



**POSITION PAPER RE: ISSUES AND CONCERNS OF DENR MIMAROPA REGIONAL
OFFICE EMPLOYEES AND STRUCTURAL INTEGRITY OF THE DENR MIMAROPA
REGIONAL OFFICE AT DENR BY THE BAY BUILDING, 1515 ROXAS BLVD.,
ERMITA, MANILA**

FROM : BOARD OF TRUSTEES
DENR Employees' Union MIMAROPA Chapter
(DENREU-MIMAROPA)

DATE : AUGUST 14, 2023

This pertains to the structural integrity of the Department of Environment and Natural Resources (DENR) MIMAROPA Office located at the Bay Building which was affected by the magnitude 6.2 earthquake, with its epicenter in Calatagan Batangas, on June 15, 2023, and other subsequent earthquakes that put the lives of our employees in danger.

In a *Letter* dated June 19, 2023, Alexander M. Linde, Officer-in-charge (OIC) of the Natural Resources Development Corporation (NRDC), requested the Regional Director of the Department of Public Works and Highways, National Capital Region (DPWH-NCR) to conduct an immediate inspection and assessment of the building (*ANNEX-1*).

On June 27, 2023, the DPWH-NCR conducted an ocular inspection of the building to check its structural integrity. To assure the safety of the building occupants, DPWH-NCR came up with the following recommendations (temporary and permanent measures), *to wit*:

Temporary Measures:

1. To conduct crack mapping on the affected structural members;
2. Injection of structural epoxy on cracks to mitigate possible major damages;
3. Reduction of imposed loads (removal of unnecessary storage);
4. To limit the occupants of the building *until proper retrofitting* is completed; and
5. The Building Property Management should monitor the building's structural components at least twice a year.

Permanent Measures:

1. Preparation of as-built plan and conducting pertinent concrete testing and rebar scan for easy and effective monitoring, which is necessary for retrofitting and renovation;
2. *Immediate retrofitting* of the entire building;
3. To conduct further investigation and comprehensive structural assessment by a Structural Engineer; and
4. Keep the fire exit passage unobstructed at all times for the safety of the building occupants.

Consistent with the employees' right to safe and secure working conditions of employment, the DENR Employees' Union MIMAROPA supports the recommendation of the DPWH to conduct a comprehensive structural assessment of the building, after which the retrofitting and renovation proper.

In the event that there is a need to temporarily vacate the DENR by the Bay building, we are amenable to the temporary transfer of our office to another building within Metro Manila only as it still best serves the interest of the public, its employees, and the Region.

Please be noted, however, that the union is not amenable to the idea of immediate transfer to Calapan City, Oriental Mindoro for the following reason, *to wit*:

1. There is an existing and pending legal action in court filed by the members of DENREU concerning the transfer of the DENR MIMAROPA Regional office in Calapan city, Oriental Mindoro (*ANNEX 2*).
2. As public servants, we uphold the principle and practice of ensuring the efficient delivery of public service to our people. Public service has to be concrete and accessible to the masses who need it the most. We do not want public resources to be put on the wrong priorities.

MIMAROPA Region comprises five (5) island provinces, namely: a) Oriental Mindoro; b) Occidental Mindoro; c) Marinduque; d) Romblon; and e) Palawan, which is the biggest in terms of population (1,246,673 in 2020 or 38.6% of the whole Region) and land area (17,030.72 km² or 57.497% of the whole Region) of which clients come from. Transfer of the regional office to Calapan Oriental Mindoro will result in resistance not only from employees but also to other island provinces for there is no direct way of transportation from the island provinces to Oriental Mindoro.

In case an abrupt transfer pushes through to Calapan, the cost of transportation, not only of clients but also of employees from the regional office to another island will be expensive. Further, migration of the Regional office from Manila to Calapan would be costly since it would require truckload capacity to transport office records, pieces of equipment, and items of furniture from DENR by the Bay Building to Calapan.

It would be very inconvenient and hard for clients and regional office employees to avail a flight from Palawan to Manila and then travel by land to Batangas port to ride a RORO going to Calapan or vice versa. It runs counter to the idea of bringing the services of the regional office to the people by letting them spend the measly cash that they have to transport from one island to another to avail of similar services they get from traveling to NCR.

We believe that the current office at Roxas Boulevard, Ermita, Manila is the most strategic location to cater to the needs of MIMAROPA clients, employees, and other government agencies. Moreover, its location is easily accessible via the NAIA terminal airports, LRT, MRT, and Batangas-Buendia routes. On the other hand, Calapan City is only accessible via water travel from Batangas.

To reiterate, the transfer of the Regional Office should result in a sound economical outcome to efficiently deliver public service to our people, instead of being burdensome which will burn the resources of the clients and employees alike. The transfer to Calapan City will make the services inaccessible and costly and therefore worsen the already suffering state of public service. We believe that we should not cede to and allow the grandiose design that is meant to hide the government's failure to provide genuine development for the people.

3. We firmly believe that as workers, government employees have the right to security of tenure, which is as fundamental as our right to live decently. An abrupt transfer of the Regional Office to Calapan, Oriental Mindoro will result in a massive constructive dismissal of employees and violation of security of tenure guaranteed by the Constitution.
 - a. Security of tenure is a constitutional right of an employee and is mandated by law that protects them from being unjustly terminated from employment.
 - b. Constructive dismissal - exists when an employee quits his or her work because of the agency head's unreasonable, humiliating, or demeaning actions which render continued work impossible because of geographic location, financial dislocation, and performance of other duties and responsibilities inconsistent with those attached to the position.

The test is whether a reasonable person in the employee's position would have felt compelled to give up his/her position under the circumstances.

A brief history of the regional office will tell us that DENR MIMAROPA and DENR CALABARZON were in the same regional office located in Metro Manila. As such, most of the employees and their families have established their roots here in Metro Manila and other adjacent provinces. Hence, the transfer to Calapan will leave the employees suffering from the physical, psychological, and financial costs of uprooting their families from where they have been for so many years of their lives.

This attempt to move the Regional Office to Calapan will result in a mandatory and costly lifestyle change for employees and their families. From availing another housing loan on top of the existing loans from GOCCs and other lending institutions, transferring to another school for their children, and availing medical needs in a 3rd class component city which is a lot different from the quality of medical services that the employees and their families can get in Metro Manila.

Furthermore, employees availed at their own expense, the CareHealth Card to ensure the provision of immediate medical services or assistance available for the employee including their family. However, there is no accredited hospital, not even a clinic in Calapan, for medical services that are accredited for CareHealth subscribers. Subscribers of said medical card benefit from the availability of medical services from accredited private hospitals and clinics in Metro Manila.

Sometime in the 90s, the DENR offered PROJECT HOPE, a housing project for DENR employees located in Tanza, Cavite, of which a lot of employees have availed and some are still paying in PAG-IBIG. While other employees owned a residential property established

within NCR and nearby provinces, with nothing to think of the cost of monthly rentals, enjoying what they've established and recovering from other financial worries. As such, despite the condition that the DENR will provide another housing project with very little interest in Calapan, availing another house and another loan will be a financial burden for the employees and their families, compared to the decent shelter they currently have. Further, elderly colleagues have worries that in such a situation their loan might not be approvable due to their age. Hence, availing another housing loan will be a burden and should never be considered an option. This is a situation where money that a family may choose to spend for another purpose like bringing food on their table, education, medical expenses, or entertainment to bring the family much closer will be put to the same purpose that they are presently enjoying for free.

Granting for the sake of argument that an employee can transfer alone without his/her family, we cannot dismiss the negative psychological impact of such in the upbringing and caring of one's child or one's marriage. Not to mention the issue of depression and anxiety of being away from loved ones. Studies show that the absence of the primary caregiver of a family can increase children's probability of dropping out of school and delay school progressions. Moreover, disrupted family life can lead to poor diets and increase psychological problems. In addition, some researchers find that temporary labor migration may influence marital stability resulting in a higher rate of dissolution, infidelity, and promiscuous behaviors than couples at home. Hence, employees might as well migrate to another country where they will receive better compensation to remit their income to their families left behind than have the same income to provide for his/her family.

These situations where an employee's reassignment results in financial dislocation or will cause difficulty or hardship because of geographical location constitutes constructive dismissal. Hence, illegally dismissed. Which may occur even though there is no diminution or reduction in rank, status, or salary of the employee.

4. Comparative and estimated cost or expenses of an employee living in NCR and Calapan:

Profile
Salary Grade: Php 17,553 (SG 6)
Status: Single
Address: Within Metro Manila/NCR, Living with parents

	NCR	Calapan
Transportation fare Residence to Office (Vice Versa)	Php 100.00	
Transportation fare Rented residence to Office (Vice Versa)		Php 100.00
Transportation fare from Rented residence to Residence in Metro Manila (vice versa for once a month)		
● Boat		Php 1,400.00
● Bus		1,100.00
● Fare (PUJ, Taxi, TNVS ... etc)		300.00

Thus, we firmly support the following recommendations:

1. Based on the summary of the findings of DPWH-NCR, who has the technical expertise on the present concern, *it is clear that the DENR by the Bay Building is not subjected to condemnation and is still suitable/conducive to its occupants, provided however, that it will go the retrofitting/renovation process.* Thus, the DENR Employees Union (DENREU) is in the position to support the conduct of a comprehensive structural process, after which the retrofitting and renovation are in place.
2. In the event that the employees need to temporarily vacate the building for the commencement of its retrofitting and renovation, the DENREU will support its temporary transfer to another building within Metro Manila as it will best serve the interest and welfare of its employees, families, and especially the clients.
3. Transferring to Calapan is not a viable option for the majority of the employees.

For your information and consideration.

Irish L. Aguilera - Menorca

IRISH A. MENORCA
Member, BOT

[Signature]
HERLINA L. NIM
Member, BOT

[Signature]
ANGELIKKA B. CRESPO
Auditor

[Signature]
DONNA JANE C. PELAEZ
PRO

[Signature]
XYLENE A. TANG
Secretary General

[Signature]
MARILYN P. ANTONIO
Treasurer

[Signature]
ATTY. LENEL R. RABEJE
Vice-President Internal Affairs

[Signature]
RHAMELL A. HULLEZA
Vice-President External Affairs

[Signature]
ARNEL N. ASTRERA
President

Copy Furnished:

MARIA ANTONIA YULO LOYZAGA

Secretary, Department of Environment and Natural Resources
DENR Central Office
Diliman, Quezon City

ATTY. JUAN MIGUEL T. CUNA, CESO I

Undersecretary for Field Operations - Luzon, Visayas and Environment
DENR Central Office
Diliman, Quezon City

FELIX S. MIRASOL, JR., CESO IV

OIC, Regional Executive Director
DENR-MIMAROPA Region

DONNA MAYOR-GORDOVE, CESO IV

Assistant Regional Director for Management Services
DENR-MIMAROPA Region

ANNEX 1



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
National Capital Region
2nd Street, Port Area, Manila

July 3, 2023

MEMORANDUM REPORT

FOR : LORETA M. MALALUAN, CESO IV
Regional Director
This Region

SUBJECT : Request for an Immediate Inspection of Assessment of the Premises DENR by the Bay Building Located at 1515 Roxas Boulevard, Ermita, Manila

This is in response to the Memorandum dated June 19, 2023 of Officer-In-Charge Alexander M. Linde, Department of Environmental and Natural Resources (DENR) - Natural Resources Development Corporation (NRDC), requesting for an immediate inspection and assessment of DENR by the Bay Building. The representatives from DENR-NRDC and Department of Public Works and Highways (DPWH) – National Capital Region (NCR) conducted an ocular inspection on June 27, 2023, to check the structural integrity of the building which may have been affected by a 6.2 magnitude earthquake that struck the area of Calatagan, Batangas last June 15, 2023, as well as to discuss what actions are needed to ensure the safety of all occupants of the building.

The following are our observations/ findings, and recommendation, to wit:

I. Observations and Findings

1. Per DENR, there is no as-built plan of the building.
2. The 10-storey building was built around 1970s. During this period, the seismic design requirements of the latest National Structural Code of the Philippines were not yet considered.
3. The 2nd, 7th, 8th, 9th, and 10th floors were inspected, focusing on the locations identified by Engr. Angeles.
4. Typical column dimensions (450 mm x 450 mm) of the building were measured from 7th to 10th floor.
5. As informed by the DENR personnel, a concrete coring was conducted last 2013 to investigate the structural integrity of the building (**see Figure 1**). However, a copy of this coring test report has not been provided. Slab thickness of 150mm was measured.
6. Tapered beam section (measured around 500 mm depth from the face of the column to 250 mm depth at midspan) was observed at the 10th floor (**see Figure 2**). This size is small for its intended use.
7. Separation of concrete and steel reinforcement was observed on some parts of the concrete exterior walls at the 10th, 8th, and 2nd floor which indicates that the steel reinforcements at these walls are severely corroded (**see Figure 3**).

g/m

120-838



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
National Capital Region
2nd Street, Port Area, Manila

July 3, 2023

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FOR : LORETA M. MALALUAN, CESO IV
Regional Director
This Region

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6. Tapered beam section (measured around 500 mm depth from the face of the column to 250 mm depth at midspan) was observed at the 10th floor (**see Figure 2**). This size is small for its intended use.
7. Separation of concrete and steel reinforcement was observed on some parts of the concrete exterior walls at the 10th, 8th, and 2nd floor which indicates that the steel reinforcements at these walls are severely corroded (**see Figure 3**).

Severely corroded steel reinforcements could be a sign of water penetration through the exterior walls.

8. Narrow fire exit passage was observed (**see Figure 4**).
9. Traces of structural epoxy were observed on beams (near the face of the column) located at 7th and 10th floor. No previous retrofitting plan was provided (**see Figure 5**).
10. Cracks on vinyl floor tiles manifested as a result of slab fracture possibly due to lack of top steel reinforcement on the slab (**see Figure 6**).
11. Additional cracks which propagated on the top slab at the 8th floor due to the recent 6.2 magnitude earthquake were observed (**see Figure 7**).
12. Parts of the ceiling at the 7th floor was removed to investigate if the cracks seen at the 8th floor propagates to the bottom of the beam and slab (**see Figure 8**).
13. Additional cracks which propagated on the wall at the 2nd floor were observed (**see Figure 9**).

II. Recommendations

a. Temporary Measures

1. Prepare crack mapping on the affected structural members (slabs, beam, and column).
2. Apply structural epoxy injection on structural members where cracks are noticeable in order to mitigate the possible major damages to the structure.
3. Reduce the imposed loads (e.g. by removing unnecessary storage, using light materials) carried by the structural members.
4. Limit the occupants of the building until proper retrofitting is completed.
5. Building property management should monitor the building's structural components at least twice a year or as needed to assess if major damage occurs.

b. Permanent Measures

1. Prepare (a) as-built plan of the building and (b) conduct pertinent concrete testing and rebar scan for easy and effective monitoring. This is also needed in case there are needs for retrofitting and renovation.
2. To ensure the safety of the occupants, immediate retrofitting of the entire building is necessary since the structural design of the building does not comply with seismic design requirements as prescribed by the latest National Structural Code of the Philippines. This is also in preparation/mitigation for the possible earthquake-induced by the West Valley fault line.
3. Further investigation and comprehensive structural assessment by a Structural Engineer (Consultant) is highly recommended for further planning and implementation of possible retrofitting of the building.
4. Ensure that the fire exit passage is unobstructed at all times for the safety of building occupants in times of emergencies.

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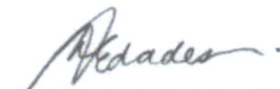
Attached are the site inspection pictures, for your reference.


Attached also is a letter addressed to Engr. Alexander M. Linde of DENR.

For your information and further instructions.

Prepared by:



AIOLI GAYLE G. ARCEO
Engineering Assistant


MALLORY C. EDADES
Engineer I


AZRICK-JON R. CRUZ
Engineer II


SATURNINO E. DIAMZON III
Section Chief, Bridges and other Public Works Design Section

Noted by:


JOSEL B. BOLIVAR
Officer-in-Charge
Planning and Design Division


NCR.1 AGGA/MCE/AJRC/SED/IEE


Attached are the site inspection pictures, for your reference.

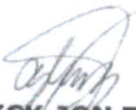
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For your information and further instructions.

Prepared by:


AIOLI GAYLE G. ARCEO
Engineering Assistant


MALLORY C. EDADES
Engineer I


AZRICK-JON R. CRUZ
Engineer II


SATURNINO E. DIAMZON III
Section Chief, Bridges and other Public Works Design Section

Noted by:


JOSEL B. BOLIVAR
Officer-in-Charge
Planning and Design Division

NCR.1 AGGA/MCE/AJRC/SED/IEE



Republic of the Philippines
City of Manila



**DEPARTMENT OF ENGINEERING & PUBLIC WORKS
OFFICE OF THE BUILDING OFFICIAL**

June 26, 2023

**The Management, Department of Environment and Natural Resources
1515 Roxas Boulevard, Ermita
Manila**

**Thru: Mr. Alexander M. Linde
OIC, Natural Resources Development Corporation**

Sir:

This pertains to the hereto attached Memorandum Report from the Annual Building Inspection, this office, regarding the visual ocular inspection conducted in your building located at 1515 Roxas Boulevard, Ermita, Manila, which is the gist concern of your letter request dated June 19, 202, said report is self-explanatory on the matter (please see attached for your perusal).

Relatively, attached in your letter dated June 16, 2023 is the ocular inspection conducted by the Rescue, Emergency and Safety Team (REST), wherein, same observation were noted in the conducted visual inspection by this office in your DENR by the Bay Building. However, in the second paragraph of that letter which was concurred by you as the Chairman together with your signature and that of your Board Members, hereto quoted as;

"While the building does not show visible indications of large damages caused by the recent earthquake, it is important to note that the safety of the building cannot be determined solely based on the observation made during the ocular inspection. A structural assessment must be conducted to determine the overall condition of the the building and its ability to withstand future earthquakes, since the building is already more or less than 50 years old."

In view hereof, since you are a National Department Office it is hereby advised that the matter be referred to the Department of Public Works and Highways whom might have the equipment to determine the actual structural integrity and soundness of your building and or hire/commission the services of an Engineering Consultant that is fully equipped and has the capacity to do the comprehensive structural overall assessment of your building that can withstand a future high intensity earthquake.



Very truly yours,

Armando L. Andres
Building Official

Attached as stated



Republic of the Philippines
City of Manila



DEPARTMENT OF ENGINEERING & PUBLIC WORKS
OFFICE OF THE BUILDING OFFICIAL
Annual Building Inspection

June 26, 2023

Memorandum for: Armando L. Andres
Building Official

This has reference to the hereto attached visual inspection report from Engr's Rommel Dimitui and Allan Samaniego, Inspectors, treating the letter of Mr. Alexander Linde, OIC, Natural Resources Development Corporation, DENR, requesting for an immediate inspection of their 10-storey with deck DENR by the Bay Building located at 1515 Roxas Boulevard, Ermita, Manila (please see attached for your reference).

In connection to the above, the DENR by the Bay Building was reported and described of being an architectural eyesore due to its old age and lack of proper maintenance. Further, reported and observed were cracks on the slabs, walls, columns and window jambs which are superficial in nature and others are old cracks that expand in size due to effect of the recent earthquake. Also, there was an uneven elevation in its slab due to the bulging of concrete.

Furthermore, on September 13, 2017, this office responded to the letter request from Mr. Junio Jose, CPA Department Manager and OIC -President, NRDC, DENR, and conducted a visual ocular inspection where there were some deficiencies noted/observed. That on September 15, 2017, this office issued a letter addressed to the Management of the Department of Environment and Natural Resources thru Mr. Junio Jose, ordering them to make the needed remedial corrections on the deficiencies that were noted during the then conducted visual inspection and was also advised to hire or commission the services of an Engineering Consultant for the thorough evaluation of the buildings structural members as to its actual integrity and soundness (please refer to the attached documents for your perusal).

In view thereof, it is hereby recommended that this matter be referred to the Department of Public Works and Highways whom has an equipment to determine the actual structural integrity and soundness since yours is a national department building and or hire/commission the services of an Engineering Consultant whom is fully equip and has the capacity to do a comprehensive structural overall assessment of the building that can withstand a failure high intensity earthquake.

Engr. Rolando U. Olazo
Chief, Annual Building Inspection

Attached as stated

Cmn/2023



Republic of the Philippines
City of Manila



DEPARTMENT OF ENGINEERING & PUBLIC WORKS
OFFICE OF THE BUILDING OFFICIAL
Annual Building Inspection

June 26, 2023

Memorandum For: ROLANDO U. OLAZO
Chief, Annual Building Inspection

Sir;

This pertains to the hereto attached letter dated June 19, 2023 of Alexander M. Linde, Officer-in-Charge, Natural Resources Development Corporation, Department of Environment and Natural Resources, requesting for an inspection and assessment of the DENR by the Bay Building, located 1t 1515 Roxas Boulevard, Ermita, Manila

In connection thereto, the undersigned and with the DENR representatives conducted an inspection on the subject building on June 21, 2023. Submitted is the inspection report to wit;

I. Description

The subject building is a Ten (10)-storey with deck, reinforced concrete structure. Currently it is used as office of the DENR with portion at ground floor as commercial space its is architecturally unpresentable due to its faded old exterior wall painting, old age and lack of proper maintenance.

II. Findings

1. Horizontal cracks are visible on most at the concrete window jams of the building from 9th floor down to the lowest floor right side portion. Some of the cracks are superficial and the others have increased in sizes or expanded due to the recent earthquake;
2. Cracks are present on the concrete slab of the balcony/terraces from 10th floor down to the 5th floor of the building, cracks are superficial and old in nature;
3. Portion of concrete wall and window jambs of the 10th floor rear right side, chipped-off, collapsed at the floor due to brittleness of concrete, corrosion of rebars and old age;
4. Vertical and horizontal cracks are visible on the concrete wall of the building, mostly in Columns connection and they are superficial;
5. Uneven elevation, due to bulging of concrete and cracks on the floor slab was observed from 9th floor down to 5th floor of the building;
6. Cracks are also present on the concrete wall of fire exits rear portion of the building, cracks are old ones and expanded due to the recent earthquake;
7. No manifestation of structural defects was observed, such as cracks and deformation on the Exposed concrete columns and beams of the building.



III. Recommendation

Based on the observation and findings, the subject building is already manifesting sign of dilapidation due to old age , and in order to ensure the safety of the occupants and the general public and to avoid any untoward incident, it is recommended that immediate action should be taken by the Department of Environment and Natural Resources by hiring the services of an Engineering Consultant to conduct thorough evaluation of the building to determined the actual present condition of its structural components. Also, immediate correction of deficiencies note should be undertaken.

Note:

Please be informed, that in September 2017, this office have issued an order to Department Environment and Natural Resources pertaining the same matter (please see attached documents).

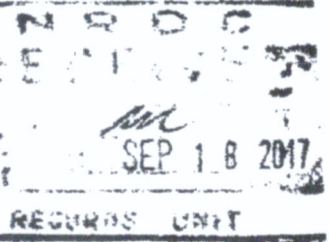
For your information and further appropriate action


Engr. Rommel M. Dimitui/ Engr. Allan C. Samaniego
Annual Building Inspectors 



Republic of the Philippines
City of Manila

**DEPARTMENT OF ENGINEERING & PUBLIC WORKS
OFFICE OF THE BUILDING OFFICIAL**



September 15, 2017

**THE MANAGEMENT, DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES**

**9th Floor DENR Building, 1515 Roxas Blvd. Ermita
Manila**

**Thru: Mr. Junio Jose, CPA
Department Manager III and OIC-Pres., NRDC**

Sir,

This pertains to the attached Memorandum Report of the Annual Building Inspection Section, this Office, regarding your request for an inspection of the structural integrity of your building located at 1515 Roxas Blvd., Ermita, Manila, which is self-explanatory on the matter. (please see attachments for your reference and perusal).

In view hereof, you are hereby ordered to immediately make the needed remedial corrections on the deficiencies noted in the inspection of your building such as the architectural eyesore, obstructed emergency exits and the chipped-off concrete plasters that poses imminent danger to the public and also hire or commission the services of an engineering consultant for the evaluation of structural members of your building as to its actual integrity and soundness.

For strict compliance

Very truly yours,

Rogelio Y. Legaspi
↑OIC, Building Official

Attached as stated



Republic of the Philippines
City of Manila



DEPARTMENT OF ENGINEERING & PUBLIC WORKS
OFFICE OF THE BUILDING OFFICIAL
Annual Building Inspection Section

September 15, 2017

Memorandum For: Rogelio Y. Legaspi
OIC, Building Official

This has reference to the hereto attached inspection reports of Engr's Rommel M. Dimitui and Allan C. Samaniego, Inspectors of this Section, regarding the letter request of Mr. Junio Jose, CPA, Department Manager III and OIC-President, NRDC in concurrent capacity, Department of Environment and Natural Resources, which is self-explanatory on the matter (please discern to the attachments for your reference).

In relation to the above, Engr's Dimitui and Samaniego reported that the architectural out look of the building is already an eye sore due to its old age and the lack of proper maintenance. Further, the fire and emergency exits of the building were said to be obstructed and its concrete plaster were already chipping-off which poses imminent danger to the passersby thereat.

In view hereof, it is recommended that the Management of the Department of Environment and Natural Resources thru Mr. Junio Jose be advised to hire or commission an Engineering Consultant to competently conduct an structural evaluation of their building so as to determine the actual soundness and integrity and to immediately make the corresponding remedial measures on the above-mentioned deficiencies of the DENR Building.

Engr. Rolando U. Olazo
Chief, Annual Inspection Section

Attached as stated



Republic of the Philippines
City of Manila



DEPARTMENT OF ENGINEERING & PUBLIC WORKS
OFFICE OF THE BUILDING OFFICIAL
Annual Building Inspection Section

September 13, 2017

Memorandum For: Rolando U. Olazo
Chief, Annual Building Inspection Section

Subject : 1515 Roxas Boulevard, Ermita, Manila

Sir,

Relative to the hereto attached letter dated August 14, 2017 of Mr. Junio O. Jose, CPA, Department Manager III and OIC, President, Natural Resources Development Corporation (DENR), requesting for an inspection relative to the structural stability of the subject building.

In this connection, the undersigned conducted an inspection/investigation on the subject building together with the Building Administration in the person of Mr. Edelito Zonto, and the following information and findings are hereby submitted to wit:

1. That the building is more than 30 years which already looks old due to lack of proper maintenance on its architectural elements;
2. That the emergency exits/fire exits at the rear portion are mostly obstructed and used as storage for some waste materials;
3. That chipping -off of the concrete plastering was observed on some portion of the exterior wall due to long exposure to weather which poses danger to the pedestrians.
4. That no sign of manifestation of structural defects was observed on its structural elements (i.e. columns, beams, slabs).

Remarks:

In view of the above, the undersigned suggest that the deficiencies noted should be immediately corrected, as well as hire the services of a competent Structural Engineer to conduct structural evaluation to determined the present actual structural integrity of the building.


Engr. Rommel M. Dimitui / Engr. Allan C. Samaniego
Annual Building Inspectors



Department of Environment and Natural Resources

Natural Resources Development Corporation

9th Flr. DENR Bldg., 1515 Roxas Blvd., Ermita, Manila

Tel. No. 5219421

Fax No. 5219466

Website: <http://nrdc.denr.gov.ph> Email: admit-nrdc@denr.gov.ph

14 August 2017

JOSEPH MARCELO EJERCITO ESTRADA

Mayor

City of Manila

Dear Mayor Estrada:

Environmental greetings to you and your constituents!

We write this letter to humbly request your kind office for assistance in the conduct of the inspection in relation to the structural stability of Department of Environment and Natural Resources (DENR) building located at 1515 Roxas Boulevard, Ermita, Manila.

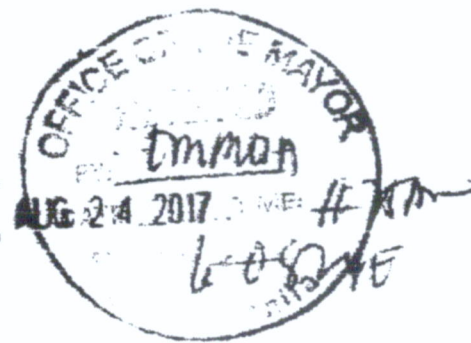
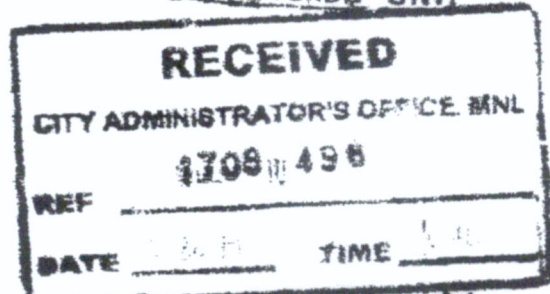
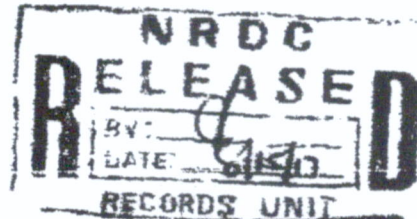
Last August 11, 2017, our city experienced an earthquake with a magnitude of 6.3 in the afternoon. Our management believes that this magnitude might affect the stability of the building considering that this is already more than thirty (30) years old.

We are hoping for your preferential action on the matter.

Thank you in advance.

Very truly yours,

JUNIO OLLOSE, CPA
Department Manager III and
OIC-President, NRDC
In Concurrent Capacity



ANNEX 2

Republic of the Philippines
National Capital Judicial Region
REGIONAL TRIAL COURT
Branch 10
City of Manila

RICARDO E. VASQUEZ JR.,
MICHELLE B. TUYAN,
LYNFORD C. ANHETA, JAMES
NICOLAS T. ESTACIO, BENNY
B. HERNANDIO, JESSIE V.
MACALINTAL, CATHERINE
ATIENZA, ARVIN JOSEPH,
BLANCO, HENRY VILLAFLOR,
JONJIE B. SAVERON, IRWIN
ANZALDO, CONCEPCION
ANGELA S. QUIJANO, MA.
TERESA RIZIEL I. CAYA,
MABELLE M. MANALO,
ASHLEY DENISE ADORA L.
IGNACIO, ERIC S. GONZALES,
FELICIANO PERILLA JR.,
RONIE ALPAJARO, KAIZZER
IRVIN S. TANADA as
represented herein by MYRNA
L. VIZCAYNO and GERSON B.
TAOINGAN,

Petitioners;

-versus-

ROLAND DE JESUS, ATTY.
MICHAEL DRAKE F. MATIAS,
and HENRY A. ADORNADO,

Respondents;

x-----x



CIVIL CASE NO. R-MNL-19-02370-CV

For: PETITION TO DECLARE AS UNCONSTITUTIONAL THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT 10879 AND NULL AND VOID JOINT REGIONAL SPECIAL ORDER NO. 003 SERIES OF 2019 WITH PRAYER FOR INJUNCTION AND/OR ISSUANCE OF TEMPORARY RESTRAINING ORDER

MOTION FOR RECONSIDERATION
(Of the Decision dated 19 October 2021)

PETITIONERS, through the undersigned counsel and unto this Honorable Court most respectfully avers: THAT--

1. **TIMELINESS**. On 19 May 2022, through personal follow up by the undersigned's liason officer, Louie Parong, undersigned counsel was able to secure a copy of the Decision dated 19 October 2021 ("Decision") in the above cited case.

2. Thus, Petitioners through counsel have a period of fifteen (5) days within which to file a Motion for Reconsideration of the Decision **or until 03 June 2021.**

3. The filing of the present Motion for Reconsideration is thus seasonable.

4. **GROUND**S. With all due respect, the Honorable Court erred in ruling that the transfer of the Petitioners in Calapan City is violative of the Constitution and there is no presence of grave abuse of discretion on the part of the Respondents.

5. The Honorable Court, in all humbleness, and with all due respect, mis-appreciated the facts and evidence on record that the transfer violated the constitutional rights of the Petitioners.

6. It bears to emphasize and to the point of being repetitive, the JRSO, subject matter of the present case, was issued when there is no transfer plan, no funds for relocation for the concerned personnel, no office in Calapan City where the listed employees will transfer, no hauling allowance, no transportation allowance, no master plan, the consent of the Petitioners was not secured, no timetable for the transfer in a blatant disregard of what is provided in the IRR of RA 10879.

7. Such disregard of the provisions of the IRR of RA 10879 on the part of the Respondents are clear and overt acts of grave abuse of discretion.

8. There were no criteria used or no selection process why the Petitioners were the one listed in the JRSO.

9. Surely, the implementation of the JRSO will prejudice the very root of the way of living of the Petitioners as they have to transfer from their residences here in Manila to Calapan City.

10. During the execom meetings of herein Respondents and some of the Petitioners, the former always manifest that the JRSO is already in effect and once office equipments have been transferred to Calapan City, the listed employees, majority of which are the Petitioners, need to report to Calapan City.

11. As of the filing of the present Petition and of this Motion fore Reconsideration, transfer of office equipments such as tables, chairs, cabinet files, have yet to be started. **There is also no exact location where the regional office will be.**

12. During the pendency of the case, an alleged funds for the transfer were allegedly released but the same was also ordered to be returned. This shows the lack of preparation and disregard by the DENR management of the rights of the Petitioners not only as employees but also as human beings.

13. All the foregoing considered, even a transfer of the Petitioners now to Calapan City would prejudice their rights.

THE TRANSFER OF THE
PETITIONERS FROM THEIR
MANILA OFFICE TO CALAPAN
CITY IS IN VIOLATION OF CSC
MC 02 SERIES OF 2005 OR THE
REVISED RULES ON
REASSIGNMENTS

THE ISSUANCE, EXECUTION
AND IMPLEMENTATION OF THE
JRSO RESULTED IN THE
CONSTRUCTIVE DISMISSALS
OF THE PETITIONERS

14. Be it noted that the creation of RSO as provided in the JRSO and the transfer or movement of the listed employees therein from Manila to Calapan City is **separate and distinct from each other.** Separate rules and policies should be observed.

15. At this juncture, considering that in the present case there is a movement of an employee from Manila to Calapan City, there is a need to revisit the definitions of a detail and reassignment.

16. Based on the definition, a detail requires a movement from one agency to another while a reassignment requires a movement within the same agency¹. On the other hand, transfer is the movement of employee from one position to another which is of equivalent rank, level or salary without break in the service involving the issuance of an appointment.

17. Considering that the Petitioners will only be moved within the same agency, that is, DENR MIMAROPA, it is humbly submitted that the rules on reassignment governs their transfer from Manila Office to Calapan City RSO.

18. CSC MC 02, Series of 2005 or the Revised Rules on Reassignments provides that:

"Reassignment - movement of an employee across the organizational structure within the same department or agency, which does not involve a reduction in rank, status or salary.

Reassignment shall be governed by the following rules:

1. These rules shall apply only to employees appointed to first and second level positions in the career and non-career services. Reassignment of third level appointees is governed by the provisions of Presidential Decree No. 1.

2. Personnel movements involving transfer or detail should not be confused with reassignment since they are governed by separate rules.

3. Reassignment of employees with station-specific place of work indicated in their respective appointments shall be allowed only for a maximum period of one (1) year. An appointment is considered station-specific

¹ Republic of the Philippines as represented by CSC vs Minerva Pacheco, G.R. No. 178021, January 25, 2012

when the particular office or station where the position is located is specifically indicated on the face of the appointment paper. Station-specific appointment does not refer to a specified plantilla item number since it is used for purposes of identifying the particular position to be filled or occupied by the employee.

4. If appointment is not station-specific, the one-year maximum shall not apply. Thus, reassignment of employees whose appointments do not specifically indicate the particular office or place of work has no definite period unless otherwise revoked or recalled by the Head of Agency, the Civil Service Commission or a competent court.

5. If an appointment is not station-specific, reassignment to an organizational unit within the same building or from one building to another or contiguous to each other in one work area or compound is allowed. Organizational unit refers to sections, divisions, and departments within an organization.

6. Reassignment outside geographical location if with consent shall have no limit. However, if it is without consent, reassignment shall be for one (1) year only. Reassignment outside of geographical location may be from one Regional Office (RO) to another RO or from the RO to the Central Office (CO) and vice-versa.

7. Reassignment is presumed to be regular and made in the interest of public service unless proven otherwise or if it constitutes constructive dismissal. Constructive dismissal exists when an employee quits his or her work because of the agency head's unreasonable, humiliating or demeaning actuations, which render continued work impossible because of GEOGRAPHIC LOCATION, FINANCIAL DISLOCATION AND PERFORMANCE OF OTHER DUTIES AND RESPONSIBILITIES INCONSISTENT WITH THOSE ATTACHED

TO THE POSITION. Hence, the employee is deemed illegally dismissed. This may occur although there is no diminution or reduction in rank, status, or salary of the employee.

Reassignment that constitutes constructive dismissal may be any of the following:

a) Reassignment of an employee to perform duties and responsibilities inconsistent with the duties and responsibilities of his/her position such as from a position of dignity to a more servile or menial job;

b) Reassignment to an office not in the existing organizational structure;

c) Reassignment to an existing office but the employee is not given any definite duties and responsibilities;

d) Reassignment that will cause SIGNIFICANT FINANCIAL DISLOCATION or will cause difficulty or hardship on the part of the employee because of GEOGRAPHICAL LOCATION; and

e) Reassignment that is done indiscriminately or whimsically because the law is not intended as a convenient shield for the appointing/disciplining authority to harass or oppress a subordinate on the pretext of advancing and promoting public interest. (emphasis and underscoring supplied)

19. The issuance, execution and implementation of the JRSO is clearly against labor. The movement of the Petitioners from Manila Office to Calapan City will surely result in their constructive dismissals due to significant financial dislocation and geographical location considering that they are all residents of Metro Manila.

20. Worst of all, some of the listed employees are all due to retire within the next one (1) or two (2) years but now they will be forced to retire because of the JRSO.

21. To the point of being repetitive, the act of the Respondents is whimsical, arbitrary, in violation of existing rules and regulations with respect to movements of employees and without disregard to basic human rights.

22. The duties and responsibilities of the Petitioners as provided in the JRSO are also inconsistent with their primary functions in their Manila office, another circumstance of constructive dismissal.

23. The Petitioners did not file a case in Civil Service Commission due to the urgency of the matter and they will be transferred immediately to Calapan and the best remedy is to file the present Petition directly with the Honorable Court.

24. All the foregoing considered, it is thus being prayed of this Honorable Court that JRSO No. 003 Series of 2019 be declared null and void for reasons elaborated above.

PRAYER

WHEREFORE, premises considered, it is being respectfully prayed of this Honorable Court that the Decision dated 19 October 2021 be reconsidered and set aside and rule that Section 5.2 (a) (ii) of the IRR of R.A. 10879 to be unconstitutional and that Joint Regional Special Order No. 003 Series of 2019 be declared NULL and VOID for being invalid and not in accordance with the IRR of R.A. 10879.

Other reliefs which are just and equitable under the premises are likewise prayed for.

Respectfully submitted. 03 June 2022.


JUVIN M. SISON

IBP No. 186792; 03/29/22; Quezon City

PTR No. 2645094; 1/03/22; CSJDMB

Roll of Attorney's No. 62117

MCLE Compliance No. VII

Certificate of Compliance – Awaiting Certificate

juvin_sison@yahoo.com

Copy furnished:

OFFICE OF THE SOLICITOR GENERAL
Counsel for the Respondents
134 Amorsolo St., Legaspi Village
Makati City

RE 627 601 438 22

NOTICE

Mabuhay.

Please take notice that the undersigned shall submit the foregoing pleading for the consideration and resolution of the Honorable Court on 10 June 2022 at 8:30 o'clock in the morning or as soon as the parties and their counsels may be heard.



JUVIN M. SISON

EXPLANATION

(As to service by Registered Mail)

Pursuant to the provisions of Revised Rules of Court, the undersigned counsel respectfully manifests that copies of the foregoing pleading were served upon the other party's counsel through electronic mail/private courier/registered mail for lack of sufficient messengerial personnel to effect personal service.



JUVIN M. SISON

ANNEX 3



PAMBANSANG PABAHAY PARA SA PILIPINO PROGRAM

- Pambansang Pabahay Para sa Pilipino program is a housing project of the administration of President Marcos Jr., through the Department of Human Settlement and Urban Development (DHSUD), that targets to sustain shelter for over six million families in six years.



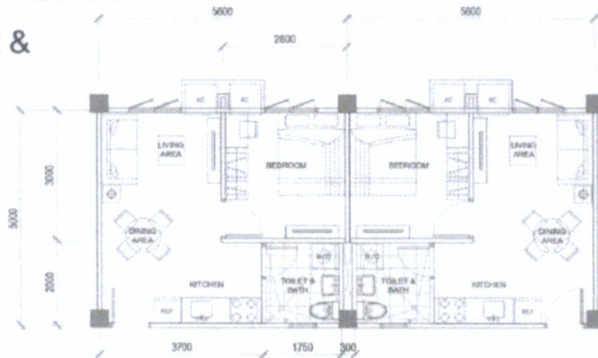
FLOOR PLAN PER UNIT

*With 1 Bedroom, Toilet & Bathroom and Kitchen

Floor Area:
5m x 5.6m = **28 sq. m.**

Bedroom Size:
2.8m x 3m = **8.4 sq. m.**

Price Ceiling:
about **Php 980,000.00**



2 1BR-UNIT LAYOUT (28 SQM)
SCALE 1:100

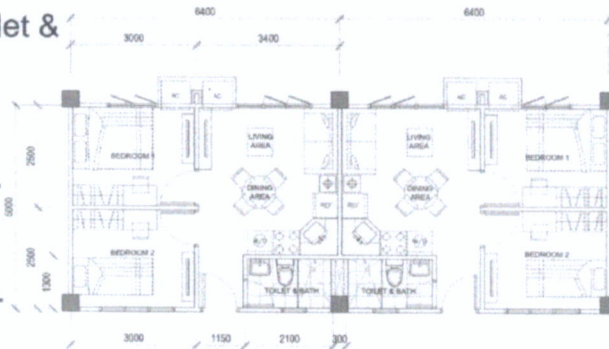
FLOOR PLAN PER UNIT

*With 2 Bedrooms, Toilet & Bathroom and Kitchen

Floor Area:
5m x 6.4m = **32 sq. m.**

Bedroom Size =
2.5m x 3m = **7.5 sq. m.**

Price Ceiling:
about **Php 1,120,000.00**



1 2BR-UNIT LAYOUT (32 SQM)
SCALE 1:100

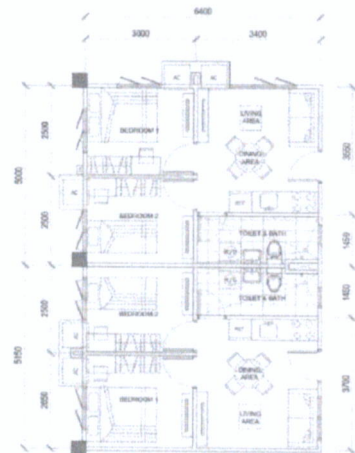
FLOOR PLAN PER UNIT

*With 2 Bedrooms, Toilet & Bathroom and Kitchen

Floor Area:
5m x 6.4m = **32 sq. m.**

Bedroom Size =
2.5m x 3m = **7.5 sq. m.**

Price Ceiling:
about **Php 1,120,000.00**



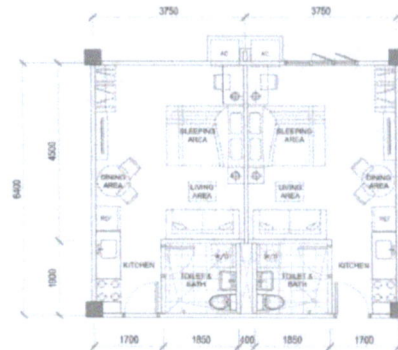
4 2BR-UNIT LAYOUT (CORNER) BLDG1-3
SCALE 1:100

FLOOR PLAN PER UNIT

*With Toilet & Bathroom
and Kitchen

Floor Area: 6.4m x 3.75m =
24 sq. m.


Price Ceiling:
about **Php 840,000.00**



3 STUDIO UNIT LAYOUT (24 SQM)
SCALE 1:100

11
Mixed 4

← → C payfundservice.com.au



HOUSING LOAN

AFFORDABILITY CALCULATOR

What do you want to compute?

How much income is required for your de... *

Desired Loan Amount: 940,000.00

Preferred Repayment Period: 30 years

Preferred Fixed Pricing Period: 5 years 6.5%

[Compute](#)

The income required for your desired loan amount is approximately: **¥15,169.63**

Other Indicative figures:

Principal & interest:	¥5,309.37
Insurance:	¥189.00
Monthly Amortization:	¥5,498.37

Note: Other fees not yet included.

Please be reminded that:

1. Rates are effective as of July 1, 2023 and may change without prior notice.
2. Result appeared on this calculator is for reference only and NOT official.
3. Actual loanable amount may vary depending on Pay-BIG Fund's validation and evaluation.
4. Fixed pricing period is how long you want to lock-in your chosen rate.
5. Terms and conditions apply.

[Print](#)



HOUSING LOAN

AFFORDABILITY CALCULATOR

What do you want to compute?

How much income is required for your ...

Desired Loan Amount:

840,000.00

Preferred Repayment Period:

30 years

Preferred Fixed Pricing Period:

5 Years; 6.5%

The income required for your desired loan amount is approximately: **₱15,169.63**

Other indicative figures:

Principal & Interest: ₱5,309.37

Insurance: ₱189.00

Monthly Amortization: **₱5,498.37**

Note: Other fees not yet included.

Please be reminded that:

1. Rates are effective as of July 1, 2023 and may change without prior notice.
2. Result appeared on this calculator is for reference only and NOT official.
3. Actual loanable amount may vary depending on Pag-IBIG Fund's validation and evaluation.
4. Fixed pricing period is how long you want to lock-in your chosen rate.
5. Terms and conditions apply.



**POSITION PAPER RE: ISSUES AND CONCERNS OF DENR MIMAROPA REGIONAL
OFFICE EMPLOYEES AND STRUCTURAL INTEGRITY OF THE DENR MIMAROPA
REGIONAL OFFICE AT DENR BY THE BAY BUILDING, 1515 ROXAS BLVD.,
ERMITA, MANILA**

FROM : BOARD OF TRUSTEES
DENR Employees' Union MIMAROPA Chapter
(DENREU-MIMAROPA)

DATE : **AUGUST 14, 2023**

This pertains to the structural integrity of the Department of Environment and Natural Resources (DENR) MIMAROPA Office located at the Bay Building which was affected by the magnitude 6.2 earthquake, with its epicenter in Calatagan Batangas, on June 15, 2023, and other subsequent earthquakes that put the lives of our employees in danger.

In a *Letter* dated June 19, 2023, Alexander M. Linde, Officer-in-charge (OIC) of the Natural Resources Development Corporation (NRDC), requested the Regional Director of the Department of Public Works and Highways, National Capital Region (DPWH-NCR) to conduct an immediate inspection and assessment of the building (*ANNEX-1*).

On June 27, 2023, the DPWH-NCR conducted an ocular inspection of the building to check its structural integrity. To assure the safety of the building occupants, DPWH-NCR came up with the following recommendations (temporary and permanent measures), *to wit*:

Temporary Measures:

1. To conduct crack mapping on the affected structural members;
2. Injection of structural epoxy on cracks to mitigate possible major damages;
3. Reduction of imposed loads (removal of unnecessary storage);
4. To limit the occupants of the building *until proper retrofitting* is completed; and
5. The Building Property Management should monitor the building's structural components at least twice a year.

Permanent Measures:

1. Preparation of as-built plan and conducting pertinent concrete testing and rebar scan for easy and effective monitoring, which is necessary for retrofitting and renovation;
2. *Immediate retrofitting* of the entire building;
3. To conduct further investigation and comprehensive structural assessment by a Structural Engineer; and
4. Keep the fire exit passage unobstructed at all times for the safety of the building occupants.

Consistent with the employees' right to safe and secure working conditions of employment, the DENR Employees' Union MIMAROPA supports the recommendation of the DPWH to conduct a comprehensive structural assessment of the building, after which the retrofitting and renovation proper.

In the event that there is a need to temporarily vacate the DENR by the Bay building, we are amenable to the temporary transfer of our office to another building within Metro Manila only as it still best serves the interest of the public, its employees, and the Region.

Please be noted, however, that the union is not amenable to the idea of immediate transfer to Calapan City, Oriental Mindoro for the following reason, *to wit*:

1. There is an existing and pending legal action in court filed by the members of DENREU concerning the transfer of the DENR MIMAROPA Regional office in Calapan city, Oriental Mindoro (*ANNEX 2*).
2. As public servants, we uphold the principle and practice of ensuring the efficient delivery of public service to our people. Public service has to be concrete and accessible to the masses who need it the most. We do not want public resources to be put on the wrong priorities.

MIMAROPA Region comprises five (5) island provinces, namely: a) Oriental Mindoro; b) Occidental Mindoro; c) Marinduque; d) Romblon; and e) Palawan, which is the biggest in terms of population (1,246,673 in 2020 or 38.6% of the whole Region) and land area (17,030.72 km² or 57.497% of the whole Region) of which clients come from. Transfer of the regional office to Calapan Oriental Mindoro will result in resistance not only from employees but also to other island provinces for there is no direct way of transportation from the island provinces to Oriental Mindoro.

In case an abrupt transfer pushes through to Calapan, the cost of transportation, not only of clients but also of employees from the regional office to another island will be expensive. Further, migration of the Regional office from Manila to Calapan would be costly since it would require truckload capacity to transport office records, pieces of equipment, and items of furniture from DENR by the Bay Building to Calapan.

It would be very inconvenient and hard for clients and regional office employees to avail a flight from Palawan to Manila and then travel by land to Batangas port to ride a RORO going to Calapan or vice versa. It runs counter to the idea of bringing the services of the regional office to the people by letting them spend the measly cash that they have to transport from one island to another to avail of similar services they get from traveling to NCR.

We believe that the current office at Roxas Boulevard, Ermita, Manila is the most strategic location to cater to the needs of MIMAROPA clients, employees, and other government agencies. Moreover, its location is easily accessible via the NAIA terminal airports, LRT, MRT, and Batangas-Buendia routes. On the other hand, Calapan City is only accessible via water travel from Batangas.

To reiterate, the transfer of the Regional Office should result in a sound economical outcome to efficiently deliver public service to our people, instead of being burdensome which will burn the resources of the clients and employees alike. The transfer to Calapan City will make the services inaccessible and costly and therefore worsen the already suffering state of public service. We believe that we should not cede to and allow the grandiose design that is meant to hide the government's failure to provide genuine development for the people.

3. We firmly believe that as workers, government employees have the right to security of tenure, which is as fundamental as our right to live decently. An abrupt transfer of the Regional Office to Calapan, Oriental Mindoro will result in a massive constructive dismissal of employees and violation of security of tenure guaranteed by the Constitution.
 - a. Security of tenure is a constitutional right of an employee and is mandated by law that protects them from being unjustly terminated from employment.
 - b. Constructive dismissal - exists when an employee quits his or her work because of the agency head's unreasonable, humiliating, or demeaning actions which render continued work impossible because of geographic location, financial dislocation, and performance of other duties and responsibilities inconsistent with those attached to the position.

The test is whether a reasonable person in the employee's position would have felt compelled to give up his/her position under the circumstances.

A brief history of the regional office will tell us that DENR MIMAROPA and DENR CALABARZON were in the same regional office located in Metro Manila. As such, most of the employees and their families have established their roots here in Metro Manila and other adjacent provinces. Hence, the transfer to Calapan will leave the employees suffering from the physical, psychological, and financial costs of uprooting their families from where they have been for so many years of their lives.

This attempt to move the Regional Office to Calapan will result in a mandatory and costly lifestyle change for employees and their families. From availing another housing loan on top of the existing loans from GOCCs and other lending institutions, transferring to another school for their children, and availing medical needs in a 3rd class component city which is a lot different from the quality of medical services that the employees and their families can get in Metro Manila.

Furthermore, employees availed at their own expense, the CareHealth Card to ensure the provision of immediate medical services or assistance available for the employee including their family. However, there is no accredited hospital, not even a clinic in Calapan, for medical services that are accredited for CareHealth subscribers. Subscribers of said medical card benefit from the availability of medical services from accredited private hospitals and clinics in Metro Manila.

Sometime in the 90s, the DENR offered PROJECT HOPE, a housing project for DENR employees located in Tanza, Cavite, of which a lot of employees have availed and some are still paying in PAG-IBIG. While other employees owned a residential property established

within NCR and nearby provinces, with nothing to think of the cost of monthly rentals, enjoying what they've established and recovering from other financial worries. As such, despite the condition that the DENR will provide another housing project with very little interest in Calapan, availing another house and another loan will be a financial burden for the employees and their families, compared to the decent shelter they currently have. Further, elderly colleagues have worries that in such a situation their loan might not be approvable due to their age. Hence, availing another housing loan will be a burden and should never be considered an option. This is a situation where money that a family may choose to spend for another purpose like bringing food on their table, education, medical expenses, or entertainment to bring the family much closer will be put to the same purpose that they are presently enjoying for free.

Granting for the sake of argument that an employee can transfer alone without his/her family, we cannot dismiss the negative psychological impact of such in the upbringing and caring of one's child or one's marriage. Not to mention the issue of depression and anxiety of being away from loved ones. Studies show that the absence of the primary caregiver of a family can increase children's probability of dropping out of school and delay school progressions. Moreover, disrupted family life can lead to poor diets and increase psychological problems. In addition, some researchers find that temporary labor migration may influence marital stability resulting in a higher rate of dissolution, infidelity, and promiscuous behaviors than couples at home. Hence, employees might as well migrate to another country where they will receive better compensation to remit their income to their families left behind than have the same income to provide for his/her family.

These situations where an employee's reassignment results in financial dislocation or will cause difficulty or hardship because of geographical location constitutes constructive dismissal. Hence, illegally dismissed. Which may occur even though there is no diminution or reduction in rank, status, or salary of the employee.

4. Comparative and estimated cost or expenses of an employee living in NCR and Calapan:

Profile

Salary Grade: Php 17,553 (SG 6)

Status: Single

Address: Within Metro Manila/NCR, Living with parents

	NCR	Calapan
Transportation fare Residence to Office (Vice Versa)	Php 100.00	
Transportation fare Rented residence to Office (Vice Versa)		Php 100.00
Transportation fare from Rented residence to Residence in Metro Manila (vice versa for once a month)		
● Boat		Php 1,400.00
● Bus		1,100.00
● Fare (PUJ, Taxi, TNVS ... etc)		300.00

Thus, we firmly support the following recommendations:

1. Based on the summary of the findings of DPWH-NCR, who has the technical expertise on the present concern, *it is clear that the DENR by the Bay Building is not subjected to condemnation and is still suitable/conductive to its occupants, provided however, that it will go the retrofitting/renovation process.* Thus, the DENR Employees Union (DENREU) is in the position to support the conduct of a comprehensive structural process, after which the retrofitting and renovation are in place.
2. In the event that the employees need to temporarily vacate the building for the commencement of its retrofitting and renovation, the DENREU will support its temporary transfer to another building within Metro Manila as it will best serve the interest and welfare of its employees, families, and especially the clients.
3. Transferring to Calapan is not a viable option for the majority of the employees.

For your information and consideration.



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