



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
REGION IV – MIMAROPA

March 8, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 DENR By the Bay Building, Roxas Blvd.,
Brgy 668, Ermita, Manila

FROM : The OIC, PENR Officer

SUBJECT : REQUEST FOR ISSUANCE OF SPECIAL ORDER ON THE
CREATION OF FACT FINDING TEAM ON THE REQUEST TO
CONDUCT FORMAL INVESTIGATION REGARDING THE WORK
ATTITUDE OF ENGINEER II MARY DOMINIQUE B. LAVADIA OF
DENR PENRO OCCIDENTAL MINDORO

This Office would like to request for the issuance of a Special Order on the Creation of Fact Finding Team on the request to conduct formal investigation regarding the work attitude of Engineer II Mary Dominique B. Lavadia of DENR PENRO Occidental Mindoro.

Attached is the draft Special Order of the said request.

For information and issuance of corresponding special order.


ERNESTO E. TAÑADA



**Republic of the Philippines
Department of Environment and Natural Resources
REGION IV – MIMAROPA**

March 8, 2023

REGIONAL SPECIAL ORDER

No.
Series of 2023

**SUBJECT : CREATION OF FACT FINDING TEAM ON THE REQUEST TO
CONDUCT FORMAL INVESTIGATION REGARDING THE WORK
ATTITUDE OF ENGINEER II MARY DOMINIQUE B. LAVADIA OF
DENR PENRO OCCIDENTAL MINDORO**

In the interest of the service and in order to determine the factual information on the request of formal investigation of CENR Officer Anastacio A. Santos regarding the work attitude of Engineer II Mary Dominique B. Lavadia, a Fact Finding Team is hereby created to be composed of the following;

- | | | |
|--------------------------|---|---|
| 1. Abe R. Francisco | - | Chair / Chief, Management Services Division |
| 2. Emiliza A. Calabio | - | Vice Chair / Supervising ECOMS |
| 3. Von Erika S. Causapin | - | Member / Admin. Officer IV (HRMO II) |
| 4. Wilfredo T. Aquino | - | Member / LMO II |

The team shall ensure that all parties involved will be heard and all facts will be gathered and consolidated in a Completed Staff Work (CSW) with recommendation which will be submitted after the investigation.

This Order is made solely for the above subject.

LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

February 8, 2023

MEMORANDUM

FOR : The OIC PENR Office
FROM : The CENR Officer
SUBJECT : REQUEST TO CONDUCT FORMAL INVESTIGATION REGARDING THE WORK ATTITUDE OF ENGINEER DOMINIQUE B. LAVADIA OF PENRO MAMBURAO, OCCIDENTAL MINDORO

RECORDED

Date: 2-28-23
By: N

The undersigned, being the Community Environment and Natural Resources Officer (CENRO) of Sablayan, Occidental Mindoro is requesting that the above named personnel be investigated due to the following grounds (1) Negligence of Duty and (2) Violation of Section 7(b) of RA 6713.

1. **NEGLIGENCE OF OFFICIAL DUTY**, in 2022 CENRO Sablayan was given targets on Land Survey since we don't have official Geodetic Engineer (GE) to perform the activity we rely on the service of Eng. Dominique Lavadia being the sole GE of the Province. In fairness to her there were surveys that she administered last year. Results of which were submitted in Regional Office sometime third quarter for approval. Without our knowledge the survey plans that she submitted were returned for reason(s) that only Engr. Lavadia knows. A follow up was made in the SMD. Accordingly, all the survey returns and plans have not been returned since she receives the documents first week of January 2023. Also, the survey plans of Lubang cannot be submitted because it lacks her signature in spite that all the requirements have been complied.

MSD
RECEIVED BY: KIN
DATE: 3/7/23 TIME: 8:32
RELEASED BY:
DATE: TIME:

The office cannot accomplish its target on land titling because we are awaiting for the approval of these plans. If the situation will continue this way, I am afraid we cannot attain our target on PPI

2. **VIOLATION OF RA 6713 SPECIFICALLY SECTION 7 (B)** of Code of Conduct and Ethical Standard for Public Officials and Employees that outside employment of a Public services is prohibited, to wit.

PENRO
RECEIVED BY: 3/3
DATE: 10:14 AM
TIME:

Section 7. Prohibited Acts and Transactions. — In addition to acts and omissions of public officials and employees now prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any public official and employee and are hereby declared to be unlawful:

XXXX

- (b) Outside employment and other activities related thereto. — Public officials and employees during their incumbency shall not:

National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

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RELEASED BY:
DATE: TIME:



(2) Engage in the private practice of their profession unless authorized by the Constitution or law, provided, that such practice will not conflict or tend to conflict with their official functions; or

XXXX

Further, Section 1(c) of Rule X of the Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees likewise provides that government officials or employees are prohibited from engaging in the private practice of his/her profession unless authorized by the Constitution, Law or regulations, to wit:

Rule X
Grounds for Administrative Disciplinary Action

Section 1. In addition to the grounds for administrative disciplinary action prescribed under existing laws, the acts and omission of any official or employee, whether or not he holds office or employment in casual, temporary, hold-over, permanent or regular capacity, declared unlawful or prohibited by the Code, shall constitute the grounds for administrative disciplinary action, and without prejudice to criminal and civil liabilities provided herein, such as:

XXXX

(c) Engaging in the private practice of his profession unless authorized by the Constitution, law or regulation, provided that such practices will not conflict or tend to conflict with his official functions;

Also, Section 136, Rule XII of Civil Service Commission (CSC) Memorandum Circular (MC) No. 14, s. 2018 or the 2017 Omnibus Rules on Appointments and other Human Resource Actions, Revised July 2018, provides that:

“Section 136. No officer or employee, whether in a permanent or regular capacity, temporary, casual, or hold-over, shall engage directly or indirectly in any private business or practice of profession. Exemption may be allowed, subject to the limitations provided under RA No. 6713 and other special laws. Provided further that the following requirements/conditions are met:

- a. Written permission from head of agency must be secured and renewed annually;
- b. Time devoted outside office hours shall not impair any way the efficiency of the officer or employee nor pose a conflict or tend to conflict with the official functions and must be fixed by the head of agency; and



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c. Government facilities, equipment and supplies shall not be used while engaged in private business or practice of profession.”

Citing the above legal opinion of Undersecretary Marlo L. Iringan of the DILG the concerned employee deliberately violated the said provision of RA 6713 when she offered her service to cause the survey of the properties of Mr. Benedict Abarinto and Ms. Mylene Amorado, which both parties came to my office asking for help because the survey plans of their properties which were surveyed 2 to 3 years ago and promised to be delivered remain unfulfilled.

Premises considered, may I respectfully request that Engr. Dominique Lavadia be investigated for the grounds stated above and be subjected to disciplinary action. If warranted.

For information and action, please sir


FOR. ANASTACIO A. SANTOS, MPA



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
REGION IV – MIMAROPA

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National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

PENRO

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RELEASED BY:

DATE: TIME:



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