



# Visayas State University

Visca, Baybay City, Leyte 6521-A

Philippines

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## Office of the President

15 October 2015

**MEMORANDUM NO. 190**

Series of 2015

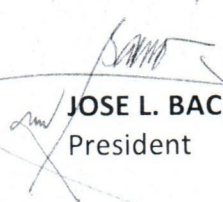
**T O:** Dr. Marcelo A. Quevedo - Chairperson  
Mr. Alex P. Tulin - Member  
Dr. Milagros C. Bales - Member

**R E:** Formal Investigation Committee on the Charge of Simple Misconduct and Violation of Reasonable Rules and Regulations of VSU

With Dr. Marcelo A. Quevedo as Chairperson and the rest as Members, you are hereby designated to constitute the Formal Investigation Committee on the Charge of Simple Misconduct against Engr. Apolonio Encierto and Violation of Reasonable Rules and Regulations of VSU against Mr. Clementino A. Borela, Mr. Rey Abrillo, Mr. Roberto Arpociple, Claudio Ababat, Jr. for Violation of Reasonable Rules and Regulations of VSU. Attached is the formal charge for your reference.

Kindly submit your report on or before October 26, 2015.

Please be guided accordingly.

  
**JOSE L. BACUSMO**  
President



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Office of the President

Engr. Apolonio M. Encierto  
Mr. Clementino A. Borela  
Mr. Rey Abrillo  
Mr. Roberto Arpociple  
Mr. Claudio Ababat Jr.

Adm. Case No. 31

Re:

X-----X

## FORMAL CHARGE

Engr. Apolonio M. Encierto is the Head of the Power, Electricity and Sound Maintenance Unit (PESMU) of the University while Messrs. Clementino A. Borela, Rey Abrillo, Roberto Arpociple, and Claudio Ababat Jr. are the Electrician/ Staff of the above said Unit (PESMU).

On March 7, 2015 (Saturday), in the afternoon, PESMU Head and Staff extricated underground telephone wires located in the experimental field fronting the Dept. of Agronomy and Soil Science. SG Codog who was conducting a roving patrol in the area notice that the van owned by Mr. Clementino Borela was loaded with roll of wires, after a while he noticed that Mr. Borela who has driven the van together with Mr. Claudio Ababat Jr. as a passenger went outside of VSU and headed directly to the north (ORMOC) direction. That SG Codog called the attention of all the roving guards and followed the van to verify where the wires will be stored but the van was nowhere to be found. That on the same day around 7:00 pm in the evening Mr. Borela after a convincing done by SG Codog and other Security personnel drove immediately his van to VSU and upon entering the campus his van was inspected by the security personnel and they saw the rolls of telephone wires, the same telephone wires that was loaded in his van earlier. The security personnel confiscated the said telephone wires and impounded it at the Security Office. Mr. Borela approached Engr. Gumaod and told him that he was just following orders from Engr. Encierto his Department Head. It was found out that the operations or work done by the PESMU personnel was not supported by any documents and the removal of the telephone wires and transporting outside the campus were not approved by VSU and the President. The PESMU personnel involved in the incident pointed out that the order came from Engr. Encierto.

Based on the investigation report and documents gathered by the Preliminary Investigation Committee, a prima facie evidence is present to warrant the filling of a Formal Charge of Simple Misconduct against Engr. Apolonio Encierto for ordering his personnel to remove and transport VSU owned telephone wires outside the campus

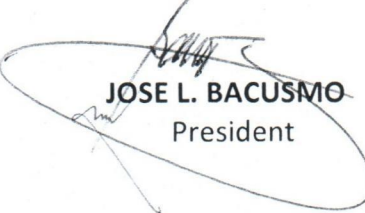


without permit from the President. The following PESMU personnel; Messrs. Clementino A. Borela, Rey Abrillo, Roberto Arpociple, Claudio Ababat Jr. violates reasonable rules and regulations of VSU for not securing an overtime work permit and providing any approved legal document authorizing them to transport government owned property outside VSU premises using private vehicle .

WHEREOF, premises considered Engr. Apolonio Encierto, is hereby formally charged of Simple Misconduct while Messrs. Clementino A. Borela, Rey Abrillo, Roberto Arpociple, Claudio Ababat Jr. is hereby formally charged with Violation of Reasonable Rules and Regulations of VSU. Accordingly, they are directed to submit within five (5) days from receipt hereof, their written answer under oath in addition to the Answer they already submitted together with affidavits of witnesses and documentary evidence, **if any**, and a statement whether or not they elect a formal investigation. The party is also hereby notified of their right to be assisted of a counsel of his choice if he so desired.

Failure to file his Answer within the given period shall be considered a waiver of their right thereto and the case shall proceed.

October 8, 2015, VSU, Baybay, Leyte.

  
**JOSE L. BACUSMO**  
President