 <p>B.S. Aquino Drive, Bacolod City, Negros Occidental, 6100</p> <p>DR. PABLO O. TORRE MEMORIAL HOSPITAL</p>	Document Code:	DPOTMH-D-48-P04
	Effective Date:	09-15-2022
	Document Type:	Policy
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	Department/Section:	Labor Relations/ Employee Relations
	Document Title:	<b>POLICY ON MANDATORY COMPLIANCE ON SEPARATION CLEARANCES AND QUIT CLAIMS UPON EMPLOYEE SEPARATION</b>

### **PURPOSE:**

To adhere to the Guidelines on the Payment of the Final Pay and Issuance of Certification of Employment in pursuant to Labor Advisory No. 06 Series of 2020. This shall establish a standard policy in the processing of clearances and accountability upon employee's separation from the company, whether the separation is voluntary or compulsory in nature.

### **LEVEL:**

All employees regardless of classification

### **DEFINITION OF TERMS:**

**Voluntary Resignation-** it is the act of employment termination initiated and by conscious volition of the employee due to personal reasons.


**Compulsory Separation-** it is the act of employment termination that is mandated to the employee by the management pursuant to law (just and authorized causes) and company policies (retirement).

**Request for Clearance Form-** it is a document showing the various departments where the employee should be cleared from any accountabilities from the hospital.

**Waiver, Release and Quit Claim-** it is a document executed by the employee acknowledging the final and complete consideration of his/her services including taxes and all accrued benefits from the Hospital. It also indicates that the release is considered as a bar to any suit of proceeding of the employee against the Hospital.

**Final Pay or Last Pay-** refers to the sum of totality of all wages or monetary benefits due to the employee as defined in the HR ER/LR Policy on Resignation.




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### **POLICY:**

1. In case of resignation and/or separation, employee shall adhere to the standard policies as defined in the HR LR/ER Policy on Resignation.
2. "No Clearance, No Final Pay" policy shall be observed by the company. Requiring clearance before the release of last payment to the employee is a standard procedure in RMCI. Clearance procedures are instituted to ensure that the properties, real or personal, belonging to the employer which are in the possession of the separated employee are returned to the employer before the effective date of the employee's separation from the company. Clearance process is a requirement imposed by the management on an employee to settle all debts and obligations, including return of Company properties or documents, to be cleared of any accountability and be issued a clearance document.
3. All resigned/ separated employees shall process and complete their clearance within thirty (30) days after date of resignation. This is in consonance to DOLE Labor Advisory No. 06 Series of 2020 which states that:  


***Time and Payment and/or Release of Final Pay***  
*To effectively harmonize the management prerogative of the employer and the right of the employee, the FINAL pay shall be released within thirty (30) days from the date of separation, or termination of employment, unless there is a more favorable company policy, individual or collective agreement thereto.*
4. To ensure compliance with the Policy and if the resigning/separated employee cannot personally process his/her clearance/s, he/she shall submit a duly executed Special Power of Attorney, attached to his/her letter of resignation or separation authorizing his/her Attorney-In-Fact (AIF) to process the clearance, claim the terminal pay and other benefits, and sign and/or execute the Release, Waiver, and Quitclaim.



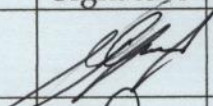
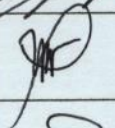

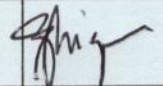
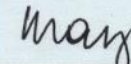
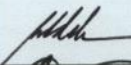
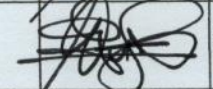
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5. Additionally, the resigning/separated employee shall agree and sign the Authorization and Waiver Agreement, stating that, in the event wherein the AIF shall not be able to process his/her clearance within the 30-day period given to resigning employees, all rights and claims with RMCI shall be waived.
6. In the event that the employee or his AIF cannot complete and submit his/her clearance to the company within thirty (30) days after date of resignation/separation, the employee shall be conclusively deemed to have abandoned his/her employment, and for violation/non-compliance with this policy, he/she shall be considered to have waived his/her **right for "Final Pay" or "Last Pay", including rights for future claims, by way of penalty and/or liquidated damages in favor of the company.**
7. The authority to accept and/or approve resignations/separations is hereby delegated by the President of the company to the Human Resources Division Head.
8. A designated stamp indicating that the document is accepted by the Human Resources Division Head shall be established, signifying that the resigning employee has finished settling all accountabilities with RMCI.




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**APPROVAL:**

	Name/Title	Signature	Date
Prepared by:	<b>LANCE CARY D. FUENTES, Rpm</b> Organizational Development Specialist		9/13/22
Verified:	<b>RONEL JAY Y. FERRER</b> Labor Relation /Employee Relations Supervisor		9.14.22
Reviewed:	<b>DENNIS C. ESCALONA, MN, FPCHA, FPSQua</b> Quality Assurance Supervisor		9-14-2022
Recommending Approval:	<b>NANCY B. HIZON, MS Psych, FPCHA</b> Human Resources Division Head		9/14/2022
	<b>MA. ANTONIA S. GENSOLI, MD, FPPS, FPCHA</b> Vice President – Chief Medical Officer		9.30.22
	<b>SOCORRO VICTORIA L. DE LEON, CPA, MBA, PhD, FPCHA</b> Vice President – Chief Operating Officer		10/9/2022
Approved:	<b>GENESIS GOLDI D. GOLINGAN</b> President and CEO		11/11/22



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### **PURPOSE:**

To standardize the processing of clearances and accountability upon employee's separation from the company, whether the separation is voluntary or compulsory in nature.

### **SCOPE:**


Applies to all Labor Relations/ Employee Relations staff of Dr. Pablo O. Torre Memorial Hospital

### **PERSON RESPONSIBLE:**

Resigned employee or its Attorney-in-fact, Employee Relations Staff, Human Resource Division Head, Labor Relations Staff


### **PROCEDURE:**

1. The resigned employee or its authorized Attorney-in-fact (AIF) shall start processing all clearances a day after his/her resignation date within 30 days.
2. In instances where the resigned employee cannot process all clearances within a month, he/she shall submit a duly executed Special Power of Attorney, attached to letter of resignation or separation, authorizing his or her Attorney-In-Fact to process all pertinent documents in his/her behalf.
3. The resigned employee or its authorized Attorney-in-fact (AIF) shall sign the Authorization and Waiver Agreement
4. All pertinent documents shall be submitted to the Employee Relations Staff and be approved by the Human Resource Division Head.
5. If the resigned employee complies with all requirements for clearance within 30 days, he/she shall be cleared and, final pay and quitclaim shall be released to him/her by the Labor Relations Staff.

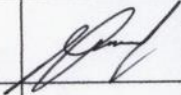


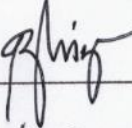
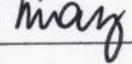
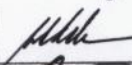
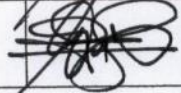
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6. If the resigned employee did not comply with the requirements for clearance within 30 days and did not submit a Special Power of Attorney, final pay and other future claims shall be waived.



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**APPROVAL:**

	Name/Title	Signature	Date
Prepared by:	<b>LANCE CARY D. FUENTES, Rpm</b> Organizational Development Specialist		7/13/22
Verified:	<b>RONEL JAY Y. FERRER</b> Labor Relation /Employee Relations Supervisor		9-14-22
Reviewed:	<b>DENNIS C. ESCALONA, MN, FPCHA, FPSQua</b> Quality Assurance Supervisor		10/13/22
Recommending Approval:	<b>NANCY B. HIZON, MS Psych, FPCHA</b> Human Resources Division Head		9/14/22
	<b>MA. ANTONIA S. GENSOLI, MD, FPPS, FPCHA</b> Vice President – Chief Medical Officer		9-30-22
	<b>SOCORRO VICTORIA L. DE LEON, CPA, MBA, PhD, FPCHA</b> Vice President – Chief Operating Officer		10/19/2022
Approved:	<b>GENESIS GOLDI D. GOLINGAN</b> President and CEO		11/25/22

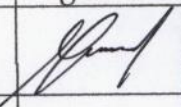
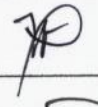

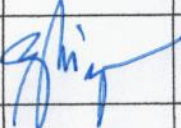
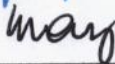
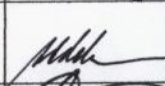
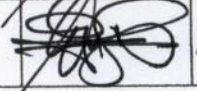
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KEY TASKS	PERSON RESPONSIBLE
1. Starts processing all clearances a day after his/her resignation date within 30 days	Resigned Employee or its authorized Attorney-in-fact
2. Submits a duly executed Special Power of Attorney, attached to the letter of resignation or separation, authorizing his or her Attorney-In-Fact to process all pertinent documents in his/her behalf in instances where the resigned employee cannot process all clearances within a month	Resigned Employee
3. Signs the Authorization and Waiver Agreement	Resigned Employee or its authorized Attorney-in-fact
4. Submits all pertinent documents to the Employee Relations Staff	Resigned Employee or its authorized Attorney-in-fact
5. Receives and checks the submitted documents by the resigned employee	Employee Relations Staff
6. Approves the documents of the resigned employee	Human Resource Division Head
7. Clears and releases the final pay and quit claim to the resigned employee once all the requirements are complied within 30 days	Labor Relations Staff



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**APPROVAL:**

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Prepared by:	<b>LANCE CARY D. FUENTES, Rpm</b> Organizational Development Specialist		9/13/22
Verified:	<b>RONEL JAY Y. FERRER</b> Labor Relation /Employee Relations Supervisor		9.14.22
Reviewed:	<b>DENNIS C. ESCALONA, MN, FPCHA, FPSQua</b> Quality Assurance Supervisor		10/18/2022
Recommending Approval:	<b>NANCY B. HIZON, MS Psych, FPCHA</b> Human Resources Division Head		
	<b>MA. ANTONIA S. GENSOLI, MD, FPPS, FPCHA</b> Vice President – Chief Medical Officer		9.30.22
	<b>SOCORRO VICTORIA L. DE LEON, CPA, MBA, PhD, FPCHA</b> Vice President – Chief Operating Officer		10/19/2022
Approved:	<b>GENESIS GOLDI D. GOLINGAN</b> President and CEO		10/25/22



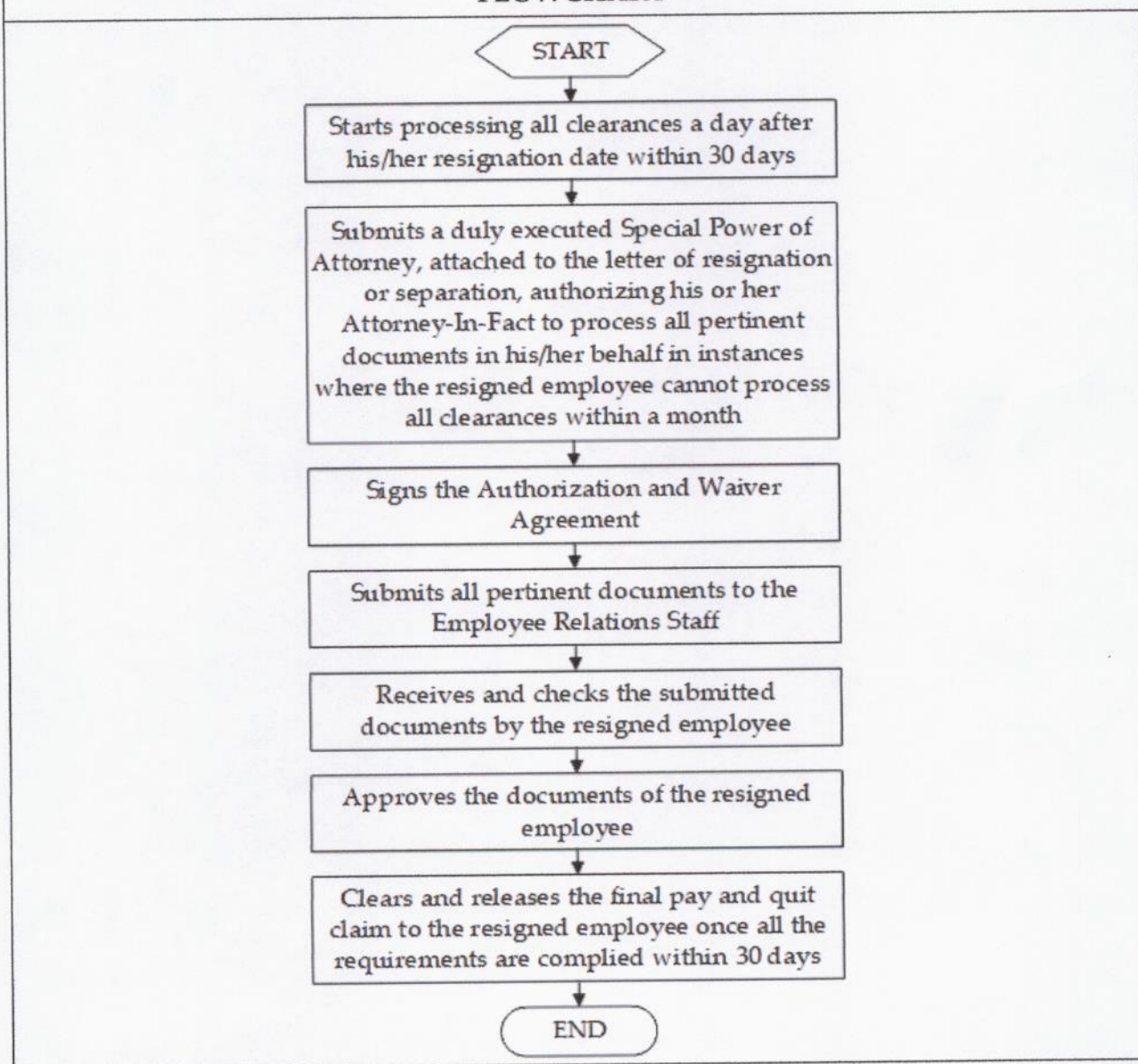


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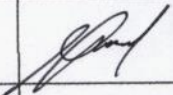


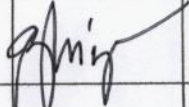
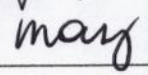
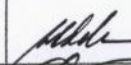
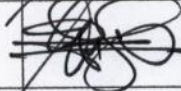
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Verified:	<b>RONEL JAY Y. FERRER</b> Labor Relation /Employee Relations Supervisor		9.27.22
Reviewed:	<b>DENNIS C. ESCALONA, MN, FPCHA, FPSQua</b> Quality Assurance Supervisor		10/18/22
Recommending Approval:	<b>NANCY B. HIZON, MS Psych, FPCHA</b> Human Resources Division Head		
	<b>MA. ANTONIA S. GENSOLI, MD, FPPS, FPCHA</b> Vice President – Chief Medical Officer		9.20.22
	<b>SOCORRO VICTORIA L. DE LEON, CPA, MBA, PhD, FPCHA</b> Vice President – Chief Operating Officer		10/19/2022
Approved:	<b>GENESIS GOLDI D. GOLINGAN</b> President and CEO		10/25/22