18.3. All meetings of the Board shall be presided over by the Chairperson or in his/her absence by the Vice-Chairperson.

Section 19. **Vacancy and Hold-over Capacity.** – In case of vacancy in the Board of Trustees for any of the reasons such as, but not limited to, resignation, retirement, separation from the University, death, permanent incapacity due to health reason/s, or conviction of any administrative offense, or such other grounds, the duly qualified successor to such vacancy shall serve only for the unexpired portion of the term.

Provided, that the Chairperson, Vice Chairperson and Members of the Board of Trustees shall be authorized to hold over after their respective terms of office shall have expired unless their successors have been elected or selected and qualified to assume the position.

Section 20. **Internal Rules of Procedures.** – The Board of Trustees shall, by a majority vote of its Members in a meeting, there being a quorum, formulate, promulgate and execute its internal Rules of Procedures.

Article 9 **Officers and Support Staff**

Section 21. **Part-time Assignment as Officers of the EVSU-EPF; Duties and Responsibilities.** – In order to ensure the management of the EVSU-EPF on a day-to-day basis, the monitoring of its transactions and the preparation of the required documents and reports, the EVSU-EPF shall have a Chief Executive Officer, Secretary, Treasurer, Legal Counsel and Auditor as its officers designated by the University President. Their terms of office and duties and responsibilities shall be prescribed in the By-Laws of the EVSU-EPF which shall include but shall not be limited to the following:

21.1. *The Chief Executive Officer (CEO).* – The Vice Chairperson of the Board shall serve as the Chief Executive Officer who shall perform the following duties and responsibilities:

21.1.1. Exercises overall supervision over the EVSU-EPF operations; monitors fund transactions;

21.1.2. Ensures compliance with the EVSU-EPF By-laws, rules and regulations;

21.1.3. Prepares drafts of policies and the periodic budget of the EVSU-EPF for review and approval by the Board of Trustees;

21.1.4. Submits to the Board of Trustees the required reports; and

21.1.5. Discharges such duties as the Chairperson or Board of Trustees may assign.

21.2. *The Secretary.* – The Secretary shall provide secretariat services to the Board of Trustees and shall be the repository of all the records of the EVSU-EPF. He/She shall discharge such duties as the CEO and/or Chairperson may assign.

Provided, that He/She may be elected from among the members of the Board of Trustees or designated from the General Membership.

21.3. *The Treasurer.* – The Treasurer shall discharge the following duties and responsibilities:

21.3.1. Serves as the custodian of the monies and properties of the EVSU-EPF;

21.3.2. Keeps a complete and accurate record of all receipts and disbursements of the EVSU-EPF;

- 21.3.3. Collects dues, assessments, charges from the members of the EVSU-EPF;
- 21.3.4. Submits annual financial report to the Board of Trustees; and
- 21.3.5. Discharges such duties as the CEO or Chairperson may assign.

Provided, that the Treasurer must be bonded in such amount to be fixed by the Board of Trustees.

Provided, further, that he/she may be elected from among the Members of the Board of Trustees or designated from the General Membership.

- 21.4. *Legal Counsel.* – The Legal Counsel shall handle all cases and shall supervise the legal affairs of the EVSU-EPF.

Provided, that he/she may be designated from among the staff of the University's legal unit who is from the General Membership.

- 21.5. *Auditor.* – The Auditor shall audit all receipts and expenditures of the EVSU-EPF and shall prepare the necessary reports for submission to the Board of Trustees and to the General Assembly. He/she shall perform such other duties as the CEO or Chairperson may assign.

Provided, that he/she shall be from the general membership and shall not be from among the members of the Board of Trustees.

Section 22. ***Part-time Assignment as Support Staff.*** – The following guidelines shall strictly be observed:

- 22.1. *Standing Committees.* – To ensure the provision of support services to the EVSU-EPF such as assisting in the formulation and review of guidelines, rules and regulations, conducting studies and monitoring the functions and activities of the EVSU-EPF, support staff may be assigned on a part-time basis in Standing Committees to be created by the Board of Trustees such as, but not limited to the following:

- 22.1.1. Membership and Development Committee;
- 22.1.2. Loan Evaluation Committee;
- 22.1.3. Financial Management and Investments Committee; and
- 22.1.4. Election Committee.

- 22.2. *Composition and Functions of the Standing Committees.* – The Board of Trustees shall select such Chairperson and Members of the Standing Committees, and shall specify the functions thereof. Designations in committees shall be approved by the University President.

- 22.3. *Manual of Operations of the Committees.* – Each committee shall prepare its manual of operations subject to the approval of the Board of Trustees.
- 22.4. *Term of Office of the Committee Chairperson and Members.* – The terms of office of committee Chairperson and Members shall be as prescribed in the by-laws of the EVSU-EPF.
- 22.5. *Ad hoc Committees.* – The Board of Trustees may create and define the duties and functions of any *Ad hoc* Committee as may be deemed necessary in the discharge of its duties and functions.

Section 23. ***Vacancy and Hold-over Capacity.*** – In case of vacancy in any officers or support staff for any of the reasons such as, but not limited to, resignation, retirement, separation from the University, death, permanent incapacity due to health reason/s, or conviction of any administrative offense, or such grounds, the duly qualified successor to such vacancy shall serve only for the unexpired portion of the term.

Provided, that the Officers and Support Staff duly designated by the Board of Trustees shall be authorized to hold over in their respective position or designation after their respective terms of office unless their successors have been designated or selected and qualified to assume the position.

Article 10 **By-Laws of the EVSU-EPF**

Section 24. ***Formulation.*** – The Board of Trustees shall formulate the By-laws necessary for the proper, effective and efficient implementation of the EVSU-EPF taking into considerations DBM Circular No. 2008-3, E.O. No. 461, this 2017 EVSU-EPFM Manual and subsequent issuances thereof and such applicable jurisprudence, laws, rules and regulations.

Section 25. ***Ratification and Approval.*** – The By-Laws shall be submitted to the General Membership for ratification by a majority of its members, there being a quorum. *Provided,* that the By-laws duly ratified by the members shall be submitted to the EVSU Board of Regents for approval upon the recommendation by the University President and proper review by the Board Committee on Administration, Finance and Procurement³⁷.

Section 26. ***Amendment, Revision or Repeal of the By-Laws.*** – The following guidelines shall be strictly enforced:

- 26.1. Amendments to, revision or repeal of the By-laws may be proposed by any member of the Board of Trustees or any member of the Employees' Provident Fund of the University, *provided,* that the vested rights³⁸ of

³⁷ Section 34.1.a.1. of the 2017 Revised University Code.

³⁸ **Joseph H. Reyes v. Commission on Audit**, G.R. No. 12519, March 29, 1999 citing *Philippine Ports Authority v. COA*, 214 SCRA 653, 661, citing *Development Bank of the Philippines v. Court of Appeals*, 96 SCRA 359, the Supreme Court held:

the members shall not be prejudicial or adversely affected by such amendment, revision, or repeal.

- 26.2. Any amendments, revision, or repeal of provisions of the By-Laws shall be subject to the ratification of the majority of the members during a general assembly, there being a quorum, or a referendum or plebiscite called for that purpose to be administered by the appropriate committee created by the Board of Trustees.
- 26.3. The duly ratified amendments to, revision, or repeal of the provisions of the By-Laws shall be submitted to the EVSU Board of Regents for approval upon the recommendation by the University President and proper review by the Board Committee on Administration, Finance and Procurement.

Article 11

Restrictions on Compensation and Expenses

Section 27. **No Compensation to the Trustees and Officers.** – All Trustees and Officers shall serve without compensation.

Section 28. **Per Diems.** – The Members of the Board of Trustees shall receive a per diem in such amount may be determined by the Board, for every meeting actually attended.

Section 29. **Reimbursement of Actual Expenses.** – Reasonable expenses incurred by the Chairperson, Vice Chairperson and Members of the Board of Trustees in connection with Board activities may be reimbursed upon presentation of receipts and other documentary evidences in support of claims.

Provided, that any claim for reimbursement of actual and necessary expenses incurred in connection with activities of the Board shall be evaluated and processed in accordance with existing accounting and auditing rules and regulations.

Section 30. **Payment of Actual Overtime Services.** – In the initial operation of the EVSU-EPF, overtime services rendered by support staff who are members of the committees may be compensated by Compensatory Time-Off, subject to the guidelines by the Board of Trustees and the pertinent guidelines prescribe under CSC and DM Joint Circular No. 2, s. 2004³⁹.

Subsequently, if the EVSU-EPF's financial position would allow, its earnings may be tapped to compensate such overtime services rendered by the support staff with overtime pay, subject to the pertinent guidelines to be adopted by the Board of Trustees. Such overtime pay rates shall not exceed those under DBM Budget Circular No. 10 dated March 29, 1996⁴⁰ and subsequent issuances thereof.

"A vested right is one which is absolute, complete and unconditional, to the exercise of which no obstacle exists, and which is immediate and perfect in itself and not dependent upon a contingency."

³⁹ "Non-Monetary Remuneration for Overtime Services Rendered."

⁴⁰ "Prescribing and Updating the Guidelines and Procedures on the Rendition of Overtime Services with Pay of Government Personnel."

Section 31. **Budgetary Requirements for the Compensation of Services and Operational Expenses.** – The following guidelines shall strictly be observed:

- 31.1. The Board of Trustees shall approve the allocation of funds for compensation of services rendered and other operational expenses of the EVSU-EPF such as purchase of supplies and reimbursable expenses of the Board of Trustees;
- 31.2. Such overtime pay, reimbursable reasonable expenses and other operating expenses may be charged against earnings of the EVSU-EPF and any surplus thereof shall accrue to the principal at the end of a fiscal year.
- 31.3. Any claim for reimbursement of actual and necessary expenses incurred in connection with activities of the Board of Trustees shall be evaluated and processed in accordance with existing accounting and auditing rules and regulations.

Chapter V

POLICIES ON MEMBERSHIP AND GENERAL MEMBERSHIP DUTIES AND RESPONSIBILITIES, AND BENEFITS OF MEMBERS

Article 12 **Membership**

Section 32. **Composition of Membership.** – All incumbent employees of the University, whether permanent, casual or contractual in nature, who signify in writing their intentions to join the EVSU-EPF, are eligible members thereof, subject to the length of service requirements as may be determined by the Board of Trustees or as may be provided herein.

Provided, that membership shall be voluntary.

Section 33. **Membership Qualifications and Requirements.** – Any employee of the University may apply as member of the EVSU-EPF with the following requirements to be submitted in duplicate copies (*one original and one certified true copy*):

- 33.1. Letter of Intent (**Annex A**);
- 33.2. Duly accomplished Membership Form (**Annex B**);
- 33.3. Special Power of Attorney (SPA) for the Authority to Deduct from Salary and Other Benefits (**Annex C**);
- 33.4. An applicant must have been in the University for the period of at least six (6) months, whether permanent, causal or contractual. A service record issued by the Human Resource Management (HRM) Officer of

the University Campus within three (3) months prior to submission of the foregoing requirements must be attached thereto; and

- 33.5. Certificate of Employment and Compensation jointly issued by the Chief Accounting Section, and HRM Officer of the University Campus.

Section 34. **Issuance of the Certificate of Membership and Identification Card.** – Within fifteen (15) days upon approval of the application by the Board of Trustees pursuant to an approved BOT Resolution (**Annex D**), the Certificate of Membership (**Annex E**) and Identification (ID) card shall be issued to the concerned member. Provided, that the ID card shall be in such form and design as the Board of Trustees may determine.

Section 35. **Validity of Membership.** – Membership in the EVSU-EPF shall commence upon approval by the Board of Trustees and may continue until cessation of service in the University such as when a member retires, or is separated from the service, or upon demise, or upon transfer to another government agency.

Section 36. **Withdrawal, Suspension or Termination of Membership.** – The following guidelines shall be observed:

- 36.1. *Withdrawal, Suspension or Termination of Contributions and Membership Emanating from the Member Concerned.* – Any member may withdraw or request for suspension or termination his/her membership for whatever reason/s upon proper notification (**Annex F**) and concurrence by the Board of Trustees. *Provided*, that concurrence by the Board of Trustees shall be conditioned after the concerned member shall fully settled his or her obligations with the EVSU-EPF upon submission of an approved Clearance of the EVSU-EPF (**Annex G**) and of the University in such form or design prescribed under relevant policies of the University.
- 36.2. *Suspension or Termination of Contributions and Membership by the Board of Trustees.* – The Board of Trustees may withdraw, suspend or terminate the membership of any member due to any of the following grounds:
 - 36.2.1. When a member is on leave without pay;
 - 36.2.2. When a member is under preventive suspension during the pendency of an administrative case filed against him/her; or
 - 36.2.3. When a member is penalized with suspension from the service as a result of an administrative case filed against him/her.
- 36.3. *Resumption of Contribution and Membership.* – A member may resume his/her contribution to and membership with the EVSU-EPF upon resumption of his/her duties and responsibilities in the University subject to the rules and regulations approved by the Board of Trustees. Falsification of application for membership and supporting documents thereof.

Section 37. **Appeal Mechanism on Membership Subject to Suspension or Termination.** – The Board of Trustees shall promulgate such rules necessary governing appeal on membership subject to suspension or termination subject to existing laws, rules and regulations.

Section 38. **Reapplication for Membership.** – Members who have withdrawn their membership in the EVSU-EPF may reapply subject to the conditions imposed by the Board of Trustees or as may be provided under the By-Laws.

Section 39. **Associate and Limitations of Membership of the University's Regents.** – Regents of the University may be admitted to and conferred associate membership in the EVSU-EPF subject to the qualifications and requirements provided in Section 33, Article 12 and benefits under Section 47, Article 15 of the 2107 EVSU-EPF Manual and subsequent issuances thereof.

Provided, that those Regents without fixed compensation shall only be conferred associate membership if they pay membership fee prescribed herein and monthly contribution in the amount Two Thousand Pesos (Php2,000.00) or such amount as the Board of Trustees may determine.

Provided, further, that Regents may continue their associate membership after the expiration of their respective terms of office as long as they regularly pay the membership fee and monthly contributions, attend general membership meetings and other activities.

Provided, furthermore, that Regents who are admitted associate members shall not be eligible for election and assume to any position in the Board of Trustees.

Section 40. **Disqualification from Membership**⁴¹. – The personnel of the COA assigned to the University and other government personnel under similar circumstances, are not eligible members of the EVSU-EPF to which they are assigned or on detail, in order to preserve the independence and integrity of their respective mother agencies, in line with Section 18 of R.A. No. 6758⁴².

Article 13 General Membership

Section 41. **General Membership Meetings.** – The General Membership shall hold an annual meeting and may hold regular and special meetings as may be determined by the Board.

Section 42. **Quorum.** – In every meeting of the General Membership, the presence of the majority of members shall constitute a quorum.

Section 43. **Calendar of Business.** – The Calendar of Business for every General Membership meeting shall be as follows:

⁴¹ Item 5.1.7 of DBM Budget Circular No. 2008-3 dated June 20, 2008.

⁴² "Compensation and Position Classification Act of 1989."

- 43.1. Roll Call;
- 43.2. Declaration of Quorum
- 43.3. Adoption of the Provisional Agenda;
- 43.4. Reading and Adoption of the Minutes of the Previous Meeting;
- 43.5. Matters Arising from the Minutes of the Previous Meeting
- 43.6. Chairperson's Privilege/Hour;
- 43.7. New Business;
- 43.8. Unfinished Business:
- 43.9. Announcements; and
- 43.10. Adjournment.

Section 44. **Penalties of Absences During Meetings and Recording of Collections Thereof.** – The Board of Trustees shall prescribe the penalties for absences of members during meetings and all collections thereof shall be made part and recorded as a regular fund of the EVSU-EPF.

Article 14 **Rights, Duties and Responsibilities of Members**

Section 45. **Rights of Members**⁴³. – A member of the Employees' Provident Fund of the University shall have the following rights:

- 45.1. To vote and be voted upon;
- 45.2. To propose amendments of the by-laws which shall be adopted with the concurrence of the majority of the members of the EVSU-EPF;
- 45.3. To initiate recall of any member of the EVSU-EPF or a member of the Board of Trustees based upon valid grounds; no recall shall be made without the concurrence of 2/3 votes of all the members of the EVSU-EPF;
- 45.4. To initiate disciplinary action against any member or officer of the EVSU-EPF based upon the valid grounds; no such action shall be imposed without the concurrence of the majority of the majority of all the members of the EVSU-EPF; and
- 45.5. To inspect and to look into the books of accounts of the EVSU-EPF.

Section 46. **Duties and Responsibilities of Members**⁴⁴. – Each member of the EVSU-EPF shall perform the following duties and responsibilities:

- 46.1. To observe compliance of the by-laws, rules and regulations of the EVSU-EPF, otherwise, any member found guilty of violations thereof shall be subjected to disciplinary action;
- 46.2. To support and cooperate in all activities and undertakings of the EVSU-EPF; and

⁴³ Item 5.2.1 of DBM Budget Circular No. 2008-3 dated June 20, 2008.

⁴⁴ Item 5.2.2 of DBM Budget Circular No. 2008-3.dated June 20, 2008.

- 46.3. To attend and participate in the general assembly and all meetings of the EVSU-EPF when required.

Article 15 **Benefits of Members**

Section 47. **Benefits of a Member**⁴⁵. – Subject to the approval of the Board of Trustees, a member of the EVSU-EPF shall be entitled to or availed of the following benefits, among others:

- 47.1. *Availment of Loans or Credits.* – The EVSU-EPF funds may be utilized to extend loans or credits to its qualified members for income-generating projects or livelihood activities as may be approved by the Board of Trustees;
- 47.2. *Dividends Arising from the Operations and Earnings.* – Dividends arising from the operations of the EVSU-EPF shall be determined and approved by the Board of Trustees based on realized earnings from operations and investments of the EVSU-EPF for each year, after deducting a percentage from said earnings for a General Reserve Fund. Such dividends shall be credited to the EVSU-EPF members, subject to the rules and regulations approved by the Board of Trustees.
- 47.3. *Refund Due to Retirement from the University.* – When a member retires from the University, his/her contributions shall be refunded, including his/her University's share, if any, as well as the corresponding proportionate earnings accruing to the EVSU-EPF, less any claim that the University and the EVSU-EPF may have against him/her;
- 47.4. *Refund Due to Separation for Cause.* – In case of separation of a member for cause, she/he shall be entitled only to his/her personal contributions and the earnings thereon, after deduction of any claim that the EVSU-EPF and the University may have against him/her.
- 47.5. *Refund Due to Separation for Total and Permanent Disability.* – In the event of a member's separation from the service due to total and permanent disability, he/she shall be entitled to refund of all of his/her personal contributions and his/her University's share plus earnings thereon, less any claim that the EVSU-EPF and the University may have against him/her.
- 47.6. *Payment of Personal Contributions and Shares in Case of Death.* – In case of death of a member, his/her duly designated beneficiaries or a duly appointed executor or administrator of the estate of a deceased shall be paid all of a deceased's personal contributions and University's share, plus earnings thereon, less any claim that the EVSU-EPF and the University have against him/her.

⁴⁵ Item 5.5 of DBM Budget Circular No. 2008-3.dated June 20, 2008.

- 47.7. *Waiver in Favor of Unclaimed or Uncollected Shares to the EVSU-EPF.* – All EVSU-EPF benefits including but not limited to the employee and University shares and share on the General Reserve Fund whichever remained unclaimed or uncollected for a period prescribed by the Board of Trustees from the date they have become due to a seceding member shall be considered as waived or abandoned in favor of the EVSU-EPF.
- 47.8. *Send-off Token to Retiring Official or Faculty Member or Non-Teaching Personnel or Employee of the University.* – Each official or faculty member or non-teaching personnel or employee of the University, whose application for retirement has been approved by the EVSU BOR, shall be entitled to Employee's Send-off Token (EST) in the amount of not less than One Hundred Thousand Pesos (Php100,000.00) to be charged against the savings and/or income and/or appropriate funds of the University, subject to the availability of funds and usual accounting and auditing rules and regulations. The said Send-off Token shall be awarded during a "PASALAMAT-PAALAM" Program or Ceremony organized for that purpose. *Provided*, that the grant of the Send-Off Token shall be subject to the pertinent provisions of the 2017 Administrative Manual of the University⁴⁶ and/or 2017 Human Resource Merit Promotion and Selection for Faculty Members and Academic Non-Teaching Staff (HRMPS-FANTS) of the University Manual⁴⁷, or 2017 Human Resource Merit Promotion and Selection for Administrative and Non-Teaching Personnel (HRMPS-ANTP) of the University Manual⁴⁸, 2017 Internal Rules of Procedure of the EVSU BOR, as the case may be, and such applicable CSC circulars⁴⁹, laws, rules and regulations.
- 47.9. *Other Benefits.* – Depending on the viability of the EVSU-EPF, the Board of Trustees may approve such other benefits for EVSU-EPF members, subject to the approval of the majority of the members.

Relatedly, the EVSU-EPF may provide the following benefits to the members:

- a. Hospital and/ or medical expenses resulting from an accident/serious illness. *Provided*, that the Board of Trustees may enter into an agreement with any accredited insurance company/ies for a group insurance coverage of members subject to procurement process and approval by the General Assembly subject to applicable laws, rules and regulations;
- b. Death of immediate and/or other members of his/her family up to the fourth degree of affinity and consanguinity;

⁴⁶ Approved per Board Resolution No. ____, s. 2017 adopted by the EVSU BOR on December 8, 2017.

⁴⁷ Approved per Board Resolution No. ____, s. 2017 adopted by the EVSU BOR on December 8, 2017.

⁴⁸ Approved per Board Resolution No. ____, s. 2017 adopted by the EVSU BOR on December 8, 2017.

⁴⁹ CSC Resolution No. 980474 promulgated on March 5, 1998 and circularized through MC No. 7, s. 1998 dated March 13, 1998 and subsequent issuances thereof.

- c. Availment of a loan after (1) one year of membership which shall be used for emergency needs of the member, or immediate and other members of his/her family up to the fourth degree of civil consanguinity or affinity;
- d. Educational loans; and
- e. Such benefits as may be deemed proper to continually improve the welfare of the members.

Section 48. **Application of the Principles of Fair Remuneration and Equity.** – Consistent with the principles of fair remuneration and equity, all officers and employees of the University should have guaranteed access to the EVSU-EPF and should have the same rights and privileges under the EVSU-EPF. There should be no special rules to benefit executives or a select group of employees.

Section 49. **Patronage Refund for Loan Borrowers.** – The following guidelines shall be observed:

- 49.1. At least six (6) months consistent and correct monthly payments from loan amortization.
- 49.2. The funds are not distributed based on the number of shares owned. It is distributed based on how much each member spends at the Fund; that is their patronage.
- 49.3. A member with no contribution to the Fund for six (6) months or more is considered an inactive member and member benefits are suspended;
- 49.4. A member on leave from the University or on Secondment may directly pay their contribution to our EVSU-EPF account.

Section 50. **Partial Distribution of Equity.** – Portion of earnings earned during the year may be withdrawn or applied to loan.

Section 51. **Tax Exemption of Benefits.** – All benefits to which a member is entitled to shall be tax exempt as enunciated in **DBP v. COA**⁵⁰ wherein the Supreme Court clearly pronounced:

“xxxxxxxxxx. The trust funds of employees other than those of private employers are qualified for certain tax exemptions pursuant to Section 60(B) formerly Section 53(b) of the National Internal Revenue Code.⁵¹ Section 60(B) provides:

Section 60. Imposition of Tax.

- (A) Application of Tax. The tax imposed by this Title upon individuals shall apply to the income of estates or of any kind of property held in trust, including:

⁵⁰ **Development Bank of the Philippines v. Commission on Audit**, G.R. No. 144516, February 11, 2004.

⁵¹ BIR Revenue Memorandum Order No. 9-93 issued on October 15, 1992.

xxx

- (B) Exception. The tax imposed by this Title shall not apply to employees trust funds which forms part of a pension, stock bonus or profit-sharing plan of an employer for the benefit of some or all of his employees (1) if contributions are made to the trust by such employer, or employees, or both for the **purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan**, and (2) if under the trust instrument it is impossible, at any time prior to the satisfaction of all liabilities with respect to employees under the trust, for any part of the corpus or income to be (within the taxable year or thereafter) used for, or diverted to, purposes other than for the exclusive benefit of his employees: xxx" (Emphasis supplied)

Section 52. **Assignability.** – The benefits of a member shall be assignable or transferable to his or her beneficiaries indicated in the duly submitted Membership Application Form duly approved by the Board of Trustees.

Chapter VI **FUND AND RESOURCES' MANAGEMENT**

Article 16 **Loans and Their Security**

Section 53. **General Policies.** – The following policies shall be strictly observed:

- 53.1. The allocation of funds for loaning purposes, the setting of interest rates on loans and surcharges for unpaid monthly amortizations, as well as the adoption of operations manual on availment of loans from the EVSU-EPF shall be subject to approval by the Board of Trustees.
- 53.2. The grant of loans to members of the EVSU-EPF using the Application for Loan Form (**Annex H**) shall follow an order of priority, based on a first-come-first-serve basis, and priority to those with lower salaries.
- 53.3. Loan amortizations shall be through salary deduction or payment scheme from the income-generating project or livelihood activities;
- 53.4. To further secure the payment of a loan, a member-borrower shall assign to and authorized the EVSU-EPF to set off, collect or withhold an amount corresponding to the outstanding obligations, inclusive of interest due, from any pecuniary benefits in the form of bonuses, allowances, gratuity pay, vacation leave credits and other benefits from the University and fro the EVSU-EPF.

Section 54. **Collection of Loan Payments.** – The collection of loan payments by the University's payroll unit shall be through salary deduction.

Section 55. **Deposit of Funds.** – EVSU-EPF shall be deposited in duly authorized depository banks identified by the EVSU-EPF duly approved by the University President.

Section 56. **Investments.** – The following policies shall be enforced:

- 56.1. The portion of the EVSU-EPF which remains utilized may be invested, subject to the approval of the Board of Trustees.
- 56.2. Such investments may be in the form of interest-earning deposits, high grade securities, treasury bills, and other non-speculative investments, provided, that the earnings derived from investments shall be distributed to the EVSU-EPF Members.
- 56.3. Major investments such as real estate purchase, etc., as may be determined by the Board of Trustees shall be subject to ratification of the majority of the members of the EVSU-EPF.

Section 57. **Earnings of the EVSU-EPF.** – The earnings of the EVSU-EPF shall be governed by the following:

- 57.1. Earnings of the EVSU-EPF shall include all interests dividends, and income from investments, deposits and other assets of the EVSU-EPF; and
- 57.2. At the beginning of each fiscal year, the earnings realized from the operations of the EVSU-EPF in the previous fiscal year ending December 31 shall be credited to the members in proportion to their equity of the preceding year just ended after deducting the amount to be set aside for the General Fund.

Section 58. **General Reserve Fund (GRF)**⁵². – The following policies shall strictly be observed:

- 58.1. The General Reserve Fund, hereinafter referred to as the GRF, for brevity, shall be established out of a maximum 5% or a minimum 3% of the annual earnings of the EVSU-EPF as approved by the Board of Trustees, to cover the following:

⁵² **GERSIP Association, Inc. et al. v. Government Insurance Service System**, G.R. No. 189827, October 16, 2013, the Supreme Court sustained:

“The General Reserve Fund shall be used for the following purposes:

- (a) To cover the deficiency, if any, between the amount standing to the credit of a member who dies or is separated from the service due to permanent and total disability, and the amount due him under Article V Section 4;
- (b) To make up for any investment losses and write-offs of bad debts, in accordance with policies to be promulgated by the Board;
- (c) To pay the benefits of separated employees in accordance with Article IV, Section 3; and
- (d) For other purposes as may be approved by the Board, provided that such purposes is consistent with Article IV, Section 4.”

- 58.1.1. To grant employee benefits chargeable against the General Reserve Fund (e.g, death benefits);
 - 58.1.2. To serve as allowance for unsuccessful collection of outstanding loan balance of a member in case of death or permanent disability after exhausting all possible means of collection; and
 - 58.1.3. Such other purposes as approved by the Board of Trustees/General Membership of the EVSU-EPF.
- 58.2. The Board of Trustees may increase or decrease the percentage of earnings of the EVSU-EPF to be allocated to the General Reserve Fund depending on the latter's purpose/s.

Section 59. **Limitations on Payment.** – The EVSU-EPF shall have first lien on all amounts standing to the credit of any member to cover any debt or accountability which a member may have with the EVSU-EPF. In like manner, the University shall have second lien on a member's savings in the EVSU-EPF.

Article 17

Disciplinary Actions and Penalties

Section 60. **Application of Policies on Disciplinary Action and Administrative Case/s Against University Officials, Faculty Members and Non-teaching Personnel duly Approved by the EVSU Board of Regents and Applicable CSC Laws, Rules and Jurisprudence.** – The Code of Conduct and Rules on Administrative and Disciplinary Cases of the Officials and Employees of the University duly approved by the EVSU Board of Regents, CSC Resolution No. 1701077 promulgated on July 3, 2017⁵³ and applicable rules and jurisprudence shall be applied suppletorily to and serve as the governing guidelines in the disciplinary action/s against any Member of the Board of Trustees, Officers, Support Staff and Members of the EVSU-EPF.

Section 61. **Penalties.** – The Board of Trustees shall ensure that the members of the EVSU-EPF shall have strong legal protections with government enforcement capabilities against the loss of EVSU-EPF assets. The Board of Trustees, therefore, shall set penalties for delinquent payment of contributions and/or accounts, violations against the EVSU-EPF's by-laws, rules and regulations, fraud, theft or fiduciary mismanagement.

Provided, that such penalties shall be meted without prejudice to the filing of an administrative case against a member due to violations of Civil Service laws, rules and regulations.

Article 18

Resources' Management

⁵³ "2017 Rules on Administrative Cases in the Civil Services (2017 RACCS)."

Section 62. **Schedule of EVSU-EPF Distribution per Annum.** – The following schedule of fund distribution per annum shall be observed:

Particulars	Weight Allocation
a. Benefits and Operational Expenses	95%
b. General Reserve Fund	5%
Total	100%

Provided, that the Board of Trustees may adjust the said schedule provided, that the General Reserve Fund shall not lower than three percent (3%).

Section 63. **Accurate and Detailed Account.** – The Board of Trustees shall keep accurate and detailed account of all investments receipts, disbursements and other transactions of the EVSU-EPF.

Section 64. **Accounting and Auditing of Funds and Assets.** – All funds and assets of the fund shall be subject to the usual accounting and auditing rules and regulations promulgated by the COA.

Section 65. **Reportorial Requirements.** – At the end of each fiscal year, the Board of /trustees shall submit to the EVSU Board of Regents and shall make available to the General Membership an annual report showing the income and expenditure and financial condition of the EVSU-EPF as of December of each year. Copies of the report shall be furnished the DBM.

Section 66. **Full Transparency.** – The Board of Trustees shall ensure full transparency in all transactions related to the EVSU-EPF. It shall undertake positive measures such as, but not limited to, installation of a Freedom of Information and Transparency Bulleting Board solely dedicated for disseminating or posting of financial statements and all acts or decisions by the Board of Trustees and the Officers, and adoption of such relevant mechanism or rules.

Article 19

Positive and Development Measures

Section 67. **Holding of the Annual University Provident Day.** – The Annual University Provident Day shall be held on the date of approval of this Manual and every year thereafter to celebrate the establishment of the EVSU-EPF. The Board of Trustees shall design and execute programs and activities that would further improve awareness and participation, and promote camaraderie and meaningful interaction among members.

Section 68. **Continuing Capability Building.** – There shall be a continuing capability building such as, but not limited to, trainings, seminars, immersion in agencies with successful provident fund operations, field trips and other similar activities to further enhance the capabilities and performance of the Board of Trustees and officers.

Section 69. **Financial Requirements.** – The financial requirements for the conduct of the Annual University Provident Day and the Continuing Capability Building shall be charged against the General Reserve Fund or such fund/s as may be applicable to be determined by the Board of Trustees.

Article 20

Termination of the EVSU-EPF

Section 70. **Guidelines.** – The following shall be observed in the termination of the Employees' Provident Fund of the University:

- 70.1. *General Membership Vote Requirement.* – The EVSU-EPF may be terminated for a just cause/s by a $\frac{3}{4}$ vote of the General Membership;
- 70.2. *Payment to the Members and Reversion to the National Treasury.* – In the event of such termination, the balances to the credit of the members, including the University's contributions, as well as earnings, shall be paid to each member. Any remaining balance shall revert to the National Treasury.
- 70.3. *Winding Up or Transition Period.* – Upon dissolution, the Board of Trustees shall continue as a body for a period of six (6) months to attend to matters relative to the winding up of the EVSU-EPF.
- 70.4. *Approval by the EVSU Board of Regents.* – The termination or dissolution shall be approved by the EVSU Board of Regents upon the recommendation of the University President and proper review by the Board Committee on Administration.
- 70.5. *Official Declaration of Termination/Dissolution.* – After the foregoing conditions are undertaken, the University President shall issue a Memorandum Oder/Circular declaring the EVSU-EPF is officially terminated or dissolved.

Chapter VII

FINAL CLAUSES

Article 21

Parity Clause and Prohibition Against Diminution and Elimination

Section 71. **Parity Clause.** – All other powers, functions and privileges, responsibilities and limitations to state universities and/or their officials under existing laws shall be deemed granted to or imposed upon the University and/or its officials, faculty members and academic officers or staff whenever appropriate.

Section 73. **Prohibition Against Diminution and/or Elimination.** – Nothing in this Manual shall be construed to eliminate or in any way diminish rights, benefits, privileges, powers, duties and functions, as the case may be, being enjoyed

by the officials or officers, faculty members, non-teaching personnel or employees and students of the University at the time of the effectivity of this EVSU-EPFM Manual.

Article 22 **Transitory Provisions and Implementing Guidelines**

Section 74. **Transitory Provisions.** – The following provisions shall strictly be observed and carried out, within such period as provided below or as the University President may determine, upon approval of this EVSU-EPF Manual:

74.1. *Submission of the Membership Form.* – Within fifteen (15) days from the effectivity of this 2017 EVSU-EPFM Manual, all officials and employees of the University shall signify their intentions to join the EVSU-EPF by submitting a duly accomplished prescribed application form.

74.2. *Constitution of the Interim Board of Trustees.* – Thirty (30) days after the effectivity of this Manual, the University President shall constitute an Interim Board of Trustees in accordance with the provisions hereof.

Chairperson: Any Executive Official designated by the University President

Vice-Chairperson: Vice President for Administration and Finance

Members: Vice Presidents

Campus Directors

President or authorized representative of the Federation of Faculty Associations duly recognized by the EVSU BOR

President or authorized representative of the Federation of Non-Teaching Personnel Associations

President or authorized of the Faculty Union duly registered at or accredited by the CSC

President or authorized representative of the Non-Teaching Personnel Union duly registered at or accredited by the CSC

Director, Financial Management Office

Secretary: HRM Officer

The Interim Board of Trustees shall lay the ground rules and procedures for the election of the Members of the Board of Trustees.

74.3. *Election of the New Board of Trustees.* – The election of the new Members of the Board of Trustees shall be held within sixty (60) days after the constitution of the Interim Board of Trustees. Provided, that the Interim Board of Trustees may be elected by the General Assembly, if qualified, in accordance with the provisions of this Manual.

74.4. *Drafting and Ratification of the By-Laws.* – The New Board of Trustees shall draft the By-laws and submit the same to the General Assembly for ratification within the sixty (60)-day period provided in sub-section 39.3 hereof and to the EVSU Board of Regents for approval upon the

recommendation by the University President. *Provided*, that the By-laws shall take into considerations the provisions provided in this Manual, DBM Budget Circular No. 2008-3, Executive Order No. 641, jurisprudence and other applicable laws, rules and regulations.

- 74.5. *Election of the Officers.* – The Board of Trustees shall elect the Officers of the EVSU-EPF; create standing committees, and select and recommend the support staff as committee members. Their designation shall be approved by the University President.
- 74.6. *Training.* – The Board of Trustees and the members of the Committees shall undergo training on the various aspects of the EVSU-EPF's operation arranged/sponsored by the Committee on the Protection of the Income of Government Employees⁵⁴.
- 74.7. *Internal Rules of Procedure of the Various Committees.* – The various Committees shall draft their respective rules, regulations, guidelines and operating procedures, subject to the approval by the Board of Trustees and noted by the University President after proper ratification by the EVSU Board of Regents.
- 74.8. *Concurrent Operational Guidelines.* – This 2017 EVSU-EPF Manual shall serve as the operational guidelines concurrently with the By-laws which the latter shall be in conformity to the former.
- 74.9. *Formal Declaration of the Operationalization of the Employees' Provident Fund of the University.* – Fifteen (15) days after the approval of the By-laws by the Board of Regents, the University President shall issue a Memorandum Order/Circular declaring that the EVSU-EPF is already operational.
- 74.10. *Forms and Designs.* – The Board of Trustees shall, upon recommendation by the duly constituted committee/s, prescribe the different forms and designs necessary for the proper, effective and efficient implementation of the EVSU-EPF.

Section 75. ***Rule-Making Authority.*** – The University President shall, upon recommendation by the proper Board of Trustees of the EVSU-EPF, formulate such implementing guidelines deemed necessary and incidental to ensure proper, effective and efficient implementation or execution of the provisions of this 2017 EVSU-EPFM Manual. *Provided*, that the failure of the University President and/or EVSU Board of Regents to promulgate the guidelines and the ratification of the By-Laws shall not prevent or delay the effectivity and implementation of this Manual in accordance with effectivity date provided under Section 83 hereof.

⁵⁴ Created pursuant to Executive Order No. 462 dated September 19, 2005 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."

Section 76. **Review and Ratification of Implementing Guidelines.** – The implementing guidelines of any and/or all of the provisions of this 2017 EVSU-EPFM Manual shall be submitted to the Board for review and ratification.

Article 23

Penal, Amendment and Revision

Section 77. **Penal Provisions.** – Violation/s of any of the provisions of this 2017 EVSU-EPFM Manual shall be dealt with and proper penalties be imposed accordingly as provided under existing laws, rules and regulations, and jurisprudence.

Section 78. **Amendment.** – Any provision/s or part/s of this 2017 EVSU-EPFM Manual may be amended by the EVSU Board of Regents upon the recommendation of the University President, EVSU-EPF Board of Trustees and the appropriate Board Committee.

Section 79. **Revision.** – This 2017 EVSU-EPFM Manual may be revised by the EVSU Board of Regents upon the recommendation of the University President, EVSU-EPF Board of Trustees and the appropriate Board Committee.

Section 80. **Updating and Review of the 2017 EVSU-EPFM Manual.** – It shall be the responsibility of the University President with the assistance of the Board and University Secretary to ensure periodic updating of this 2017 EVSU-EPFM Manual taking into account the subsequent policies approved by the EVSU Board of Regents and such rules and regulations promulgated by competent authorities in so far as expressly adopted or authorized by the Board.

Provided, that any and/or all provisions of this 2017 EVSU-EPFM Manual shall be reviewed by the EVSU Board of Regents every three (3) years after its approval based on the rules it may promulgate.

Article 24

Repealing, Separability and Effectivity

Section 81. **Repealing, Supplementary, Clarificatory, and Modification Clause.** – Pertinent provisions of this 2017 EVSU-EPFM Manual shall supplement, clarify or amend or modify to pertinent provisions of previous issuances.

In case of conflict, the pertinent provisions of this 2017 EVSU-EPFM Manual shall prevail over the pertinent provisions of any policies of the University as enunciated under **Mecano v. COA**⁵⁵.

⁵⁵ **Antonio A. Mecano v. Commission on Audit**, G.R. No. G.R. No. 103982 December 11, 1992 citing *Posadas vs. National City Bank*, 296 U.S. 497, 80 L. Ed. 351 (1935); *Maceda vs. Macaraig*, 197 SCRA 771 (1991); and *Villegas vs. Subido*, 41 SCRA 190 (1971) , the Supreme Court clearly rules:

“Repeal by implication proceeds on the premise that where a statute of later date clearly reveals an intention on the part of the legislature to abrogate a prior act on the subject, that intention must be given effect. Hence, before there can be a repeal, there must be a clear showing on the part of the lawmaker that the intent in enacting the new law was to abrogate the old one. The intention to repeal must be clear and manifest; otherwise, at least, as a general rule, the later act is to be construed as a continuation of, and not a substitute for, the first act and will continue

Further, all Board Resolutions, manuals, orders, issuances, rules and regulations and policies of the University, or parts thereof, inconsistent with the provisions of this 2017 EVSU-EPFM Manual are hereby amended or repealed accordingly.

Section 82. **Separability Clause.** – The provisions of this 2017 EVSU-EPFM Manual are hereby declared separable. In the event that any provision hereof is rendered unconstitutional, those that are not affected shall remain valid and effective.

Section 83. **Effectivity.** – This 2017 EVSU-EPFM Manual shall take effect immediately upon approval by the Board of Regents of the Eastern Visayas State University.

Adopted/Approved this 21st day of March 2018 pursuant to Board Resolution No. 26, s. 2018 approved during the 74th Regular Board Meeting (First Quarter, CY 2018) held at the at the Commission on Higher Education, Conference Room, 4th Floor, Higher Education Development Center Building, C.P. Garcia Ave., UP Campus, Diliman, Quezon City.

APPROVED:

J. PROSPERO E. DE VERA III, D.P.A.
Commissioner
Commission on Higher Education
Chairperson, EVSU Board of Regents

DOMINADOR O. AGUIRRE, JR., D.M.
University President III
Vice Chair, EVSU Board of Regents

FRANCIS JOSEPH G. ESCUDERO
Chair, Committee on Education
Senate of the Philippines
Member
Represented by:

ANN K. HOFER
Chair, Committee on Higher & Tech. Education
House of Representatives
Member
Represented by:

FRANCES ANN BASILIO PETILLA

FLORENCIO "BEM" GABRIEL NOEL

so far as the two acts are the same from the time of the first enactment. There are two categories of repeal by implication. The first is where provisions in the two acts on the same subject matter are in an irreconcilable conflict, the later act to the extent of the conflict constitutes an implied repeal of the earlier one. The second is if the later act covers the whole subject of the earlier one and is clearly intended as a substitute, it will operate to repeal the earlier law.

Implied repeal by irreconcilable inconsistency takes place when the two statutes cover the same subject matter; they are so clearly inconsistent and incompatible with each other that they cannot be reconciled or harmonized; and both cannot be given effect, that is, that one law cannot be enforced without nullifying the other."

EDGARDO M. ESPERANCILLA, CESO II
Regional Director, DOST-Region VIII
Member

BONIFACIO G. UY, CESO IV
Regional Director, NEDA-Region VIII
Member

ROGELIO D. BASAS
President, Federation of EVSU Faculty
Association, Inc.
Member

MICHAEL L. MUZONES
President, Federation of Student
Governments of EVSU
Member

RAUL S. SOLIVA
President, Federation of Alumni
Associations of EVSU, Inc.
Member

PACIENTE A. CORDERO, JR., D.Sc.
Private Sector Representative
Member

DANIEL A. ARIASO SR., CESO II
Private Sector Representative
Member

I hereby certify to the correctness of the foregoing Resolution No. 26, s. 2018 as duly adopted by unanimous/affirmative vote by the EVSU Board of Regents during the 74th Regular Board Meeting (First Quarter, CY 2018) held on March 21, 2018, as indicated above.

Certified Correct:

ANALYN C. ESPAÑO, M.A.
Associate Professor III
Board/University Secretary

COMMITMENT

I hereby commit to implement and abide by the provisions of this 2017 Employees' Provident Fund Management of the University Manual approved per Board Resolution No. 26, s. 2018 and its subsequent issuances thereof.

DOMINADOR O. AGUIRRE, JR., DM
University President III

(Date)

DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) ACTION:

I have evaluated the herein 2017 Employees' Provident Fund Management of the University Manual and found it to be in accordance with the provisions of Executive Order No. 641 issued on July 25, 2007, DBM Budget Circular No. 2008-3 issued in June 20, 2008, and applicable laws, rules and regulations.

IMELDA C. LACERAS, CESO III
Director IV
Department of Budget and Management
Regional Office No. VIII

(Date)

Annex A

LETTER OF INTENT (LOI)

EVSU-EPFM Form No. 1
Approved per Board Reso. No. 26, s. 2018
Approval Date: March 21, 2018
Revision No. 0



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

**Employees' Provident Fund of Eastern Visayas State University
(EVSU-EPF)**

_____, 20____

The BOARD OF TRUSTEES
EVSU-Employees' Provident Fund

Through: Chief Executive Officer

SUBJECT: LETTER OF INTENT FOR MEMBERSHIP OF THE EVSU-EPF

Dear Sirs/Madame:

Season's Greetings!

Pursuant to the EVSU-EPF Manual approved per Board Resolution No. 26, s. 2018, By-laws of the EVSU-EPF and in line with DBM Budget Circular No. 2008-3 dated June 20, 2008 and Executive Order No. 641 dated June 25, 2007 and other pertinent laws, rules and regulations, I hereby voluntarily expresses my intent to be a Member of the EVSU-EPF effective upon approval by the Board of Trustees.

Attached are copies of my duly accomplished Membership Application Form and supporting documents as integral parts hereof.

Thank you very much and God bless.

Most respectfully yours,

Signature over printed name of Candidate
Position/Academic Rank

EVSU-EPFM Form No. 1
 Approved per Board Reso. No. 26, s. 2018
 Approval Date: March 21, 2018
 Revision No. 0

Annex B

MEMBERSHIP APPLICATION FORM



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
 Tacloban City

**Employees' Provident Fund of Eastern Visayas State University
 (EVSU-EPF)**

MEMBERSHIP APPLICATION FORM

PERSONAL PROFILE:		
Name: _____, Birthdate: _____		
Place of Birth: _____		
Present Residence's Address: _____		
Present Academic Rank: _____ Monthly Net Pay: _____		
Present Position/Designation: _____		
Mobile Number/s: _____ Landline Number/s: _____		
Email Address: _____		
Spouse's Name: _____, Birthdate: _____		
Occupation and Company Address of Spouse: _____		
BENEFICIARIES PROFILE: (Please use separate if necessary).		
Name	Birthdate	Occupation, Address and Contact Details
UNDERTAKINGS:		
I hereby undertake that the data and information above are true to the best of my knowledge under pain of perjury. Attached are supporting documents necessary hereof. Signed _____ at _____.		
_____ <i>Signature over printed name and Date</i>		
RECOMMENDATION BY THE MEMBERSHIP AND DEVELOPMENT COMMITTEE: [] For Approval [] For Disapproval [] For Suspension		
Deliberation Date: _____ <i>If approved, Membership No.:</i> _____		
_____ Chair	_____ Member	_____ Member
_____ Member	_____ Member	

Annex C

SPECIAL POWER OF ATTORNEY

REPUBLIC OF THE PHILIPPINES)
_____)S.S

EVSU-EPFM Form No. 3
Approved per Board Reso. No. 26, s. 2018
Approval Date: March 21, 2018
Revision No. 0

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned, Filipino citizen, of legal age, and currently employed as _____ of the Eastern Visayas State University (EVSU) _____ Campus, _____, and a member of the Employees' Provident Fund of the Eastern Visayas State University hereinafter referred to as the EVSU-EPF, *for brevity*, do hereby name, constitute, and authorize, the Cashier of the University, to my true and lawful Attorney-in-Fact for me, name, place and stead, to do all of the following acts, to wit:

- 1) To deduct my monthly contributions to the EVSU-EPF equivalent to five percent (5%) of my monthly salary and benefits and/or such amount determined by the Board of Trustees of the EVSU-EPF and to remit the same to the Treasurer or deposit to the bank account of the EVSU-EPF within reglementary period prescribed under the By-laws of the EVSU-EPF, 2017 EVSU-EPF Manual, or policies approved by the Board of Trustees of the EVSU-EPF;
- 2) To adjust the amount in clause 1 above as may be prescribed by the Board of Trustees from time to time ;
- 3) To release to my beneficiaries listed in the Membership Application Form of the benefits to which I am entitled to in case of my temporary incapacity or permanent disability to personally process and receive the same and/or during my death; and
- 4) To perform such acts analogous to the foregoing.

HEREBY GRANTING AND GIVING unto my said ATTORNEY-IN-FACT full necessary power and authority to do and perform any and every act requisite and necessary to be done in and about the premises as fully to all intents and purposes as I might or could, if personally present and acting in person. **HEREBY RATIFYING AND CONFIRMING** all that my said Attorney-in-Fact may also do our cause to be done under and by virtue of these presents.

In WITNESS WHEREOF, I have hereunto set my/our hands this ____ day of _____ 20__ in _____.

_____ *Affiant*
ID No. _____
Issued on _____ at _____

ACKNOWLEDGMENT

I, _____, a Notary Public duly authorized in the Municipality/City named above to take acknowledgments, certify that on this _____, _____ personally appeared known to be the same persons described in the foregoing instrument, who acknowledged before me that his/her signature on the instrument was voluntarily affixed by him/her for the purposes stated therein, and who declared to me that he/she executed the instrument as his/her free and voluntary act and deed.

This Special Power of Attorney consisting of two (2) pages, including the page on which this Acknowledgment is written and the photocopy of the identification (ID) card of his/her Attorney-in-Fact is signed by the Affiant and sealed with my notarial seal.

WITNESS MY HAND AND SEAL on _____ at _____.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.

NOTARY PUBLIC

EVSU-EPFM Form No. 4
Approved per Board Reso. No. 26, s. 2018
Approval Date: March 21, 2018
Revision No. 0

Annex D

BOT RESOLUTION ON MEMBERSHIP APPROVAL



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

**Employees' Provident Fund of Eastern Visayas State University
(EVSU-EPF)**

EXCERPTS FROM THE MINUTES OF THE _____^{st/th/rd} MEETING OF THE BOARD OF TRUSTEES OF THE EVSU-EPF HELD ON _____ AT THE _____.

PRESENT:

ABSENT:

X-----X

Item No. ____. Application for Membership of _____.

After careful evaluation of the application and the supporting documents thereof as recommended by the Membership and Development Committee, and on motion by Trustee _____ duly seconded by Trustee _____, the Board of Trustees resolved as it hereby resolves to adopt BOT Resolution No. _____, s. 20____, thus:

BOT Resolution No. _____, s. 2017

RESOLUTION APPROVING THE APPLICATION FOR MEMBERSHIP OF AND CONFERRING THE SAME TO _____ OF THE EVSU-EPF EFFECTIVE _____ UNTIL RESCINDED OR REVOKED BY THE BOARD OF TRUSTEES SUBJECT TO THE BY-LAWS, 2017 EVSU-EPF MANUAL APPROVED PER BOARD RESOLUTION NO. _____, S. 2017 ADOPTED BY THE EVSU BOARD OF REGENTS, DBM BUDGET CIRCULAR NO. 2008-03 DATED JUNE 20, 2008 AND EXECUTIVE ORDER NO. 641 DATED JULY 25, 2007 AND SUBSEQUENT ISSUANCES THEREOF.

Adopted Unanimously/Majority Vote.

Certified Correct:

Attested:

Secretary

Annex E

Chairperson
EVSU-EPF
Approved per Board Reso. No. 26, s. 2018
Approval Date: March 21, 2018
Revision No. 0

CERTIFICATE OF MEMBERSHIP FORM



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

**Employees' Provident Fund of Eastern Visayas State University
(EVSU-EPF)**

The Board of Trustees

hereby proudly confers this

Certificate of Membership

to

(Name of the Member)

as **Member of the EVSU-EPF** with all the rights, duties, obligations and entitlements appertaining thereto in accordance with the By-Laws of EVSU-EPF, 2017 EVSU-EPF Manual approved per Board Resolution No. 26, s. 2018 adopted by the EVSU Board of Regents, DBM Circular No. 2008-03 dated June 20, 2008 and Executive Order No. 641 dated July 25, 2007, and subsequent issuances thereof.

This Certificate of Membership is valid upon its issuance this _____ day of _____ 20____ until sooner revoked or rescinded by the Board of Trustees subject to the foregoing laws, rules and regulations.

Chairperson, Board of Trustees

Chief Executive Officer (CEO)

Attested:

Secretary

Per EVSU-EPF BOT Reso. No.: _____
Adopted on _____
Membership Number: _____ of 47

Annex F

CLEARANCE FORM

EVSU-EPFM Form No. 6
 Approved per Board Reso. No. 26, s. 2018
 Approval Date: March 21, 2018
 Revision No. 0



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
 Tacloban City

Employees' Provident Fund of Eastern Visayas State University (EVSU-EPF)

THE Board of Trustees

EVSU- Employees' Provident Fund
 Tacloban City

Attn.: _____
 Chief Executive Officer

Sir/Madame:

I have the honor to request clearance of all property, responsibility, money obligations and other accountabilities with the EVSU-EPF for the period of _____ which had been settled and cleared as signified below by the EVSU-EPF's authorities concerned.

Very truly yours,

 Signature over printed name and Date _____

=====
I/WE hereby certify that the application for clearance by the above named applicant has been acted upon by our respective office as hereunder provided:

Date & Time Received	Offices & Signatories Concerned	Action Taken <i>(Signing Officers must act this clearance within 24 hours from receipt)</i>		
		Approved	Disapproved	If disapproved, please state the reason/s
	Secretary			
	Chairperson, Loan Evaluation Committee			
	Treasurer			

This **CLEARANCE** is hereby [] **Approved**; [] **Disapproved**, effective _____. If disapproved, please state reason/s: _____.

Acted and signed by the authority by the Chairperson per EVSU-EPF BOT Resolution No. _____, s. 201__ and/or Special Order No. _____, s. 20__:

 Chief Executive Officer

Annex G

EVSU-EPFM Form No. 7
Approved per Board Reso. No. 26, s. 2018
Approval Date: March 21, 2018
Revision No. 0

**APPLICATION FOR WITHDRAWAL, SUSPENSION OR
TERMINATION OF MEMBERSHIP**



Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

**Employees' Provident Fund of Eastern Visayas State University
(EVSU-EPF)**

(Date)

THE Board of Trustees

*EVSU- Employees' Provident Fund
Tacloban City*

Attn.: _____
Chief Executive Officer

Sir/Madame:

As a matter of right, I have the honor to request for _____
(Withdrawal, Suspension, or Termination) of my Membership of the EVSU-EPF for the
period of _____.

Attached are copies of my approved clearances as integral parts hereof.

I hope for your favourable consideration.

Very truly yours,

Signature over printed name

Annex H

EVSU-EPFM Form No. 8
Approved per Board Reso. No. 26, s. 2018
Approval Date: March 21, 2018
Revision No. 0



APPLICATION FOR LOAN FORM

Republic of the Philippines
EASTERN VISAYAS STATE UNIVERSITY
Tacloban City

Employees' Provident Fund of Eastern Visayas State University
(EVSU-EPF)

APPLICATION FOR LOAN FORM
NO. _____

Form containing sections: APPLICANT'S INFORMATION, UNDERTAKINGS, and RECOMMENDATION BY THE LOAN EVALUATION COMMITTEE. Includes fields for Name, Membership No., Amount to be Loaned, Type/Purpose of Loan, and signatures of Chair and Members.