



TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY

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04 July 2016

DEPARTMENT OF LABOR AND EMPLOYMENT  
Office of the Secretary

04 JUL 2016

DATE: \_\_\_\_\_  
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**HON. ROSALINDA DIMAPILIS-BALDOZ**

Secretary

7<sup>th</sup> Floor, Department of Labor and Employment (DOLE) Building  
Intramuros, Manila

Attention: **ATTY. ROMEO M. MONTEFALCO, JR.**  
Director IV  
Legal Service

Dear **Secretary Baldoz**:

This is to officially submit to your office the attached second quarter monitoring reports on the pending cases and complaints involving TESDA personnel.

Thank you and best regards.

Very truly yours,

**PILAR G. DE LEON**

Director IV, AS

Chief of Services for Administration

DEPARTMENT OF LABOR AND EMPLOYMENT  
Legal Service

Received by: *WLP*

Date / Time: 7/4/16

Ref. No. \_\_\_\_\_

OFFICE OF THE DIRECTOR

FORM 01- LIST OF PENDING CASES  
Second Quarter, 2016

NO.	CASE/DOCKET NO.	RESPONDENT/S (POSITION) AND (Level of Position)/No. OF RESPONDENT/S	COMPLAINANT/S	NATURE OF CHARGE	TYPE OF CASE (Administrative/ Criminal/Civil) and win/ integrity/efficiency/ graft related	CASE LODGED AT THE	DATE OF FORMAL CHARGE (Year, Month, Day)	AGING (Year, Month, Day)	DETAILED STATUS OF CASES	REMARKS/STATUS OF EMPLOYMENT
1	C.A.G.R. No. 11993/ G.R. No. 214904	Manuel A. Jaramilla, former VSA of Luciano Millan Memorial School of Arts and Trades (LMMSAT)/Rank-and-File/One (1) respondent	TESDA	Grave Misconduct and Dishonesty	Administrative /Integrity-graft related	Court of Appeals	2008 June 26	eight (8) years and nine (9) days	CSC Resolution No. 10-0430 dated 08 March 2010 found Jaramilla guilty of Simple Misconduct and Less Serious Dishonesty and imposed him the penalty of one (1) year suspension from the service. On 17 September 2014, the Petition for review which was filed by TESDA was denied by the Court of Appeals and affirmed the Resolution issued by the CSC. The TESDA through the Office of the Solicitor General filed its Petition for Review on Certiorari before the Supreme Court.	Permanent Employee Mr. Jaramilla is currently assigned as the Officer-in-Charge at the Passi Trade School (PTS).
2	N/A	Gervacio C. Dauz Jr., Administrative Officer V of PO-Agusan Del Norte	TESDA	Grave Misconduct	Misconduct/ Administrative/Integrity only	TESDA	2016 May 24	one (1) month and eleven (11) days	Pending investigation by TESDA.	Permanent Employee
3	N/A	Luzviminda C. Rubi, Administrative Officer V, HRMD, TESDA- Central	TESDA-Central Office	Grave Misconduct/ Efficiency	Habitual Tardiness/Efficiency	TESDA	2016 May 24	one (1) month and eleven (11) days	Pending investigation by TESDA.	Permanent Employee

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FORM 02-LIST OF DECIDED CASES  
Second Quarter, 2016

NO.	CASE/DOCKET NO.	RESPONDENTS (POSITION) AND (Level or Position)	COMPLAINANT	NATURE OF CHARGE	TYPE OF CASE (Administrative/Criminal/Civil & win efficiency/integrity/ integrity-graft related)	CASE LODGED AT	DATE FILED (mm/dd/yyyy)	DATE OF DECISION (MM/DD/YYYY)	AGING (Year, Month, Day)	DETAILED DECISION	DATE OF IMPLEMENTATION	REMARKS
1	N/A	Vicente R. Pagula/Vocational School Administrator III/ Rank and File and Genoveva D. Maximo/Administrative Officer IV/Rank-and-File	Renello Pescador	Grave Misconduct, Falsification of Official Documents, and Conduct Prejudicial to the Best Interest of the Service	Administrative/integrity only	CSC	11 February 2006	November 24, 2011 September 06, 2011 Signed by Chairman Francisco T. Duque III, Commissioner Mary Ann Z. Fernandez-Mendoza	five (5) years and seven (7) months	Wherefore, considering the above premises, Ms. GENOVEVA D. MAXIMO is hereby found GUILTY of MISCONDUCT with the PENALTY of One (1) Month suspension from the government service, while the charges of Falsification of Official Documents and Conduct Prejudicial to the Best Interest of the Service are hereby DISMISSED for lack of substantial evidence. On the other hand, Mr. VICENTE R. PAGULA is hereby EXONERATED from all of the charges imputed against him for lack of substantial evidence.  Wherefore, the appeal of Genoveva Maximo is hereby GRANTED. Accordingly, the Civil Service Commission (CSCRO) No. 11 Decision dated November 24, 2010, finding her guilty of Simple Misconduct with the penalty of suspension from the government service and the Resolution dated January 25, 2011 denying her motion for reconsideration is hereby REVERSED and SET ASIDE. Maximo is hereby EXONERATED from any administrative liability for lack of substantial evidence to prove the offense imputed.	Agri School of Arts and Trades (ASAT), paid the back wages of Ms. Maximo on 30 September 2011 for the period 01 February 2011 to 07 March 2011	The CSC decision dated 24 November 2010 finding her guilty of Simple Misconduct and imposing upon her the penalty of one (1) month and one (1) day suspension from the government service and the Resolution dated 25 January 2011 denying her motion for reconsideration were reversed and set aside by the CSC  Mr. Pagula retired from the service effective March 23, 2014.
2	N/A	Mensel S. Onio/Administrative Assistant III/Rank-and-File	TWC trainees Ms Roselle Corpus, Candy Barolome, Inqueen Nueva and Cralina Aguilá	Grave Misconduct	Administrative/integrity only	TESDA	30 April 2012	February 04, 2013 March 20, 2014 Signed by Sec. Emmanuel Joel J. Villanueva	One (1) year, seven (7) months and seven (7) days	WHEREFORE, premises considered, the Motion for Reconsideration of the Respondent is PARTLY GRANTED. The assailed Decision dated 04 February 2013 is hereby MODIFIED. Accordingly, the penalty imposed upon the Respondent is hereby DOWNGRADED from dismissal to a mere SUSPENSION for SIX (6) MONTHS WITHOUT PAY. Like WARNING is hereby given to the Respondent that any repetition of the same offense shall be dealt with more severely.	April 7, 2014 to October 4, 2014	Ms. Onio received the Decision issued by the Director General on 06 June 2013. Ms. Onio was suspended from the service for six (6) months without pay. Ms. Onio filed a Motion for Reconsideration on 14 June 2013. The Director General granted the Motion for Reconsideration and modified the Decision dated 04 February 2013
3	N/A	Carmelita A. Dulay/Senior TESD Specialist/ Rank-and-File	anonymous with mobile no. 09084098208	Grave Misconduct	Administrative/ efficiency/integrity only	TESDA CSC	04 August 2009	25 May 2010 (TESDA) 21 March 2012 (CSC) Commissioner Mary Ann Z. Fernandez-Mendoza Chairman Francisco T. Duque III	two (2) years and three (3) months	Wherefore, the appeal of Carmelita A. Dulay, Senior TESD Specialist, Technical Education and Skills Development Authority (TESDA), La Union Provincial Office, is hereby DISMISSED. However, the Decision dated May 25, 2010 of the TESDA Director General Pastor Z. Guiao, finding her guilty of Grave Misconduct, thereby imposing upon her the penalty of dismissal from the service with accessory penalties, is hereby MODIFIED, such that Dulay is found guilty only of Conduct of Prejudicial to the Best Interest of the Service, and meted the penalty of one (1) year suspension.	one (1) year suspension. Ms Dulay has assumed the duties and responsibilities of a Senior TESDA Specialist at the Regional Operations Division (ROD) of TESDA-Region I on 01 October 2012	Permanent Employee
4	CA.C.P. SP. NO. 119892/ UDN. No. 14708	Erlando L. Majan/ TESD Specialist III/ Rank-and-File	TESDA	Being notoriously Undeniable	Administrative/integrity only/efficiency	TESDA CSC Court of Appeals Supreme Court	11 August 2008	05 September 2012 (TESDA) January 26, 2012 (CA) September 5, 2012 (SC) Signed by Division Clerk of Court Edgar O. Archeta	three (3) years and six (6) days	Pursuant to Rule 45 and other related provisions of the 1997 Rules of Civil Procedure, as amended, the petition for certiorari to the Supreme Court, only portions of which are accompanied by or which comply strictly with the requirements specified therein shall be entertained. On the basis thereof, the Court resolves to DENY the instant petition for review on certiorari of the Resolution dated 30 June 2011 of the Court of Appeals in C. C. G. R. No. 1119892	05 October 2009	Permanent Employee/M. Majan was dismissed from the service effective 05 October 2009.