



**LEGAL SERVICE
GENERAL ADMINISTRATION AND
SUPPORT SERVICES GROUP**

DRN: LS-LMD-OUS-ORDEN-MEM-25-05-072239-S

MEMORANDUM

FOR : CHRISTIAN JOSEPH M. REGUNAY, CESO III
Director IV, Information and Communications Technology Management Service

FROM : THE ASSISTANT SECRETARY FOR GENERAL ADMINISTRATION AND SUPPORT SERVICES GROUP AND CONCURRENT OFFICER-IN-CHARGE (OIC) OF THE LEGAL SERVICE

SUBJECT : LEGAL GUIDANCE ON THE USE OF LIVED NAME IN CORPORATE ICT ACCOUNTS

This pertains to the Memorandum¹ submitted by the Information and Communications Technology Management Service (ICTMS) concerning the query of a new employee who requested the use of the lived name as the primary display name in official DSWD systems, such as the official email and active directory account. It is noted that the new employee cited the **PRIME-HRM** and **Gender and Development (GAD)** guidelines, highlighting that their lived names have been previously recognized in academic and professional settings.

In response to the request for legal guidance, this Office respectfully provides the following opinion:

I. Legal Implications and Requirements Regarding the Use of a Lived Name in Official Government Systems and Communications

ICT Memorandum Circular No. 2015-002² provides for the e-mail naming convention for employee e-mail accounts as follows:

"xxx

4. E-mail Naming Convention

The Official Agency E-mail domain shall be @_____.gov.ph;

The naming convention for Office and Employee Account shall observe the following rules:

xxx

ii. In case of Employee E-mail Account, the general syntax of the e-mail address shall include the first name or nickname in which the government

¹ Annex "A" - Memorandum dated 23 April 2025.

² ICT Memorandum Circular No. 2015-002, dated April 27, 2015.

employee is professionally known, followed by a period (.) and the last name of the government employee, followed by the domain name of the Agency.

xxx”

Based on *ICT Memorandum Circular No. 2015-002*, the naming convention for employee e-mail accounts permits the use of either the first name or nickname by which the government employee is professionally known. While the term “nickname” is not explicitly defined in the Circular, *Black’s Law Dictionary* defines it as “a descriptive or alternative name, in addition to or instead of the actual name.”³ This definition suggests that the term “nickname” is broad, encompassing various informal or alternative names used to refer to an individual. However, it must be emphasized that the alternative name should be that by which one is professionally known. The Circular, however, does not provide further guidance on the interpretation of this phrase. In the absence of a statutory or administrative definition, resort may be had to persuasive authorities and established legal principles.

In the United States, consistent with *In re McUita*, a federal court held that a person may lawfully adopt a name through habitual and non-fraudulent use, and that name may be recognized as one’s legal or professional name.⁴ Applied in a professional context, this suggests that an employee’s consistent and bona fide use of a particular name in official and professional dealings may give rise to a presumption that such name is the one by which they are professionally known. Hence, it may be understood that a nickname by which one is professionally known is that which is frequently and consistently used in official correspondence or work-related communications.

In the Philippine context, there is currently no formal legal definition of a “lived name” nor any statute, issuances, or policies on its usage. However, the concept has been recognized in other jurisdictions, particularly in academic institutions. For example, the University of California Santa Cruz defines a lived name as “a self-chosen or personal and/or preferred professional name used instead of a legal name.”⁵ Likewise, Western Washington University defines it as “the use of a name, usually a first name, that is different from a person’s legal name.”⁶ Comparing the definitions of a nickname and a lived name, it becomes evident that while the two may overlap, they are distinct concepts. The definition of nickname is broad enough to encompass a lived name. What the Department has in place is the *ICT Memorandum Circular No. 2015-002* which explicitly limits the allowable name to a “nickname in which the government employee is professionally known.” As such, the Circular does not directly refer to nor expressly authorize the use of a lived name, rather, it permits the use of nickname by which an employee is professionally known. Consequently, the use of lived names for government e-mail accounts is not explicitly addressed or permitted by the Circular.

At present, the Department follows a different internal policy for the naming convention of employee e-mail accounts, using the format consisting of the employee’s first initial, middle initial, and last name (e.g., jcdelacruz@dswd.gov.ph), followed by the Department’s domain name. This is in accordance with Item VII(C)(2) of *DSWD Administrative Order No. 09, Series of 2015*, otherwise known as the Policy on Stewardship, Acceptable Use and Security of DSWD Information and Communication Technology (ICT) Resources. While this policy deviates from the format prescribed under *ICT Memorandum Circular No. 2015-002*, it remains the current standard within the Department.

³ *Black’s Law Dictionary* 1134 (9th ed. 2009).

⁴ *In re McUita*, 189 F.250 (M.D. Pa. 1911).

⁵ University of California Santa Cruz, Gender Recognition and Lived Name Policy, <https://diversity.ucsc.edu/policies-data/draft-gender-recognition-lived-name-policy/> (last visited May 8, 2025).

⁶ Western Washington University, Lived Name Policy, <https://admissions.wvu.edu/apply/lived-name> (last visited May 8, 2025).

On the other hand, the *Information and Communications Technology Management Service Operations Manual (ICTMS) Operations Manual*⁷ does not expressly prohibit nor permit the use of lived names in Active Directory (AD) accounts. In the absence of a contrary policy, the use of the legal name or nickname by which the employee is professionally known, may be permitted for AD account registration.

II. Application of Existing Laws, Rules, and Regulations, Including PRIME-HRM and GAD Guidelines

The Civil Service Commission (CSC), through its Program to Institutionalize Meritocracy and Excellence in Human Resource Management (PRIME-HRM)⁸, aims to promote merit-based and excellence-driven human resource systems across government agencies. In the context of gender responsiveness, PRIME-HRM emphasizes the principle of non-discrimination throughout the human resource cycle, particularly in recruitment, selection, and placement. It also encourages the formulation and implementation of policies that promote gender equality and equity in the workplace. Complementing this is the Department's Guidelines on Gender and Development (GAD) Mainstreaming⁹ which seeks to promote inclusivity, diversity, and the protection of human rights, including respect for sexual orientation, gender identity, and expression (SOGIE). These frameworks encourage government agencies to adopt gender-sensitive and responsive policies.

While these frameworks support the recognition of gender identity, they do not supersede the legal requirements on the use of a person's legal name in official government records and transactions. The CSC, the Commission on Audit (COA), and other regulatory bodies require that official documents, payroll records, plantilla positions, and personnel records reflect the employee's legal name as appearing in their valid government-issued identification and civil registry documents.

However, PRIME-HRM and GAD principles allow for reasonable accommodations and administrative flexibility where feasible—particularly in non-legal and internal communications such as name tags, office directories, email display names, and internal memoranda. This flexibility is also reinforced by the term nickname, which allows for some latitude regarding the use of lived names in official email accounts. This flexibility can be exercised provided that such recognition does not result in the misrepresentation of the employee's legal identity or compromise the accuracy of official records.

Accordingly, in the case of the new employee, the request to use a lived name as a primary display name in the official email account may be allowed, so long as it does not substitute or alter the legal name recorded in the Department's official documents, including the 201 files maintained by the Human Resource Management and Development Service (HRMDS). This approach is aligned with the practices of various institutions in other jurisdictions. For example, the University of California Agriculture and Natural Resources allow lived names to be reflected in online directories, email display names, or class rosters, however, the legal name is still retained and expressly indicated for official transactions, such as those involving government forms, payroll, medical records, tax documents, and immigration-related records.¹⁰

III. Required Legal Documentation to Facilitate the Use of a Lived Name

As earlier discussed, *ICT Memorandum Circular No. 2015-002* allows the use of a "nickname in which the government employee is professionally known." The term nickname may be

⁷ Information and Communications Technology Management Service Operations Manual.

⁸ CSC Resolution No. 2100064 (2021).

⁹ Administrative Order No. 05, s. 2012, as amended by Administrative Order No. 15, s. 2018 or DSWD Guidelines on Gender and Development (GAD) Mainstreaming.

¹⁰ University of California Agriculture and Natural Resources, *Gender Recognition and Lived Name Policy: Guidance for Implementation* (August 2024), <https://ucanr.edu/sites/default/files/2024-08/401963.pdf> (last accessed May 13, 2025).

reasonably interpreted to include lived names, considering its broad scope. In line with this, and taking into account the principles under the Program to Institutionalize Meritocracy and Excellence in Human Resource Management (PRIME-HRM) and Gender and Development (GAD), the use of a lived name in the official email account of a Department employee may be accommodated, subject to certain limitations.

In support of this, it is worth noting that certain jurisdictions, such as California, recognize and permit the use of lived names across various institutional systems. Universities like Bowdoin and the University of California San Diego allow students to use their lived name in platforms such as academic portals, campus directories, class rosters, student ID cards, email displays, and other internal systems. Legal names, however, are still used for official and legal purposes, including financial aid, payroll, tax forms, transcripts, credentialing, billing, and government reporting. Importantly, requests to use lived names in these settings typically do not require extensive documentation, as individuals are often able to update their account details directly.¹¹

In the absence of a statute, issuance, and specific internal policy governing the use of lived names, there is likewise no prescribed list of required documentation for such requests. To address this gap and facilitate the consistent processing of lived name usage within internal systems, the following is recommended:

- a. The employee's legal name shall remain the primary identifier in all official records, legal documents, plantilla positions, and government communications;
- b. The employee must submit a written request specifying the scope of the intended use of the lived name within internal systems; and¹²
- c. The request must be accompanied by a duly executed Affidavit of Intent, stating under oath that the use of the lived name is not intended to defraud, mislead, or otherwise misrepresent the employee's legal identity.

It is further recommended that the HRMDS be consulted to determine any additional documentary requirements necessary to facilitate the use of a lived name by the new employee. Moreover, should ICTMS allow the request for the use of a lived name or nickname pursuant to *ICT Memorandum Circular No. 2015-002*, it must be prepared to accommodate a potential increase in similar requests from other employees seeking to use their lived names in their official email accounts.

IV. Recommended Steps to Address the Request While Ensuring Compliance

In view of the above, this Office recommends the following steps:

- a. **Clarify the Scope** – Determine whether the request pertains solely to internal system display names or to the legal name in official documents.
- b. **Require Submission of an Affidavit** – Ask the requesting party to submit an affidavit confirming the use of the lived name and expressly acknowledging that such use does not constitute a legal change of name.

¹¹ Bowdoin College, Lived Name and Gender Identity Policy, <https://www.bowdoin.edu/registrar/students/credentials/lived-name.html> (last accessed May 13, 2025).

University of California San Diego, Lived Name for Students, https://blink.ucsd.edu/instructors/resources/lived_name_students.html (last accessed May 13, 2025).

University of California San Diego, Lived Name Initiative, UC San Diego Office for Equity, Diversity, and Inclusion, <https://diversity.ucsd.edu/initiatives/lived-name.html#For-campus-employees-including> (last accessed May 13, 2025).

¹² University of California Merced, Gender Recognition and Lived Names, Office for the Prevention of Harassment and Discrimination, <https://ophd.ucmerced.edu/resources/gender-recognition-and-lived-names> (last accessed May 13, 2025).

University of Toronto's Statement Concerning Changes of Student Personal Information in Official Academic Records (Approved April 16, 2009); online: University of Toronto <http://sgdo.utoronto.ca/resources/resources-for-trans-people-u-of-t/>

- c. **Implement Dual Identification (If Technically Feasible)** – Allow the lived name to appear in parentheses or as a nickname in internal communication systems (e.g., “Juan dela Cruz (Jane)”).
- d. **Ensure Data Integrity in Official Documents** – Maintain the legal name in official records, payroll, and government filings.

V. Potential Risks or Liabilities

A. Potential risks associated with granting the request

- i. Government documents must reflect the legal name of the employee to maintain integrity and consistency in official records, in accordance with *Civil Service Commission (CSC) Memorandum Circular No. 40, s. 1998*¹³ and applicable rules under COA and DBM guidelines. Granting requests to use lived names in official accounts or email addresses, without linkages to legal names, could undermine the legal integrity and traceability of government documents and transactions.
- ii. Section 11 (c) of *Republic Act No. 10173 or the Data Privacy Act of 2012*¹⁴ provides that personal information must be accurate and updated. The allowance of the use of the lived name in the creation of an official and active directory account without proper linkage to the legal name in the official systems may result in inaccurate or misleading data records which thereby violates the aforementioned provision.
- iii. Granting the request may encourage other employees to similarly seek the use of their lived names in their official email accounts. As such, ICTMS must be prepared to handle a potential increase in the volume of similar requests, including the necessary adjustments in systems, procedures, and administrative support.

B. Potential risks associated with denying the request

- i. A blanket denial of the request without consideration of gender identity and expression may be viewed as discriminatory, particularly against members of the LGBTQI+ community. Such an act could conflict with the Department's obligations under:
 - a. *DSWD Administrative Order No. 05, s. 2012*, as amended by *DSWD Administrative Order No. 15, s. 2018* or *DSWD Guidelines on Gender and Development (GAD) Mainstreaming*; and
 - b. *Magna Carta of Women (R.A. No. 9710)*.
- ii. Denying the use of lived names, especially in non-official, internal contexts, such as email display names, may contradict the CSC's PRIME-HRM principles that advocate for inclusive, gender-sensitive human resource systems. This could impact the Department's accreditation under PRIME-HRM or trigger compliance issues in future gender audits.

CONCLUSION

While the lived name of an employee may be respectfully acknowledged in limited, internal, and non-binding contexts, its use in official records and government systems must remain consistent with the legal name as recorded in the civil registry, unless legally changed. Additionally, should ICTMS approve the new employee's request to use the lived name in the official email account, it is anticipated that other employees may subsequently submit similar requests. In view of this, it is recommended that ICTMS collaborate with the relevant divisions of the Department to

¹³ CSC Memorandum Circular No. 40 s. 1998, December 14, 1998.

¹⁴ Section 11 (c), Republic Act No. 10173 (Data Privacy Act of 2012).

develop clear and standardized guidelines to govern such requests. This will ensure a consistent, efficient, and legally compliant approach to accommodating lived names across internal systems.

For your consideration. Thank you.


ATTY. GINA V. WENCESLAO

TFP/10065

Approved by:


ATTY. EDWARD JUSTINE R. ORDEN
Undersecretary for General Administration and Support Services Group
Date: 29 MAY 2025