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CGAO

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C I R C U L A R)

N U M B E R : 0 4)

FLYING PAY FOR COAST GUARD PERSONNEL

1. **PURPOSE:** This Circular prescribes the rules and regulations governing the entitlement of flying pay to personnel of the Philippine Coast Guard.

2. **AUTHORITY:**

a. GHQ Circular Nr 4 dtd 20 Sept 61, Subj: Flying Pay for Naval Personnel.

b. Para 4, Special Provisions, RA 3100, Appropriation for Fiscal Year 1961-1962 which provides:

"Naval personnel whose duties require regular and frequent aerial flight pursuant to orders by competent authority shall receive additional compensation equivalent to the same rate being received by the Airmen in the Philippine Air Force performing duties which are inherent to the operation of the aircraft which is in flight. /entitlement to flying pay shall be subject to the rules and regulations the Secretary of the National Defense shall prescribe and approved by the President of the Philippines"

c. Section 6, EO 477 provides:

" PCG uniformed personnel shall continue to receive the same base pay, longevity pay and other allowances and benefits as authorized for the corresponding grades and ranks in the AFP".

3. **DEFINITIONS:** As used in this Circular, the following terms are defined as indicated:

a. Competent Orders - Orders issued by CPCG by authority of the SOTC to Officers of this Command or to members of another Command when such personnel are performing duty with the Coast Guard.

/b. Flying Status

- b. Flying Status - Status of a person who is required by order issued by CPCG to participate in frequent and regular aerial flights.
- c. Regular and frequent flights - One or more flights totaling at least four (4) hours during one (1) calendar month.
- d. Suspension - The discontinuance of a rated/designated individual's flying status.

4. MINIMUM FLYING TIME:

- a. Except as provided in sub-paragraph (c) below, and in para 10, members of the Philippine Coast Guard who are placed on flying status, will be required to meet the following requirements in order to be entitled to receive flying pay:

Minimum Flying Time:

- (1) During one calendar month - four (4) hours of aerial flight.
 - (2) During two (2) consecutive calendar month, when the requirements of (a) above have not been met - eight (8) hours of aerial flights.
 - (3) During three (3) consecutive calendar months when requirements of (b) above have not been met - twelve (12) hours of aerial flight.
- b. Fractions of a calendar month, the time of an aerial flight required shall bear the same ratio to the time required for a full calendar month as the period in question bears to a full calendar month.
 - c. Personnel otherwise entitled to receive flying pay whose particular assignment outside the Philippines make it impracticable to participate in regular aerial flights in PCG aircraft may, upon the discretion of the Commandant, Philippine Coast Guard be authorized to log flying time in appropriate foreign aircraft for purpose of flying pay, provided, however, that in case of failure to make the required flying time of foreign aircraft due to causes beyond the control of the personnel concerned, they will be given a chance to make up for the flight requirements for a period not to exceed one (1) year within six (6) months after return to the Philippines.
 - d. Personnel otherwise entitled to receive flying pay, whose

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assignment in the Philippines is on special flying duty with the other government agencies may, upon the discretion of the Commandant, PCG be authorized to log flying time in their aircraft for purpose of flying pay.

5. ENTITLEMENT IN SECOND AND THIRD MONTH:

- a. Entitlement in Second Month - The example below is furnished for the purpose of clarification as to entitlement of flying pay in the second month:

If a person has met all flight requirements through January, the following will govern:

- (1) In February, if no aerial flight was performed, but in March, 4 hours of aerial flights was performed: credit flying time pay on 31 March for the month of March.
 - (2) In the case of (a) above, April then remains to make enough hours to cover for the deficiency in February; that is, if eight (8) hours were accomplished in April, credit pay for February and April, will be entered on 30 April. If seven hours are flown in April, credit for April will only be entered on 30 April and February is lost.
- b. Entitlement in third month - If flight requirements were met for January and on the proceeding months a personnel performs no flights in February and March, he must perform twelve (12) hours of aerial flight in April to receive flying pay for the period of 1 February through 30 April. If he performs four or more hours but less than 12 hours in April, he is entitled to flying pay for the month of April only, as flight requirements were not met for the 3-month period.

6. DETERMINATION OF THREE MONTH PERIOD:

- a. The 3-month period is authorized only for the purpose of enabling the person to meet the requirement for a particular 3-month period beginning with the month in which he fails to qualify. When flight requirements are not complied with during any month, the deficiency must be made up within two months next succeeding, and if in one of the two succeeding months there has not been compliance with the monthly requirements for that month, the failure in that month is included in the original 3-month period, and is not the beginning of another 3-month period.
- b. A new three-month period does not commence with every month in which there is a failure to earn flying pay. Such a period commences only after the
/completion of a proceeding

completion of a proceeding three-month period and there may be an intervening period. Such intervening period occurs if the person failed to earn flying pay in the proceeding three-month period or at least in the month of that period. In this intervening period could fall any number of successive months immediately succeeding the complete period in which flying pay was not earned. When, however, the person, in any month succeeding a completed period does not earn flying pay, he pays the way for succeeding three-month period of grace. This new three-month period then begins with any month in which flying is not earned.

- c. Where a flight deficiency exists for a fraction of a month at the beginning of a flight status due to a person's having been called to duty on an intermediate day of the month, the minimum grace period during which such deficiency may be made up terminates on the last day of the second full month next following said fractional month.

7. FLYING DUTY DUE FROM DATE OF REPORTING FOR DUTY :

A flying status order, other conditions being met, is effective pursuant to its term for purposes of flying pay only when the person named, reports or enters upon duty thereunder. A person is on a non duty status, such as leave, etc., when such an order is issued, is not detailed to duty involving aerial flight until he will have reported to his station and entered on duty under the orders detailing him to such duty.

8. RIGHT TO FLYING PAY UNDER CERTAIN CONDITIONS :

- a. The following conditions will not affect a person's eligibility for flying pay for the period which he is qualified:
 - (1) Sick in line of duty
 - (2) Leave while in a pay status provide that such absence is authorized and not in excess of the statutory leave limit. Flight performed while on leave can not be counted for pay purposes except those flights performed prior to the hours of departure on the day of departure on leave and those specified by CPCG.
- b. The provisions outlined above are applicable for persons on flying status, provided they performed the required flights and otherwise entitled to flying pay for such flight

9. AVIATION ACCIDENT:

- a. Any person who is placed on flying status who becomes injured or otherwise

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- incapacitated as a result in the performance of such duty shall be considered to have fulfilled all the duty requirements for the performance of flying duty during such incapacity as determined by the appropriate medical authority.
- b. Relief from flying status:
- (1) Where a person has qualified for flying pay - Where a person incapacitated for flying by reason of an aviation accident has already qualified for flying pay for the month in which injured, the 3 month period during which no flight are required does not begin until the first of the following month.
 - (2) Where a person has not qualified for flying pay - Where a person has not qualified for flying pay for the month he is injured, the 3-month period includes the month in which the injury was incurred, but such relief for flying does not operate to relieve him from the performance of flight necessary to qualify him for flying pay for a period to the month in which the injury occurred.
- c. Accident while on flying status for a stated period only - When a person has been placed on flying status for a definite period of time, flying pay for aerial flight may not be paid beyond the date mentioned in the order by reason of an aviation accident, in the absence of additional facts as to the circumstances which show that the person would have continued in flying status had it not been for the accident.
- d. Aviation accident resulting in shock, derangement or exhaustion -
- (1) A person on flying status who, after being shot down by enemy action or injured while in the performance of combat mission, returns to flying duties, but shortly thereafter becomes temporarily incapacitated for such duty by reason of shock, derangement, or exhaustion of the nervous system as a result of being shot down or aviation accident as certified by a medical officer thus permitting the temporary continuance of flying pay while so incapacitated until contrary orders are issued by competent authority.
 - (2) When a person is injured in an aerial flight other than as a result of enemy action of combat mission and temporarily grounded in an accessible region, but later rescued the 3-month grace period of continued flying pay to which he is entitled will be considered as having begun when the injury was sustained and not at the time he was rescued, even though he may be incapacitated because of shock or exhaustion from his experience for three months after his rescue.

/10, SUSPENSION FROM FLYING

10. SUSPENSION FROM FLYING STATUS :

a. A person shall not be entitled to receive flying pay for participation in aerial flights for any period while suspended from such participation unless such suspension is subsequently revoked and the minimum flight requirements prescribed in paragraph 5 above have been complied with, ~~except as otherwise provided in paragraph 9.~~

b. Return to duty -

(1) A person whose flying status is suspended and suspension revoked and who otherwise met the flight requirements prescribed in paragraph 5, is entitled to flying pay for aerial flights for the period during which the flight requirements are met.

(2) When the suspension from flying status is rescinded, the person is entitled to flying pay only from the date of reporting to duty after the suspension has been rescinded. There can be retroactive nullification of a suspension when made and valid during the entire period it was in effect.

11. WHEN REQUIREMENTS ARE NOT MET BECAUSE OF DEATH :

a. Death while performing lawful duty. If death occurs as a result of an aviation or from causes incurred in connection with lawful duty, flying pay for the month of death is payable and including the date of death, whether or not the person has met the pro rate flight requirements for the month, provided that he was on flying status at the time of death.

b. Death due to other causes. If death occurs as the result of causes other than that listed in sub-paragraph 11a above, flying pay for the month of death is payable to and including the date of death only, if the person has met the pro rate flight requirements for that month and was on flying status at the time of death in determining whether flying requirements were met for fractional parts of a calendar month, the provisions of paragraph 5 will apply.

12. ENTITLEMENT AFTER MISSING, MISSING IN ACTION, ETC., STATUS :

The status of a person to be entitled to flying pay for the period after his return from missing, missing in action, etc., status determined solidly under the provisions of paragraph 9 with respect to flight requirements. A person on flying status when reported as absent because of missing, missing in action, etc., is entitled to continue to receive or have credit to his account such pay during the period so absent credit for flying pay ceases when the person is

/return to Coast Guard

returned to Coast Guard control and does not again occur until he actually performs actual flights.

13. TRANSFER:

A person on flying status is entitled to flying pay during the time accessibly spent on traveling on a change of station during the calendar month in which travel is performed, or in the next two succeeding calendar months, he has met the necessary flight requirements.

14. FLYING STATUS OF REENLISTED SEAMAN:

The flying status order of a seaman is automatically terminated by the discharge of a seaman on flying status who failed to meet the flight requirements because of reenlistment or furlough. Upon reenlistment, he is allowed to credit flying time for a period not to exceed two (2) months of the previous enlistment term to entitle him to flying pay provided that he is returned to flying status on the day of reenlistment.

15. ACCUMULATION OF FLYING TIME:

A person is not permitted to accumulate flying time in excess of the requirements in order to apply such time against a subsequent month in which the minimum requirements are not met.

16. RESCISSION:

This circular rescinds all publications on this matter.

17. EFFECTIVITY:

This circular is effective upon publication.

BY COMMAND OF REAR ADMIRAL DE LEON

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