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DEVOLUTION OF FUNCTIONS AND RESPONSIBILITIES IN THE CONDUCT OF ADMINISTRATIVE DISCIPLINE AND PROCEDURE

PPC CIRCULAR NO. 97-26, July 09, 1997

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Pursuant to Board Resolution Nos. 96-125 and 96-126 dated 19 September 1996, approving the deployment of Postal Inspectors to the Regions, the following functions and responsibilities in the conduct of administrative discipline are hereby devolved to the Regional Directors and their Regional Legal Officer and District Postal Inspectors, to wit:

I. FACT FINDING INVESTIGATION

1.1 Investigate matters involving disciplinary action against officers and employees with Salary Grade 23 and below. The grounds for disciplinary action are provided for in Sec. 1, Rule V of PPC's Disciplinary Rules and Procedures.

1.2 In cases of complaints against officers and employees with Salary Grade 24 and above but below the rank of Regional Director, the investigation shall be conducted by the Postal Inspectors in the Inspection Service under the supervision and control of the Director thereof.

1.3 The District Postal Inspector concerned may, however, motu propio conduct an investigation of complaints/information received in their jurisdictional district. The fact-finding investigation report shall be submitted to the Regional Director, a copy shall be furnished the Postmaster General thru the Director, Inspection Service, Central office, for purposes of monitoring and technical supervision during the fact-finding investigation stage.

FORMAL CHARGE

2.1 Upon receipt of the fact-finding investigation report, the Regional Legal Officer shall evaluate the evidence both documentary and testimonial to find out if a prima facie case exists against the respondent officer or employee with Salary Grade 23 to warrant the filing of a formal charge.

2.2 If a prima facie case exists against the respondent officer or employee, a formal charge shall be prepared for signature of the Regional Director, copy furnished the Legal Service, Central Office.

2.3 If the officer or employee involved in the investigation carries Salary Grade 24 and above, the fact-finding investigation report shall be submitted to the Legal Service Central Office, which shall evaluate the sufficiency of evidence to warrant the filing of a formal charge.

3. PREVENTIVE SUSPENSION

3.1 The Regional Director may issue preventive suspension order not exceeding thirty (30) days against the respondent officer or employee with a Salary Grade 23 and below without prejudice to requesting the Postmaster General for another sixty (60) days to complete the 90-day preventive suspension allowed by existing laws.

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3.2 Preventive Suspension Order against the respondent officer or employee may be issued only if the charge against such officer or employee involves dishonesty, oppression or grave misconduct or neglect in the performance of duty or if there are reasons to believe that the respondent is guilty of the charges which would warrant his removal from the service.

4. FORMAL HEARING

4.1 The Regional Director shall designate Hearing Officer and Prosecutor as the case may be from among the Regional Legal Officer and District Postal Inspectors in his region and may issue Orders for the conduct of formal hearing, if respondent officer or employee with Salary Grade 23 and below elects a formal hearing.

4.2 In the conduct of formal hearing, Section 10 to Section 25 of Rule 11 shall be observed. To expedite the hearing of administrative cases a pre-hearing conference (Sec. 12, Rule III) shall always be resorted to before the hearing proper.

5. RENDITION OF DECISION

5.1 The Regional Director may render a decision in administrative cases for respondent officer or employee with Salary Grade 23 and below, the penalty of which shall not exceed thirty (30) days fine or suspension subject to confirmation or modification by the Postmaster General or his duly authorized representative. Pending confirmation, the decision shall not become executory.

5.2 Where the penalty imposable exceeds thirty (30) days fine or suspension, the case papers shall be forwarded to the Legal Service, Central Office, for appropriate action.

5.3 Unmeritorious cases for closure due to insufficiency of evidence, non-identification of offender, responsibilities cannot be pinpointed, etc., shall be forwarded to the Legal Service with appropriate recommendation of the Regional Director.

6. CRIMINAL CASES

6.1 In malversation and pilferage cases or other cases complexed with criminal liability, the Regional Director shall, simultaneously with the filing of formal charge in administrative cases, file a criminal complaint against the respondent officer or employee with the proper court or agency.

6.2 All criminal cases filed by the Regional Director with the proper court or agency shall be furnished the Legal Service, Central Office, for monitoring and technical supervision purposes.

All orders, circulars and issuances of this office in conflict herewith are hereby superseded and/or modified accordingly.

Adopted: 09 July 1997

(SGD.) IRINEO V. INTIA, JR.
Postmaster General

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