



PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS
(National Headquarters Philippine Coast Guard)
139 25th Street, Port Area,
1018 Manila

NHQ-PCG/CGIAS

18 November 2019

CIRCULAR
NUMBER14-19

**GUIDELINES AND PROCEDURES FOR DISPOSITION OF AWOL
CASES OF PCG UNIFORMED PERSONNEL**

I. AUTHORITY

Republic Act No. 9993, otherwise known as the Philippine Coast Guard (PCG) Law of 2009, and its Implementing Rules and Regulations.

II. REFERENCES

A. HPCG Circular Nr. 05 – 16 dtd 30 August 2016 (Code of Conduct and Discipline for Uniformed Personnel) and / or the subsequent amendments thereof;

B. HPCG Circular Nr. 06 – 16 dtd 30 August 2016 (Guidelines and Procedures on Disposition of Violations of Code of Conduct and Discipline for PCG Uniformed Personnel) and / or the subsequent amendments thereof;

C. AFP Circular Nr 17 dtd 02 October 1987 (Administrative Discharge Prior to Expiration of Term of Enlistment); and

D. AFP Regulation G 131 – 471 (Apprehension of Absentee without Leave and Deserters).

III. PURPOSE

This Circular provides for the guidelines and prescribes the procedures governing the investigation, disposition, and determination of liability, if any, of PCG Uniformed Personnel for the commission of Absence Without Leave (AWOL).

IV. SCOPE

AWOL cases of PCG Uniformed Personnel shall be governed primarily by this Circular and supplementarily by HPCG Circular Nr. 06 – 16 dtd 30 August 2016 (Guidelines and Procedures on Disposition of Violations of Code of conduct and Discipline for PCG Uniformed Personnel) and / or the subsequent amendments thereof.

V. DEFINITION OF TERMS

- A. **Absentee** – a PCG Uniformed Personnel who is on AWOL.
- B. **Absent Without Leave (AWOL)** – the status of a PCG Uniformed Personnel who fails to report at the fixed time to the proper place of duty, or goes away from same or absents himself from his / her Mother Unit without proper leave.
- C. **CHIPS Report** – Change in Personnel Status Report
- D. **Dropped from Roster of Personnel** – when an Absentee failed to report after ten (10) days he / she shall be reported as such for the withholding of pay and allowances.
- E. **Mother Unit** – shall refer to all Coast Guard Districts, Major Units, and other Coast Guard Units which are Morning Report Preparing Units (MRPUs).
- F. **PCG Uniformed Personnel** – shall include all PCG Officers, PCG Non – Officers, Probationary Ensign, Cadet or Cadettes, Candidate Coast Guard Officers, Candidate Coast Guardsman, and Draftees.
- G. **Respondent** - refers to an Absentee who is under investigation or with pending case of AWOL.
- H. **Unit Commander** – refers to the Commander or Commanding Officer of MRPU.

VI. GENERAL PROVISIONS

- A. Mother Units concerned shall account all PCG Uniformed Personnel who are carried in their Morning Reports (MR) and accordingly report all cases of AWOL committed by any of the said personnel and immediately conduct the necessary investigation of the same.
- B. The conduct and disciplinary proceedings of AWOL cases, including the penalties to be imposed shall be governed as provided in the Scope hereof.
- C. The prevention of AWOL cases in a Mother Unit is a manifestation of the effective management and leadership style of the Unit Commander. Thus, if there is an indication that a high rate of AWOL exists in a Mother Unit, the Unit Commander should conduct an inquiry on the state of training, morale, and discipline of its personnel for the purpose of taking corrective actions. In relation to the aforementioned, the CGIAS may also conduct an inquiry for the same purpose at its own instance or as may be directed by the Commandant, PCG.
- D. “No Work No Pay” policy shall be strictly observed. Consequently, the pay and allowances of the Absentee shall be withheld / forfeited corresponding to the number of days in which he / she was on AWOL, if found liable thereof, as the case may be. The same, however, shall not be considered as a penalty for the AWOL that shall bar the imposition of appropriate penalty when necessary. Nevertheless, the same may be taken into consideration in the penalty that may be imposed against the Absentee / Respondent.

VII. CLASSIFICATION OF OFFENSES AND PENALTIES

AWOL Cases shall be classified according to the gravity, duration, and penalties of the same as provided hereunder:

Gravity	Duration	Penalties
A. Minor / Light	One (1) Day to Ten (10) Days	1. Any of the penalty / ies provided in the Table of Authorized Maximum Punishment under HPCG / CGIAS Circular Nr. 06 – 16 dated 30 August 2016 or its amendments and 2. Forfeiture of Pay and Allowances Corresponding to the Period of AWOL.
B. Less Grave	Eleven (11) Days to Thirty (30) Days	1. Suspension of One (1) Month to Six (6) Months; 2. Forfeiture of Pay and Allowances Corresponding to the Period of AWOL; and 3. Officers: Ten (10) Piles Lower in the Seniority Linear List. Non – Officers: Reduction / Demotion to the Next Lower Rank.
C. Grave	More than Thirty (30) Days	Dismissal without Honor from the PCG Service.

VIII. PROCEDURES

A. MINOR / LIGHT OFFENSE (One [1] Day to Ten [10] Days)¹

1. If an AWOL is committed by an Absentee, the Mother Unit concerned shall immediately reflect the status of the said Absentee as from **DUTY TO AWOL in its MR**.

2. In case the said Absentee is assigned in a subordinate unit; he / she shall be reported immediately as AWOL to the Mother Unit.

3. Likewise, the Unit Commander shall render CHIPS Report in radio message format addressed to the Commandant, PCG (Attn: DCS - HRM, CG - 1), info the Commander, Coast Guard Internal Affairs Service (CCGIAS) for record purposes.

4. In conjunction with item 3 above, the Unit Commander shall endeavor to contact and find – out the whereabouts of the Absentee and direct him / her to return and report to the Mother Unit immediately.

5. If the Absentee return and report to his / her Mother Unit, the status the said PCG Uniformed Personnel from **AWOL to DUTY** shall be reflected in the MR of his / her Mother Unit and reported thru radio message citing the previous message to the Commandant, PCG (Attn: DCS - HRM, CG - 1) under item 3 herein, copy furnished the CCGIAS for record purposes.

6. The Investigation of the Mother Unit shall immediately commence upon the return of the Absentee.

7. The Unit Commander shall then exercise the Disciplinary Powers of Commanding Officers under HPCG / CGIAS Circular Nr. 06 – 16 dated 30 August 2016 and

¹ See Flowchart (Annex A)

proceed with the conduct of the Investigation as regards the AWOL in accordance with the procedures therein.

8. If the Respondent is exonerated of the AWOL, the case will be considered closed and terminated.

9. However, if the Respondent is found liable for violation of AWOL, the Unit Commander shall impose the penalties provide herein which shall immediately be executory.

10. The Unit Commander shall immediately submit the corresponding Investigation Report (IR) to the Commandant, PCG for information copy furnished the Coast Guard Internal Affairs Service (CGIAS) for record purposes.

11. The Unit Commander shall also furnish a copy of the IR to the Coast Guard Finance Center (CGFC) if the Respondent is found liable for implementation of penalties affecting the Pay and Allowances of the Respondent.

B. LESS GRAVE OFFENSE (Eleven [11] Days to Thirty [30] DAYS)²

1. If the Absentee still fails to report on the 11th day and continues to be on AWOL, the Mother Unit shall reflect the Absentee in its MR as **FROM AWOL TO DROPPED FROM ROSTER OF PERSONNEL**.

2. In relation with item 1 above, the Unit Commander shall report the Absentee as from **AWOL to DROPPED FROM ROSTER OF PERSONNEL** thru radio message to the Commandant, PCG (Attn: DCS - HRM, CG - 1) for information copy furnished the CCGFC and the CCGIAS for the withholding of the pay and allowances of the said Absentee effective on the first day of AWOL and for record purposes, respectively.

3. Immediately after complying with items 1 and 2 above, the Unit Commander shall start the Investigation of the AWOL.

4. Accordingly, the Unit Commander shall send a Written Notice to the last known address of the Respondent informing him / her that an Investigation with regard to his / her AWOL will be conducted by the said Unit and further giving him / her opportunity to submit Written Answer / Explanation and other evidence for his / her defense with the said Unit not later than ten (10) days from receipt of the same.

5. In this instance, however, the Unit Commander can no longer impose penalty / ies against the Respondent considering that he / she was already Dropped from Roster of Personnel of the said Unit.

6. The Unit Commander shall forward to the CGIAS the IR for review and appropriate action.

7. If the Respondent voluntarily returns within the period covered under Para VIII. B herein to the Mother Unit that Dropped him / her from its Roster of Personnel, he / she shall no longer be carried in the MR of the said Mother Unit.

8. The Respondent shall, however, be given opportunity to submit his / her Answer / Explanation and other supporting evidence in support of his / her defense if the investigation of the AWOL Case is still on going. Otherwise, if the IR was forwarded to the

² See Flowchart (Annex B)

CGIAS already, the Respondent will be advised to report to the CGIAS for the aforementioned purpose.

9. If the Respondent reports to the CGIAS, the same will stop the running of the AWOL and that date will be used to reckon the total number of AWOL of the Absentee.

10. In case of either items 7 or 9 above, the Respondent shall be reported thru radio message to the Commandant, PCG (Attn: DCS - HRM, CG - 1) as Reported but still on **DROPPED FROM ROSTER OF PERSONNEL** status. On one hand, if the report is from the Mother Unit, the CGFC and the CGIAS shall be copy furnished for record purposes. On the other hand, if the Report is from the CGIAS, the CGFC and the Mother Unit Concerned shall be copy furnished for record purposes.

11. Since the status of the Respondent remains as **DROPPED FROM ROSTER OF PERSONNEL**, he / she shall not be recommended for issuance of re – assignment order until such time that the investigation of his / her AWOL case is terminated and the Review of the same by the CGIAS is approved by the Commandant, PCG.

12. Accordingly, in view of item 11 above, the Respondent shall not yet be allowed to report for duty and his / her pay and allowances will continue to be withheld by the CGFC.

13. The review of the CGIAS shall include recommendation for the issuance of appropriate re – assignment order of the Respondent by the CG – 1. Moreover, if the Respondent is exonerated, the CCGIAS shall include also in its Review the recommendation for the release of the pay and allowances of the Respondent that were withheld during the alleged AWOL.

14. If the Respondent is found liable, the CGIAS shall recommend for the appropriate penalty against him / her as provided herein.

15. The CCGIAS shall then submit to the Commandant, PCG the review of the IR with corresponding recommendations including the appropriate penalty / ies for approval.

16. The CGIAS shall furnish the Mother Unit Concerned and the Respondent a copy of the Commandant, PCG approved Review copy furnished the CGFC for the release or forfeiture of the pay and allowances of the Respondent, as the case maybe.

17. Likewise, the CGIAS shall also furnish the CG – 1 a copy of the Commandant, PCG approved Review. Upon receipt of the same, the CG – 1 shall issue the appropriate re – assignment order of the concerned PCG Uniformed Personnel.

18. Upon reporting to his / her new Unit, the concerned PCG Uniformed Personnel will be carried in the MR of the said Unit. Appropriate radio message will be issued by the said Unit info CGFC that the said PCG Uniformed Personnel is already carried on Duty Status in the Unit.

19. Subsequently, the CGFC shall reinstate the pay and allowances of the said PCG Uniformed Personnel.

C. **GRAVE OFFENSE** (More than Thirty [30] Days)³

³ See Flowchart (Annex C)

1. If the Respondent continues to be on AWOL for more than thirty (30) days, the status of the said Respondent as **DROPPED FROM ROSTER OF PERSONNEL** shall be maintained.

2. The CGIAS, in the conduct of its review of the IR from the Mother Unit concerned, shall serve a Written Notice thru registered mail with return card or authorized courier to the last known address of the Respondent informing him / her of the Administrative Case for AWOL against him / her.

3. The Notice shall also give the Respondent the opportunity to submit his / her Written Answer / Explanation and other evidence for his / her defense not later than ten (10) days from receipt of the Written Notice.

4. Even if the said Respondent voluntarily returns to the PCG on the period covered herein, he / she **SHALL NO LONGER BE PLACED ON ACTIVE STATUS**.

5. However, if the review of the IR by the CGIAS is still on – going, the Respondent may still be given opportunity to submit his / her Answer / Explanation and other evidence for his / her defense.

6. In case the Respondent returns within the herein period to either the Mother Unit Concerned or the CGIAS, he / she shall be reported thru radio message to the Commandant, PCG (Attn: DCS - HRM, CG - 1) as Reported but still on **DROPPED FROM ROSTER OF PERSONNEL** status. On one hand, if the report is from the Mother Unit, the CGFC and the CGIAS shall be copy furnished for record purposes. On the other hand, if the Report is from the CGIAS, the CGFC and the Mother Unit Concerned shall be copy furnished for record purposes.

7. The CGIAS shall then forward to the Commandant, PCG the review of the IR recommending for approval the **DISMISSAL WITHOUT HONOR FROM THE PCG SERVICE** of the Respondent, if warranted.

8. The CGIAS shall furnish the concerned Mother Unit and CG – 1 a copy of the Commandant, PCG approved IR for record purposes.

9. On one hand, if the Respondent is Dismissed without Honor from the PCG Service, the CG – 1 shall **PERMANENTLY REMOVE THE RESPONDENT FROM THE PCG ROSTER OF PERSONNEL** and shall **BE DROPPED FROM PAYROLL BY THE CGFC**.

10. On the other hand, if the Respondent is exonerated, the CG – 1 shall issue the appropriate Assignment Order to him / her.

11. Upon reporting to his / her new Unit, the concerned PCG Uniformed Personnel will be carried in the MR of the said Unit. Appropriate radio message will be issued by the said Unit info CGFC that the said PCG Uniformed Personnel is already carried on Duty Status in the Unit.

12. Subsequently, the CGFC shall reinstate the pay and allowances of the Respondent including those corresponding to the period he / she was reported on AWOL and Dropped from Roster of Personnel.

13. The CGIAS shall likewise serve a Written Notice to the last known address of the Respondent to inform him / her of the result of the Administrative Case for AWOL against him / her.

14. The Written Notice shall further inform the Respondent of his / her right to file a Motion for Reconsideration / Appeal within fifteen (15) days from receipt of the same, as may be necessary.

D. ABSENTEE CONFINED IN THE HANDS OF CIVIL AUTHORITIES⁴

1. An Absentee shall not be reflected as on AWOL in the MR of the Mother Unit when reliable information is received within the period covered by Para VIII. A, B, and C herein that he / she is in the hands of civil authorities. The Absentee shall instead be reflected as **CONFINED IN THE HANDS OF CIVIL AUTHORITIES**.

2. An Absentee who is reflected either as **AWOL** or **DROPPED FROM ROSTER OF PERSONNEL** under Para VIII. A, B, and C, respectively, herein but subsequently determined to be **CONFINED IN THE HANDS OF CIVIL AUTHORITIES** shall then be reflected as such in the MR of the Mother Unit.

3. The Unit Commander shall render CHIPS Report in radio message format that the Absentee is **CONFINED IN THE HANDS OF CIVIL AUTHORITIES** addressed to the Commandant, PCG (Attn: DCS - HRM, CG - 1) for information copy furnished the CCGFC for withholding of the pay and allowances of the said Absentee / Respondent reckoned from the first day of AWOL or CHCA, as the case may be, and CCGIAS for record purposes.

4. The Unit Commander, in view of the aforementioned, shall immediately conduct an investigation on the circumstances surrounding the arrest case involving the Absentee to determine if he / she committed violation / s of HPCG / CCGIAS Circular Nr. 06 – 16 dated 30 August 2016 and other applicable PCG Policies.

5. The Unit Commander may then recommend to the Commandant, PCG for the Suspension Pending Investigation of the Absentee for not more than ninety (90) days effective from the first day that the Absentee was reported on AWOL or **CONFINED IN THE HANDS OF CIVIL AUTHORITIES**, as the case may be.

6. If the Respondent is released on bail, he / she shall remain Suspended unless the suspension period expires already or the investigation is terminated.

7. If the suspension period already expired, he / she shall be reflected as from **CONFINED IN THE HANDS OF CIVIL AUTHORITIES** to Duty Status in the MR of the Mother Unit and reported thru radio message to the Commandant, PCG (Attn: DCS - HRM, CG - 1) for information copy furnished CCGFC for the reinstatement of his / her pay and allowances effective on the day he / she was reported on Duty Status and CCGIAS for record purposes.

8. If the suspension period has not expired yet, the Respondent shall remain suspended until the investigation is terminated. Provided that, on a case to case basis, the Unit Commander may recommend to the Commandant, PCG the lifting of the suspension already. In this instance, item 7 above shall apply.

9. The Unit Commander shall then forward to the CCGIAS the IR for review and appropriate action.

10. The CCGIAS shall subsequently submit to the Commandant, PCG the IR review with appropriate recommendations for approval.

⁴ See Flowchart (Annex D)

11. If the Absentee remains **CONFINED IN THE HANDS OF CIVIL AUTHORITIES** after the lapse of the suspension period, he / she shall remain on non – duty status; thus, his / her pay and allowances shall continue to be withheld by the CGFC based on the “no work – no pay” principle.

12. In the interest of justice, the Absentee who obtains an acquittal from his / her case with the Civil Authorities shall be reflected on duty status in the MR of the Mother Unit. In which case, item 7 herein shall apply.

IX. SUSPENSION PENDING INVESTIGATION / SUSPENSION AS A PENALTY

The rules governing Suspension Pending Investigation / Suspension as a Penalty under HPCG / CGIAS Circular Nr. 06 – 16 dated 30 August 2016 and / or its amendments, unless provided otherwise, shall apply suppletorily herein.

X. PENDING CASE

The Investigation conducted by the concerned Unit Commander and the CGIAS shall be considered as a Pending Case. It shall cover the period from the first day of AWOL until the AWOL Case is finally terminated and closed. Accordingly, the relevant PCG Policies on Pending Case will apply against the Absentee / Respondent.

XI. MOTION FOR RECONSIDERATION / APPEAL

The rules governing Motion for Reconsideration / Appeal under HPCG / CGIAS Circular Nr. 06 – 16 dated 30 August 2016 and / or its amendments shall apply suppletorily herein.

The level and authority for Motion for Reconsideration and Appeal is illustrated in the table hereunder:

Investigation / Resolution	Motion for Reconsideration	Appeal
Unit Commander Level	Unit Commander	Commandant, PCG
Commandant, PCG Approved CGIAS Investigation / Resolution	Commandant, PCG	<p>↓ Light / Minor and Less Grave Offenses</p> <p>Officers & Non – Officers: No Appeal</p> <p>↓ Grave Offense</p> <p>Non – Officers: No Appeal</p> <p>Ensign to Captain: SOTR Flag Rank: President</p>

XII. RESPONSIBILITIES

A. Unit Commander of the Mother Unit concerned in addition to his / her previously provided duties herein shall:

1. Ensure that AWOL cases committed by PCG Uniformed Personnel carried in the MR of the Mother Unit under his / her command are immediately reported for proper disposition;

2. Exert reasonable efforts to contact or find – out the whereabouts of the Absentee and direct him / her to report to him / her immediately;

3. Ensure that prior written notice is sent to the last known address of the Absentee. A proof of service of said notice must be attached to the IR;

4. Make sure that the Investigation of the AWOL case is conducted expeditiously;

5. In case the Absentee is confined in the hands of civil authorities, submit a full written report relative to the arrest and detention of the said Absentee to Commandant, PCG copy furnished the CGIAS record purposes; and

6. Closely monitor the stages of the criminal proceedings and regularly submit status report and recommendations on the development of the case to the Commandant, PCG copy furnished the CGIAS for record purposes.

B. CGIAS in addition to its previously provided duties herein shall:

1. Conduct a review / evaluation of the IR submitted by the Unit Commander of the Mother Unit of the Absentee;

2. Conduct re - investigation of the case if it deems necessary or as may be directed by the Commandant, PCG;

3. Conduct investigation *moto proprio*, as may be necessary; and

4. Submit a report with appropriate recommendations to the Commandant, PCG for approval.

C. DCS - HRM, CG - 1 in addition to its previously provided duties herein shall:

1. Issue appropriate Orders to implement the penalties imposed in the IR of the Unit Commander or Commandant, PCG approved IR reviewed by the CGIAS;

2. Issue the Order of Dismissal or Separation from the PCG Service and officially dropping in the LINEAL LIST FOR OFFICERS and ALFA LISTING FOR ENLISTED PERSONNEL of the Absentee in accordance with the Commandant, PCG approved IR; and

3. Process and facilitate the reinstatement of the PCG Uniformed Personnel who is allowed to return to the PCG Service in accordance with applicable PCG policies on the matter.

D. CGLS in addition to its previously provided duties herein shall:

1. Render legal comment on the IR as may be directed by the Commandant, PCG;

2. Render comment on the Motion for Reconsideration/ Appeal filed by the Respondent as may be directed by the Commandant, PCG; and

3. Upon receipt of the resolution of an AWOL case duly approved by the proper Authority which requires the filing of a formal complaint, prepare appropriate charges for filing in court if the same is warranted.

E. CGFC in addition to its previously provided duties herein shall:

1. Automatically withhold the pay and allowances of the Absentee effective on the date he / she is reported to be on AWOL / CONFINED IN THE HANDS OF THE CIVIL AUTHORITIES and / Suspended;

2. Immediately reinstate the pay and allowances of the PCG Uniformed Personnel who was an Absentee effective on the date he / she was reported on Duty Status in the MR of the Mother Unit concerned; and

3. Shall automatically delete from PCG payroll an Absentee who was reported on AWOL status for more than thirty (30) days already. However, reinstatement to the PCG Payroll of those reported on AWOL for more than thirty (30) days shall be upon the approval of the Commandant, PCG.

XIII. REPEALING CLAUSE

HPCG / CGIAS Standing Operating Procedure Number 06 – 13 dated 04 September 2013 (Disposition of AWOL Cases of PCG Uniformed Personnel) is hereby repealed. All other PCG rules and regulation which are inconsistent with the provisions of this Circular are hereby repealed or modified accordingly.

XIV. SEPARABILITY CLAUSE

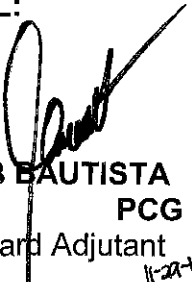
If for any reason, any provision of this Circular is declared illegal or invalid, such parts not affected thereby shall remain in full force and effect.

XV. EFFECTIVITY

This Circular shall take effect immediately upon approval.

BY COMMAND OF VADM GARCIA PCG:

OFFICIAL:


LIEZEL B BAUTISTA
CDR PCG
Coast Guard Adjutant
11-22-10

JOSE WILLIAM U ISAGA
COMMO PCG
Chief of Coast Guard Staff

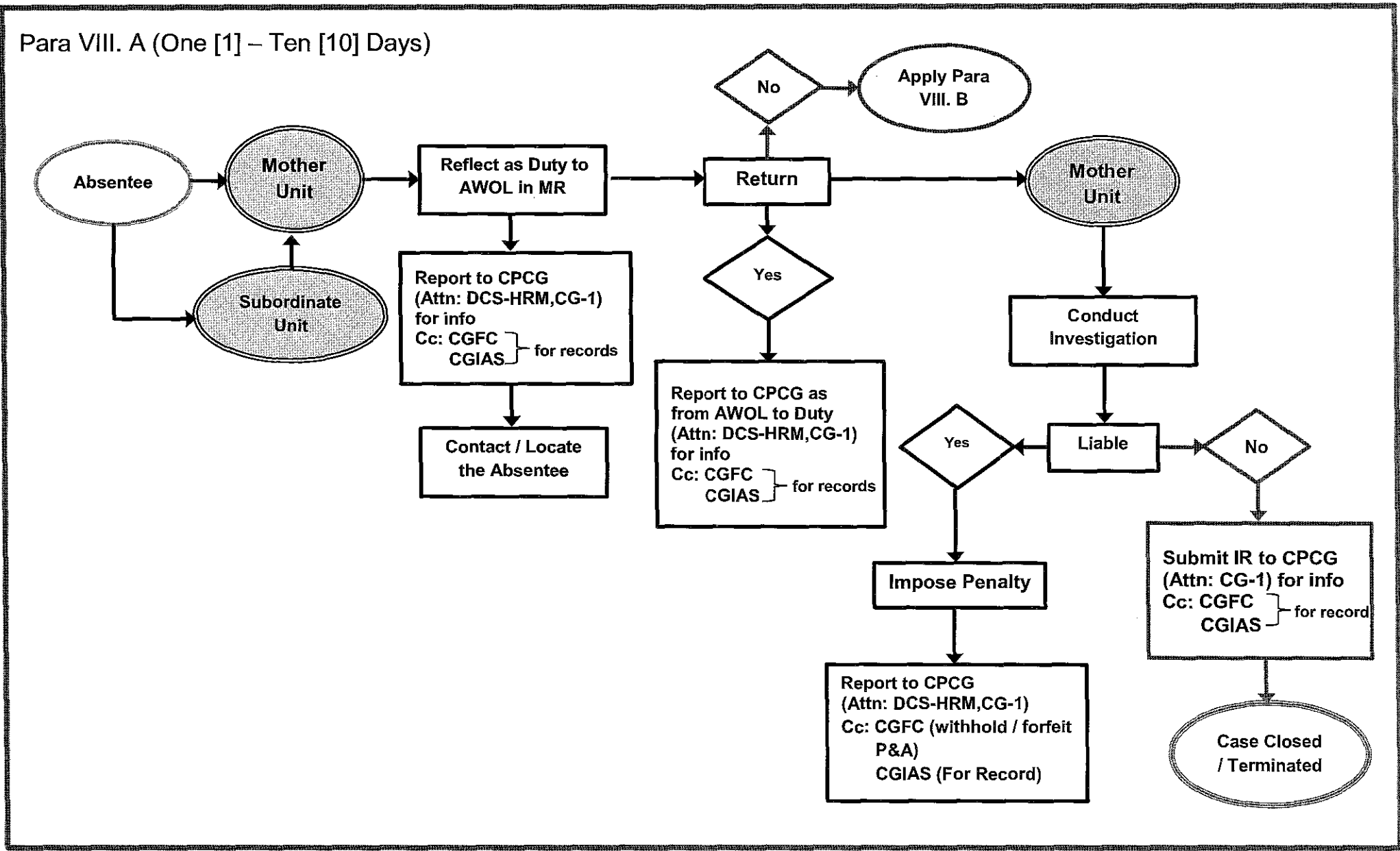
Guidelines and Procedures for Disposition of AWOL Cases of PCG Uniformed Personnel
Annex A – Para VIII. A (One [1] – Ten [10] Days)
Annex B – Para VIII. B (Eleven [11] Thirty [30] Days)
Annex C – Para VIII. C (More than Thirty [30] Days)
Annex D – Para VIII. D (Confined in the Hands of Civil Authority)

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Annex A

GUIDELINES AND PROCEDURES FOR DISPOSITION OF AWOL CASES OF PCG UNIFORMED PERSONNEL

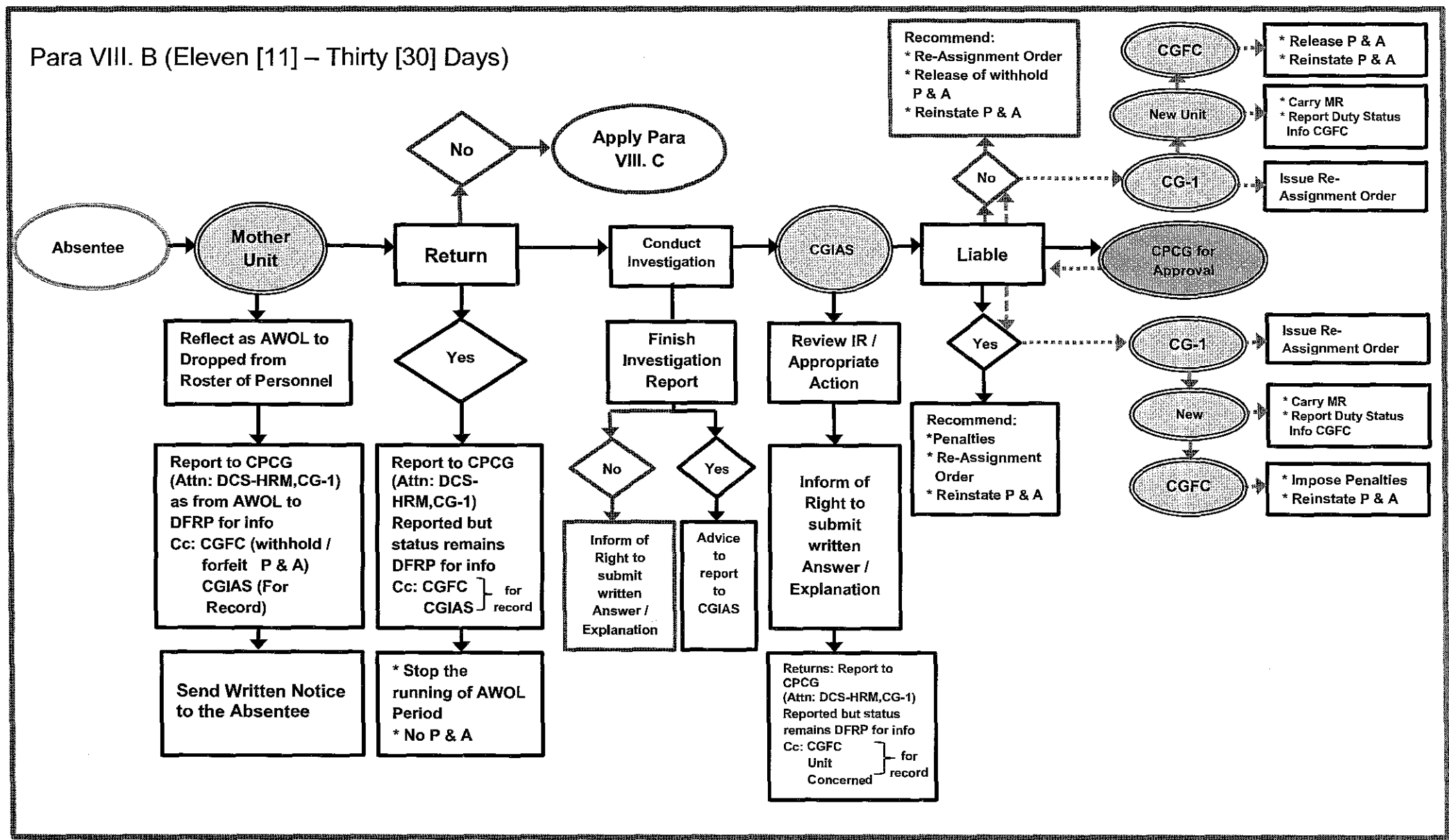
Para VIII. A (One [1] – Ten [10] Days)



CGN

Annex B

GUIDELINES AND PROCEDURES FOR DISPOSITION OF AWOL CASES OF PCG UNIFORMED PERSONNEL



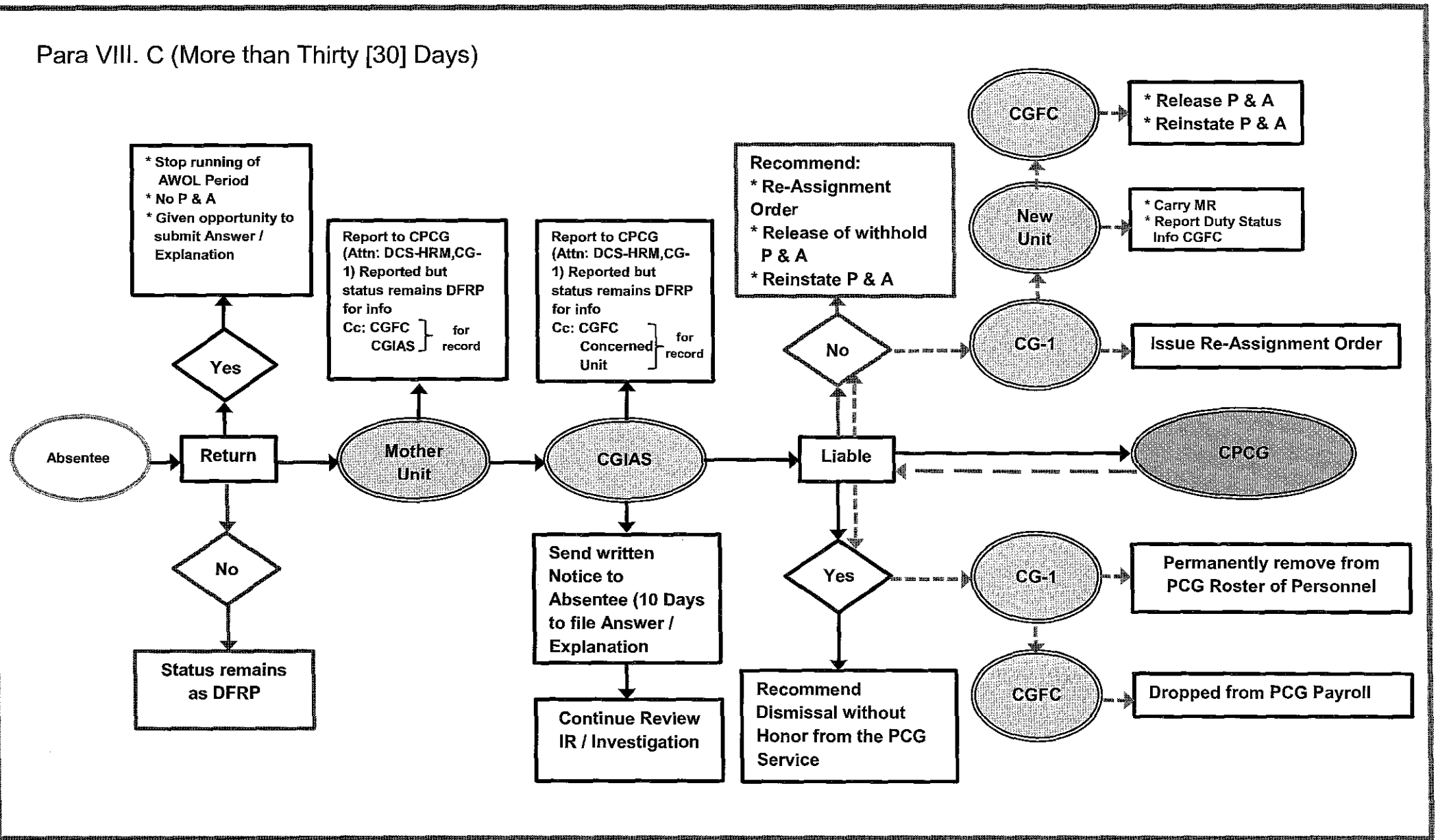
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Annex C

HPCG / CGIAS Circular Nr 14-19

GUIDELINES AND PROCEDURES FOR DISPOSITION OF AWOL CASES OF PCG UNIFORMED PERSONNEL

Para VIII. C (More than Thirty [30] Days)

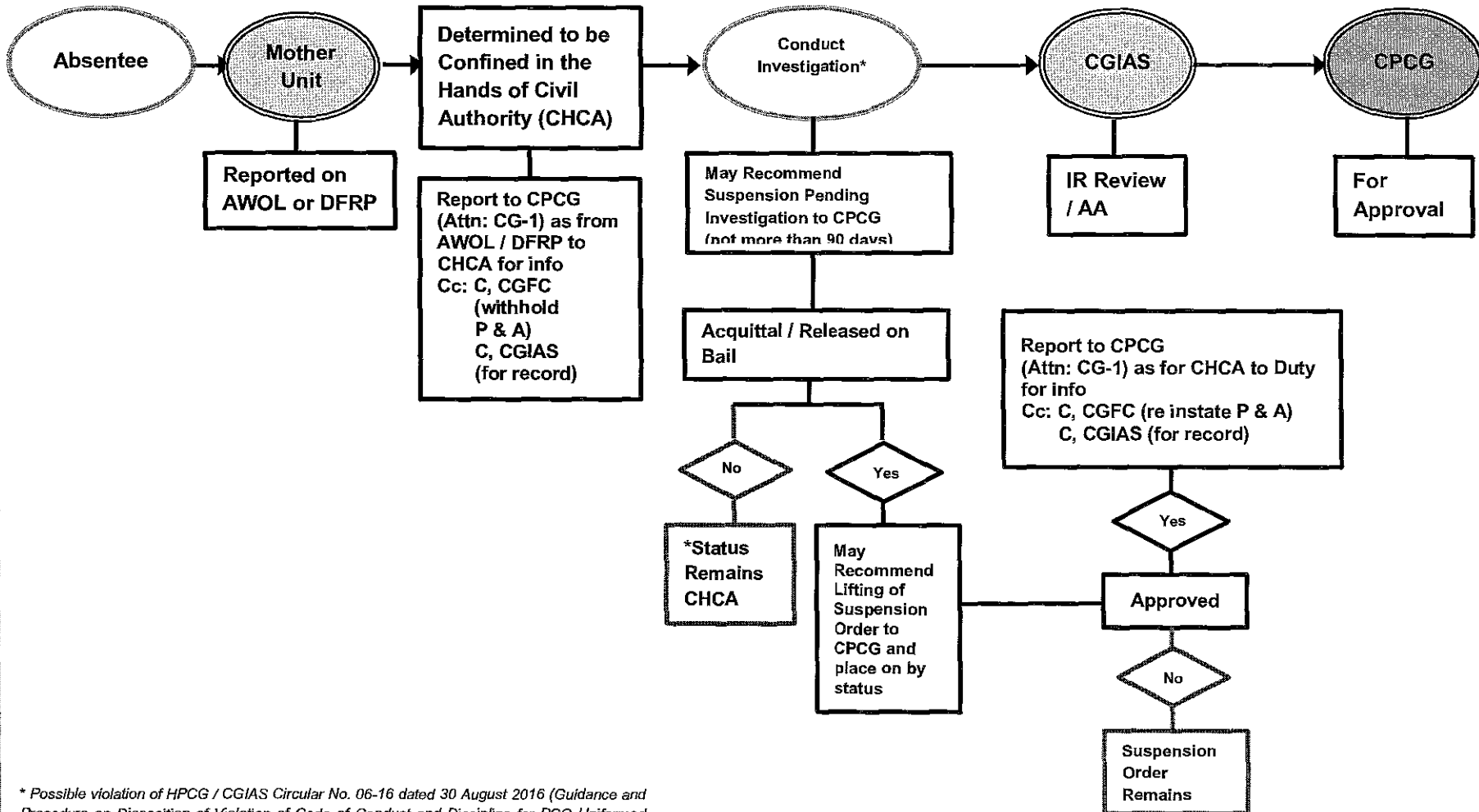


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Annex D

GUIDELINES AND PROCEDURES FOR DISPOSITION OF AWOL CASES OF PCG UNIFORMED PERSONNEL

Para VIII. D (Confined in the Hands of Civil Authority)



* Possible violation of HPCG / CGIAS Circular No. 06-16 dated 30 August 2016 (Guidance and Procedure on Disposition of Violation of Code of Conduct and Discipline for PCG Uniformed Personnel) and for subsequent amendments thereof.