



RULES ON ADMINISTRATIVE CASES IN THE CIVIL SERVICE

Thursday & Friday, August 18 & 19, 2022 * 1:30PM to 4:45PM via ZOOM

COURSE OUTLINE

DAY 1 (1:30PM -4:45PM)

- A. Introduction
 - 1. The 2017 Rules on Administrative Cases in the Civil Service and its application
 - 2. Nature of administrative discipline
 - 3. The concept of due process
- B. Jurisdiction
 - 1. Comparison of jurisdiction among agencies exercising administrative discipline over civil servants
 - 2. Kinds of jurisdiction
 - 3. Effect of resignation, retirement and death as jurisdiction
 - 4. Mandate of the Civil Service Commission
- C. Kinds of Offenses
 - 1. Definition and cases involving Grave Offenses
 - 2. Definition and cases involving Less Grave Offenses
 - 3. Definition and cases involving Light Offenses
 - 4. Administrative offenses in relation to the EODB Act
 - 5. Revised rules on the offense of Sexual Harassment in view of RA 11313 (Safe Spaces Act)
 - 6. Revised Rules on Dishonesty
 - 7. Revised Rules on Unliquidated Cash Advance

DAY 2 (1:30PM - 4:45PM)

- D. Commencement of Administrative Investigation
 - 1. Filing of complaint
 - 2. Treatment of anonymous complaints
 - 3. Effect of withdrawal of complaint or executions of affidavit of desistance
- E. Preliminary Investigation
 - 1. Purpose
 - 2. Conduct of preliminary investigation
- F. Formal Charge
 - 1. When to issue a Formal Charge
 - 2. Contents of a Formal Charge
 - 3. Importance of a Formal Charge
- G. Answer
 - 1. Contents
 - 2. Effect of failure to answer
 - 3. Effect of answer that is sufficient
- H. Preventive Suspension
 - 1. Requirements for its issuance
 - 2. Periods
 - 3. Void preventive suspension

I. Formal Investigation

1. When conducted
2. Resolving a case based on position paper
3. Pre-hearing conference
4. Use of Judicial Affidavit
5. Order and conduct of hearing
6. Quantum of proof in an administrative case
7. Effect of a pending administrative case

J. Finality of Decision

K. Penalties

1. Schedule of penalties
2. Conversion of a penalty to fine
3. Mitigating and aggravating circumstances
4. Manner of imposition
5. Administrative disabilities inherent to penalties

L. Remedies

1. Concept of party adversely affected
2. Settlement of certain administrative cases
3. Filing of a motion for reconsideration
4. Filing of an appeal
5. Filing of a petition for review

M. Payment / Forfeiture of Backwages and Other Benefits

N. Indirect Contempt of the Commission

O. Protest Mechanism for the Invalidation/ Disapproval or Revocation of Appointments

P. Effects of Violations of the Right to Due Process

Q. Updates on Other Relevant Laws, CSC Rules and Issuances

This training is applicable to all rank and file and managerial employees of government, whether under permanent, temporary, coterminous, contractual or casual status, including those employed in national government agencies, local government units, government-owned and controlled corporations with original charter, government instrumentalities (water districts, electric cooperatives, etc), autonomous regional governments such as CAR and BARMM, state universities and colleges; local universities and colleges and government hospitals.

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