



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

August 10, 2021

MEMORANDUM

RECORDED

FOR : The CENR Officer
DENR-CENRO Sablayan, Occidental Mindoro

Thru : Technical Services Section 8/10/21

FROM : The Chief, Monitoring and Enforcement Section

SUBJECT : **EXPLANATION WITHIN 72 HOURS FOR NON-COMPLIANCE TO THE INSTRUCTIONS OF THE REGIONAL EXECUTIVE DIRECTOR THRU THE PENRO REGARDING THE EXTENT OF DAMAGES INCURRED ON THE VICTORIA-SABLAYAN ROAD CONSTRUCTION PROJECT OF DPWH**

This is in response to your Memorandum dated August 6, 2021 which was received by the undersigned on the same date. Copy of Your Memorandum dated August 2, 2021 which the undersigned responded on August 3, 2021 is hereto attached including attachments for your reference.

On the first paragraph of your Memorandum dated August 6, 2021, you've stated that the undersigned given 24 days and additional 72 hours to comply with the instruction of the Regional Executive Director (RED) and PENRO, re: extent of damages and violations on the Victoria- Sablayan road construction. The truth was, 24 days was not given to me to accomplished the instruction, it was started when this office received the communication address to PENRO/CENRO but was referred to the undersigned by TSS/Forester 111 Isaias Guimod dated July 9, 2021 (Friday). Reiterating what had happen, the undersigned received the referral dated July 12, 2021 (Monday), a total of 11 working days since the undersigned turned over the documents to TSS Isaias Guimod. The 24 days mentioned in your memorandum was a product of counting of number of days from the date referred to the undersigned (July 9, 2021) to August 2, 2021. You have counted the number of days including Saturdays, Sundays and holidays. This matter was mentioned in my Response Memorandum dated August 3, 2021. It was also mentioned that on July 30, 2021 the undersigned turned over all the documents pertaining to Sablayan-Victoria road to TSS/Forester 111 Isaias Guimod, exactly 11 working days from the date that the undersigned received the referral **and not 24 working days**. The undersigned would like to emphasize that the undersigned did the initial gathering of data and result was turned over to TSS Isaias Guimod. Please see attached photos for your reference.

On the second paragraph, admittedly the referral was received dated July 9, 2021 (Friday). I would like you to notice that the undersigned have already mentioned that I personally received July 12, 2021 (Monday). Misleading declaration of the subject number of days use to magnify issues. With regards to the issue that I drastically and unofficially turned over the documents to TSS Isaias Guimod is a hearsay with no evidence. That issue being raised is hereby denied. The accusation is a childish action that has nothing to do in managing this office smoothly. Admittedly the reasons why the undersigned turned over the documents was the following: 1. Your verbal instructions and TSS/Forester 111 Guimod to prepare Completed Staff Work (CSW) hiding other concerns like the issues of FB Harrison, Ancestral Domain, NCIP and Indigenous Peoples just to fast track the CSW result. 2. Reporting on the extent of damages of said road opening construction is new to me. Assessment to declare extent of damages is not within my expertise, much that my



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two (2) Assistants, FPOs and Forest Rangers cannot do. Same reason why I told TSS Guimod that I do not know how to prepare CSW on that particular project. 3. No logistic support. Gathering data with substantial evidences is very vital. Any declaration made entails responsibility to prove it. Preparing CSW for this huge national project is highly technical that needs support and proper collaboration with other entities and most importantly be given ample time to gather information with evidences. Another thing was I told Mr. Guimod to give this task to other personnel who has training in CSW preparation for them to give officially an enlightenment that result of CSW is the basis for decision making and not just a story telling.

Paragraph 3 is all about managing my resources as Chief, Monitoring and Enforcement Section. Granting that the undersigned involved MES personnel in data gathering data, the time was not enough because of the heavy rain that makes the road unpassable due to the occurrence of flood and landslide. I just do not know why you have forgotten that Occidental Mindoro was declared in the state of Calamity during that time. Consolidation of reports gathered by whoever made it will still the preparer of CSW has the responsibility of any declaration made without evidences.

Further, may I respectfully reiterate just to make it clear that the eleven (11) working days **not 24 working days** did not worked because of the reasons mentioned in my response memorandum dated August 3, 2021. The additional 72 hours given to the undersigned to accomplished said CSW was not possible

In view of the above, my unsolicited humble recommendations are the following:

1. The extent of damages incurred in the Seven (7) kilometers road opening at Sablayan- Victoria road will be assessed by a geo hazard expert considering that said road opening is an environmentally critical project ;
2. That the team shall be created in gathering relevant information/data involving CENRO/PENRO personnel ;
3. That the participation of the Environmental Management Sector (EMS) of this CENR Office shall be enjoined;
4. Participation of trained personnel of this CENRO in preparing CSW shall also be enjoined.

Considering my above mentioned recommendations, it shows that the task referred to me will not be accomplished without the assistance of other entities. Assessment of environmental damages is highly technical matter and not within my expertise. But if ever my services is needed , I am more than willing **to help** for the good of the government service.

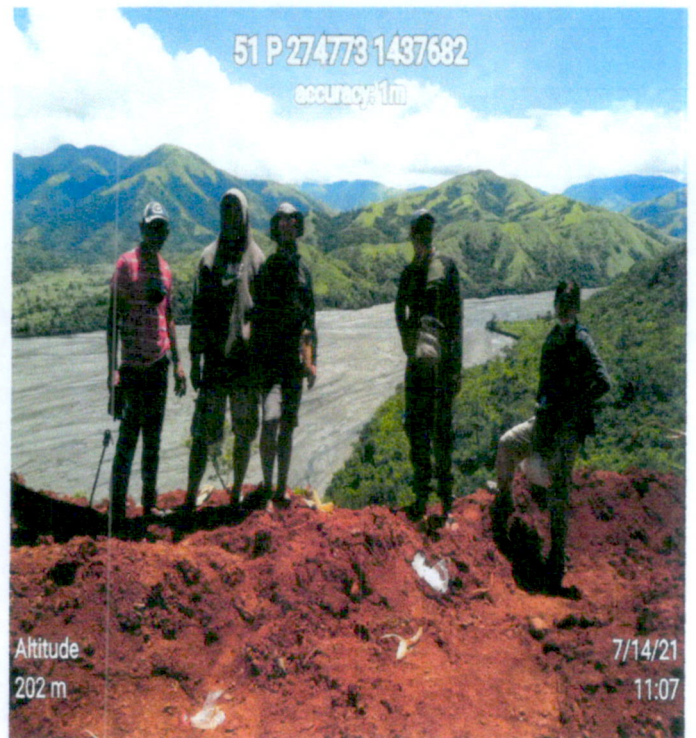
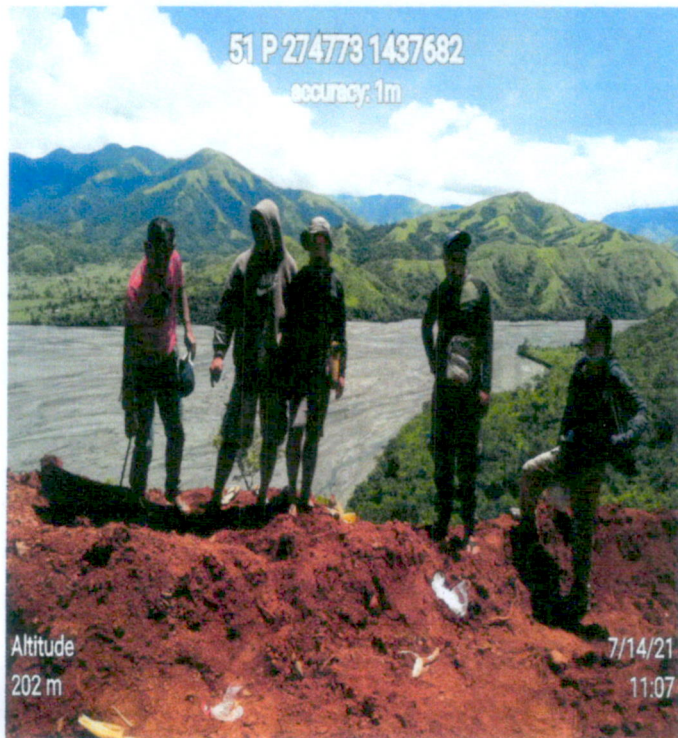
With all the facts presented, the undersigned strongly believe that no violations of any rules and regulations of the Civil Service has been committed.

For your information, record and consideration.

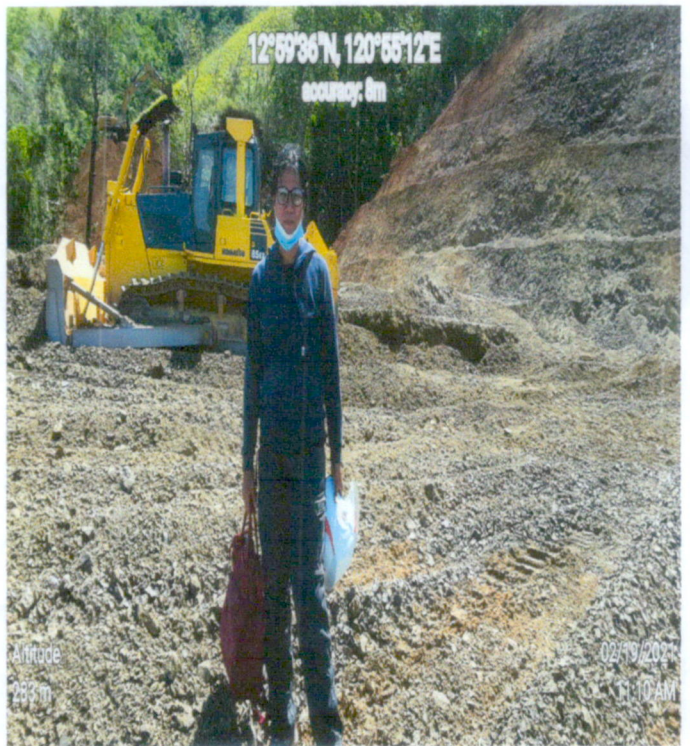
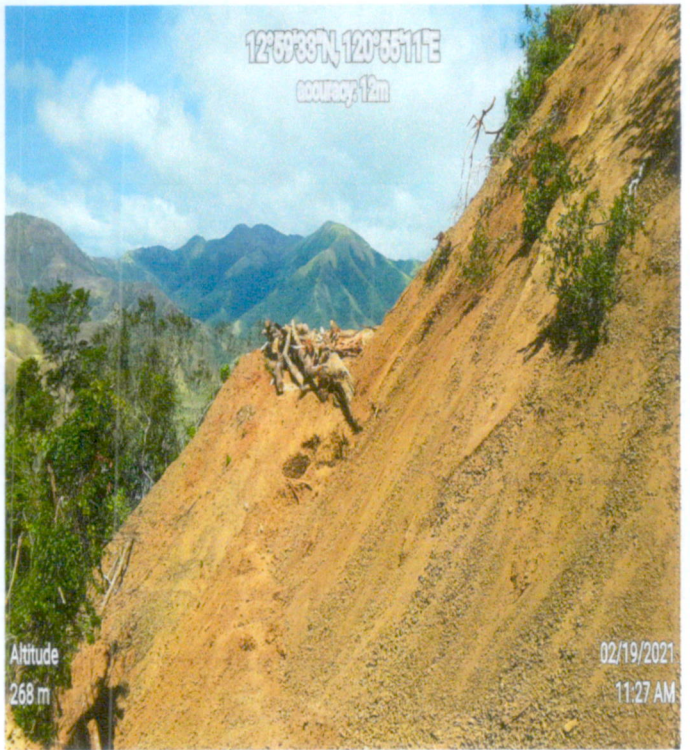
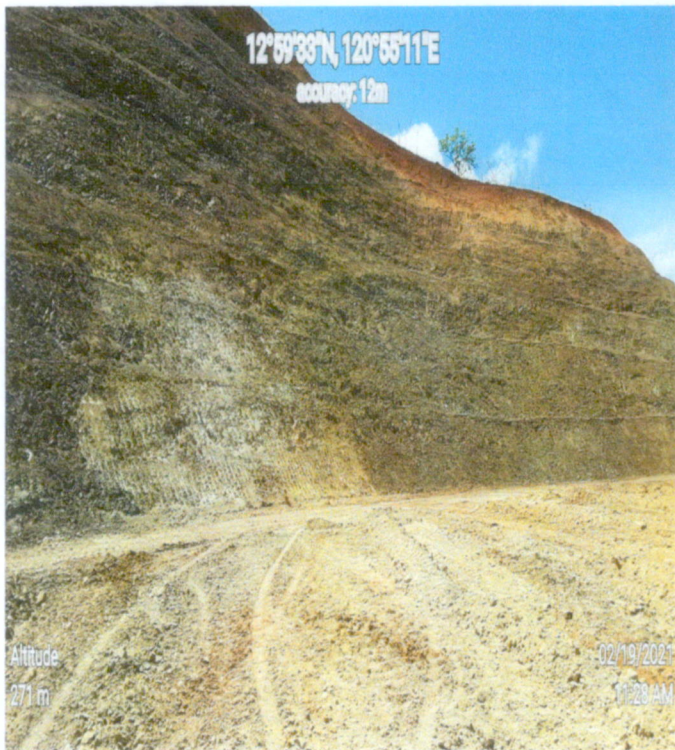

FE M. RAGUINDIN

Copy furnished:

1. Regional Executive Director
DENR-MIMAROPA
2. PENR Officer
PENRO-Mamburao









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COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

August 6, 2021

MEMORANDUM

TO : SEMS Fe M. Raguindin
Chief, Monitoring and Enforcement Section

FROM : The CENR Officer

SUBJECT : **EXPLANATION WITHIN 72 HOURS FOR NON-COMPLIANCE TO THE INSTRUCTIONS OF THE REGIONAL EXECUTIVE DIRECTOR THRU THE PENRO REGARDING THE EXTENT OF DAMAGES INCURRED ON THE VICTORIA-SABLAYAN ROAD CONSTRUCTION PROJECT OF DPWH**

RECORDED

Date: 8-7-21
9

It has been observed that you have given twenty four (24) days and additional 72 hours but you did not comply or submit any report regarding the instructions of the Regional Executive Director thru the PENRO on the extent of damages and violations on the Victoria-Sablayan Road Construction.

On July 9, 2021, your Section officially received the Memoranda of the Regional Executive Director and PENR Officer, however, on July 30, 2021, you had drastically and unofficially returned the documents with negative comments that you do not know how to prepare Completed Staff Work (CSW) report, rather, according to you, this will be given to the personnel who have undergone Completed Staff Work (CSW) training.

You are designated as Section Chief of the Monitoring and Enforcement of this Office, under you, are the two (2) Assistant Section Chiefs (For. Ariston Ramos and ECOMS I Joseph Mateo) including several Forest Rangers and Forest Protection Officers (FPOs). If you had utilized these personnel resources, then you should not oblige to go on fieldwork but only to consolidate reports from them. In fact, you did not manage your resources, instead, you had focused yourself to do all the activities pertaining thereto.


In this connection, you are hereby instructed to explain within 72 hours from receipt hereof, why you should not be given disciplinary action in accordance with the Civil Service Rules and Regulations.

For your strict compliance.


CAESAR E. QUEBEC

Copy furnished:

1. Regional Executive Director
MIMAROPA Region


08-09-21
1:28 PM



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy.Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

August 3, 2021

MEMORANDUM

FOR : The CENR Officer
THRU : The Technical Services Supervisor
FROM : The Chief, Monitoring and Enforcement Section
SUBJECT : **INCOMPLIANT TO SUBMIT COMPLETED STAFF WORK (CSW) REPORT ON THE ACTUAL AND EXTENT OF DAMAGES INCURRED ON THE PROPOSED ROAD OPENING OF VICTORIA-SABLAYAN ROAD PROJECT OF DPWH**

RECORDED

Date: 8-3-21
By: [Signature]

This is in response to your memorandum dated August 2, 2021 regarding the above subject matter which was received by the undersigned on the same day. The referral pertaining to RED /PENRO memorandum with footnote instruction signed by TSS Isaias Guimod. The subject memorandum was received by Monitoring and Enforcement Section dated July 9, 2021(Friday) thru Ms. Anjanett Salvador and personally received by the undersigned July 12, 2021 (Monday). Since then I started to gather information and went to the field to complete needed data for said report, but due to the equally important task related to my regular target, the referral was once in a while set aside to prioritized urgent matters that need immediate actions. Its the undersigned who reported the road opening in the regular staff meeting of this CENRO sometime February 2021. I even verbally invited the project Engineer to this office to submit necessary documents related to their compliance to DENR requirements including matters on the affected trees. What I've learned was there were personnel of this office who tasked to do job related to the timber inventory and other activities. During that time, I was not involved in any plan of activities in monitoring of the proposed opening of Victoria-Sablayan road. Tracing of what had happen since this road opening was started was not included in my list of activities knowing that there were CENRO personnel who were assigned in the area. Since previous transactions was unknown to me, collecting information or data for this CSW is not possible to produce for a short period of time.

On July 18, 2021 Southwest monsoon enhanced by typhoon Fabian started to struck the province of Occidental Mindoro and that continuous heavy rain for more than two (2) weeks. On July 20,2021 was declared national holiday and on July 22-23, 2021 was also declared non- working by the Provincial Governor because of the heavy rain that struck the province of Occidental Mindoro.

Counting of the number of days from the day (July 12, 2021) I received the subject referral was only 12 days until August 2, 2021. That on July 30,2021, all available documents pertaining to the said Sablayan- Victoria road opening was already turned over to TSS /Forester 111 Isaias Guimod for the reason that there were non doable extraction of requirements at the moment which are vital in CSW preparation like the affidavits from IP community, meeting with Barangay official of Barangay Pag-asa, Sablayan, Occidental Mindoro re: issue on LGU endorsement, dialogue with the GIS unit of this CENR office, re: map of CADT and FB Harrison and other minor and major details to make the information complete. As I estimated the number of days that I needed to act promptly the referral will not be possible without the support of the supervisor especially logistic support. For them, its my responsibility alone to extract substantial information with evidences to support any declarations made as basis for decision



making. The accusations of being incompliant to submit CSW was pre judgement without validating the circumstances. To sum it up, a total of eleven (11) working days that the Sablayan- Victoria road documents in my custody. Since July 30, 2021 to present , all document was already handed to TSS/Forester 111 Isaias Guimod.

For all the reasons stated above, the memorandum issued by CENRO Caesar Quebec dated August 2, 2021, ordering the undersigned to submit CSW report in just 72 hours or else he will be charging me insubordination is drastic ,inconsiderate action and unjust treatment on the part of a woman Senior Citizen Employee . Gathering data like coordinating with other agencies, interview of Indigenous People, Barangay Captains and actual visitation to construction area using only motorcycle under the heavy rain will possibly expose the undersigned to health threatening situation especially this time of pandemic. Copy of the your memorandum is hereto attached for your further review.

Further, the undersigned would like also to emphasize that there are young and energetic personnel of this CENR Office who has a formal training in preparing CSW report.

Furthermore, I would like to mention in this response the previous memorandum address to the undersigned signed by CENRO Caesar E. Quebec with initials of ECOMS II/ Admin Officer Reynaldo A. Dano and TSS Forester III Isaias Guimod. The Memorandum dated July 27, 2021 was all about their accusation against the undersigned of alleged habitual tardiness of the without any basis attached. It appears that the accusations was absolutely not valid and seems at any angle is like a harassment of the superior to his subordinate. In the memorandum quoted Violation of Section 46 (F) (4) of the Revised Rules on Administrative Cases in the Service. To define clearly, the provision hereunder are the basis to charge an employee for habitual tardiness which the undersigned did not committed as per record of this office. My signed Daily Time Record shows the truthfulness of my statements.

That base on Civil Service Memorandum Circular No. 23, series of 1998 dated June 15, 1998, Categorically provides that:

“ Any employee shall be considered habitually tardy if he/she incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year”

The above quoted provision is clear. Habitual tardiness maybe committed in two (2) ways, viz:

1. When the employee incurs tardiness ten (10) times a month for at least two (2) months in a semester;
2. When the employee incurs tardiness of ten (10) times for two (2) consecutive months during the year.

Finally, my possession is that I was harassed by the superior without substantial evidences and without due process applied . The undersigned respectfully prayed that the Head of Office/ Supervisor and other employees holding influential positions must exercise with due diligent fair treatment following Civil Service rules the employees of the government who spent their fruitful years and still keep on defending the interest of the government . Oppression under section 46 (B) 2 of the revised Rules on Administrative Cases in the Civil Service is a grave offense punishable by law.

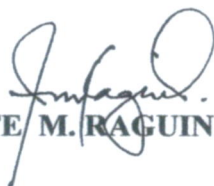


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Documents attached:

1. Memorandum of CENRO Caesar E. Quebec dated July 27, 2021
2. Memorandum of CENRO Caesar E. Quebec dated August 2, 2021.

For your information, review and consideration.


FE M. RAGUINDIN

Copy furnished:

1. Regional Executive Director
DENR-MIMAROPA
2. PENR Officer
PENRO-Mamburao
3. Forester III/Technical Services Supervisor
CENRO Sablayan *8/3/21*
4. ECOMS II/Administrative Officer
CENRO Sablayan *8/3/21*



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E-mail: cenrosablayan@denr.gov.ph

August 2, 2021

MEMORANDUM

RECORDED

Date: 08 - 02 - 2021

By: [Signature]

TO : SEMS Fe M. Raguindin
Chief, Monitoring and Enforcement Section

FROM : The CENR Officer

SUBJECT : INCOMPLIANT TO SUBMIT COMPLETED STAFF WORK (CSW)
REPORT ON THE ACTUAL AND EXTENT OF DAMAGES
INCURRED ON THE PROPOSED ROAD OPENING OF
VICTORIA-SABLAYAN ROAD PROJECT OF DPWH

It has been 24 days that you did not act on the instructions per Memorandum of the Regional Executive Director dated June 30, 2021 as indorsed by the PENR Officer on July 7, 2021, therefore, you are instructed to act/comply on this matter within 72 hours upon receipt hereof, otherwise, you will be charged of insubordination for not complying the lawful order in accordance with Section 52 (B-5) Resolution No. 991936, Uniform Rules On Administrative Cases in the Civil Service.

For your strict compliance.


CAESAR E. QUEBEC

Copy furnished:

1. Regional Executive Director
DENR-MIMAROPA
2. PENR Officer
PENRO-Mamburao
3. File



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National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro 5104
Email add: cenrosablayan@denr.gov.ph

RECORDED

July 27, 2021

Date: 7-27-21
By: g

MEMORANDUM

TO : Fe M. Raguindin
Senior ECOMS/Chief, Enforcement & Monitoring Section

FROM : The CENR Officer

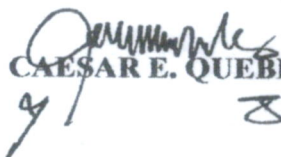
SUBJECT : **FREQUENT UNAUTHORIZED TARDINESS
(HABITUAL TARDINESS)**

It has come to our attention that your Daily Time Record (DTR) shows a series of unauthorized tardiness. In this regard, please be reminded that this habitual tardiness is punishable under Section 46 (F) (4) of the Revised Rules on Administrative Cases in the Civil Service, to wit:

1. First Offense – Reprimand
2. Second Offense – Suspension (1-30 days)
3. Third Offense – Dismissal from the service.

To avoid these consequences, please observe all the rules and regulations enforced by the Civil Service Commission (CSC) through this Office, especially the rule in tardiness, at all times.

For your information and compliance.


CAESARE E. QUEBEC

cc: PENRO Occidental Mindoro

