



Republic of the Philippines
Province of Cavite
CITY OF BACOOR

Office of the Sangguniang Panlungsod



DISTRICT I
ABSENT
HON. CATHERINE SARINO-EVARISTO

City Councilor

HON. MIGUEL N. BAUTISTA

City Councilor

HON. ADRIELITO G. GAWARAN

City Councilor

HON. MANOLO S. GALVEZ JR.

City Councilor

HON. RICARDO F. UGALDE

City Councilor

HON. LEVY M. TELA

City Councilor

DISTRICT II

HON. ROBERTO I. ADVINCULA

City Councilor

HON. REYNALDO D. PALABRICA

City Councilor

HON. ROGELIO M. NOLASCO

City Councilor

HON. REYNALDO M. FABIAN

City Councilor

HON. SIMPLICIO G. DOMINGUEZ

City Councilor

HON. HORACIO M. BRILLIANTES JR.

City Councilor

HON. RANDY C. FRANCISCO

City Councilor-ABC President

HON. PALM ANGEL S. BUNCIO

City Councilor- SK Federation President

Attested by:

ATTY. KHALID A. AFEGA, JR.

Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA

City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA

City Mayor



CITY RESOLUTION NO. 2026-1026
Series of 2026

A RESOLUTION SUSPENDING MR. RAYMUNDO CABER, BARANGAY KAGAWAD OF BARANGAY HABAY 2, BACOOR CITY, CAVITE, FOR SIXTY (60) DAYS WITHOUT PAY FOR COMMITTING SIMPLE MISCONDUCT IN VIOLATION OF LAW AND RELEVANT CIVIL SERVICE REGULATIONS.

Sponsored by:

Hon. Miguel N. Bautista

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Horacio M. Brillantes, Jr., Hon. Palm Angel S. Buncio, Hon. Simplicio G. Dominguez, Hon. Catherine Sarino-Evaristo, Hon. Reynaldo M. Fabian, Hon. Randy C. Francisco, Hon. Manolo S. Galvez, Jr., Hon. Adrielito G. Gawaran, Hon. Rogelio M. Nolasco, Hon. Reynaldo D. Palabrica, Hon. Levy M. Tela, and Hon. Ricardo F. Ugalde.

WHEREAS, a verified complaint dated 9 April 2026 (the "Complaint") was filed by Ms. Rosario Magat (the "Complainant") at the Office of the Sangguniang Panlungsod on 13 April 2026. In her Complaint, the Complainant alleged that she works as the Violence Against Women and Children (VAWC) Complaint Desk Officer of Barangay Habay 2, Bacoor City, Cavite.

WHEREAS, the Complainant further averred that on 8 April 2026, while she was performing her duty as VAWC Complaint Desk Officer of Barangay Habay 2, Barangay Kagawad Raymundo Caber (the "Respondent") allegedly arrived at the barangay premises under the influence of alcohol, raised his voice, questioned the implementation and enforcement of barangay ordinances and curfew measures, causing disturbance, intimidation and embarrassment within the barangay hall. The Complainant further alleged that such behavior constituted harassment and scandal.

WHEREAS, the Complaint was referred to the Committee on Ethics, Appointments and Government Reorganization (the "Committee") by the Presiding Officer, Hon. Rowena Bautista Mendiola, during the 31st Regular Session of the 6th Sangguniang Panlungsod on 20 April 2026.

WHEREAS, the Respondent submitted his verified Counter-Affidavit to the Committee on 27 April 2026.



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City Councilor- SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA
City Mayor



WHEREAS, the Committee held a series of committee hearings on 22 April 2026, 11 May 2026 and 21 May 2026, respectively, at the Session Hall of the Sangguniang Panlungsod which were all attended by the contending parties.

WHEREAS, on 1 June 2026, the Committee submitted its Decision dated 28 May 2026 to the Sangguniang Panlungsod recommending the suspension of the Respondent for sixty (60) days without pay for committing simple misconduct when he: (1) reported for work at the Barangay Hall of Barangay Habay 2 on 8 April 2026 under the influence of intoxicating substances and (2) publicly berated the Complainant for acts that he alleged were in violation of standing policies of the Barangay without affording her due process. The Decision was signed by all of the members of the Committee.

WHEREAS, after perusing the records of the Committee and the various pieces of evidence submitted by the contending parties, the members of the 6th Sangguniang Panlungsod of the City of Bacoor, Cavite unanimously decided to approve the recommendation of the Committee to suspend the Respondent for sixty (60) days without pay pursuant to Sections 60 and 66 of Republic Act No. 7160 (the "Local Government Code of 1991"), Section 2 of Republic Act No. 6713 (the "Code of Conduct and Ethical Standards for Public Officials and Employees"), and Section 5 of Civil Service Commission (CSC) Resolution No. 1100039 which provides that government officials and employees who report for work under the influence of alcohol are guilty of simple misconduct and may be suspended from one month to six months for the first offense.

WHEREAS, in approving the Committee's recommendation, the Sangguniang Panlungsod was persuaded by the following provision of the Decision:

"Considering that: (1) elected barangay officials such as the Respondent have no fixed working hours and are considered on duty 24-hours every day, and (2) the incident happened in the barangay hall – a public facility, the Committee believes that the respondent should be penalized for Simple Misconduct due to his reporting for work while under the influence of alcohol. Moreover, the Respondent's failure to respect the right of the Complainant to due process before he berated her publicly for an alleged violation of standing barangay policies on the implementation of the Curfew Ordinance cannot be countenanced by the Committee and serves as an additional justification to the imposition of the above-mentioned penalty."



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Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA
City Mayor



NOW THEREFORE, in view of the foregoing and upon motion of Honorable Miguel Bautista, unanimously seconded by the 6th Sangguniang Panlungsod in regular session duly assembled, **BE IT RESOLVED AS IT IS HEREBY RESOLVED** to **APPROVE** the Decision dated 28 May 2026 which recommended the **SUSPENSION** for **sixty (60) calendar days without pay** of the Respondent, Barangay Kagawad Raymundo Caber of Barangay Habay 2, Bacoor City, Cavite for committing Simple Misconduct in violation of law with a stern warning that a commission of a similar offense shall be dealt with more severely.

RESOLVED LASTLY, the Sangguniang Panlungsod Secretariat is hereby directed to furnish the Complainant, the Respondent, the Punong Barangay of Barangay Habay 2, and the Office of the City Mayor with copies of this Resolution.

APPROVED on 1 June 2026 at the City of Bacoor, Cavite.

I hereby certify that the foregoing Resolution was duly approved in accordance with law.

Certified:

[Signature]

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested:

[Signature]

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved:

[Signature]

HON. STRIKE B. REVILLA
City Mayor





Republic of the Philippines
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OFFICE OF THE SANGGUNIANG PANLUNGSOD



COMMITTEE ON ETHICS, APPOINTMENTS AND GOVERNMENT REORGANIZATION

Subject: **LETTER OF COMPLAINT FROM MS. ROSARIO MAGAT, IN CHARGE IN VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) COMPLAINT DESK OF BARANGAY HABAY 2, BACOOR CITY, CAVITE AGAINST BARANGAY KAGAWAD RAYMUNDO CABER OF THE SAME BARANGAY FOR HIS ALLEGED MISCONDUCT IN OFFICE.** (PCR 444-2026 dated 20 April 2026).

DECISION

The complainant, Miss Rosario Magat, testified under oath that on April 8, 2026, while she was performing her duty as Violence Against Women and Children (VAWC) Complaint Desk Officer of Barangay Habay 2, the respondent, Barangay Kagawad Raymundo Caber, allegedly arrived at the barangay premises under the influence of alcohol, raised his voice, questioned the implementation and enforcement of barangay ordinances and curfew measures, causing disturbance, intimidation and embarrassment within the barangay hall. The complainant further alleged that such behavior constituted harassment and scandal.

The said complaint was referred to this Committee by the Presiding Officer, Hon. Rowena Bautista Mendiola, during the 31st Regular Session of the 6th Sangguniang Panlungsod on February 23, 2026 for appropriate action.

Acting on the referral, series of committee hearings were conducted on April 22, 2026, May 11, 2026, and May 21, 2026 at the Session Hall of the Sangguniang Panlungsod relative to the above-stated subject matter. The hearing was presided over by Hon. Miguel N. Bautista, Chairperson of the Committee on Ethics, Appointments and Government Reorganization.

In compliance with due process, the respondent was informed of his rights and was afforded the opportunity to answer the allegations against him. The respondent manifested his willingness to voluntarily answer during the hearing and was placed under oath. He was likewise required by the Committee to submit a notarized Counter-Affidavit.

In his Counter-Affidavit and testimony, which was received by the Office of Councilor Miguel Bautista on April 27, 2026 at 10:09 am, the respondent denied the allegations of harassment, misconduct, and scandalous behaviour. He admitted that he went to the barangay hall on the night of the incident to question the implementation of certain barangay announcements and curfew measures, which he believe is prematurely enforced. The respondent further denied being intoxicated

OFFICE OF THE
SANGGUNIANG PANLUNGSOD
BACOOR CITY, CAVITE
SHERRILYN M. CARDENAS
ADMIN. ASSISTANT IV
TIME: 9:40 AM DATE: 6/11/26





during the incident and claimed that he did not intentionally shout, threaten, or cause disturbance, asserting that his manner of speaking was normal but non-hostile.

However, the committee heard the testimony of Mr. Rodolfo Ondivilla, the barangay patrol driver, who stated under oath that he was present during the incident complained of. Mr. Ondivilla mentioned that only three (3) persons were present during the incident, namely the respondent, the complainant, and himself. He testified that the respondent appeared intoxicated at the time of the incident, emitted the smell of alcohol, spoke loudly, and angrily questioned the barangay personnel regarding the implementation of curfew and related enforcement activities. The committee noted that the testimony of Mr. Ondivilla materially differed from the respondent's previous statements, particularly regarding the issue of intoxication and the respondent's behavior during the incident.

In number of cases, the Supreme Court has declared that **grave misconduct** involves corrupt intent, clear violation of law, or flagrant disregard of rules, punishable by dismissal while **simple misconduct** is a lesser offense involving wrongdoing without these grave elements, usually resulting in suspension. The core difference lies in the **manifested intent and severity of the transgression**.

Key Differences

- **Elements:** Grave misconduct requires corruption, clear intent to violate the law, or flagrant disregard of established rules. Simple misconduct lacks these elements.
- **Definition:** Grave misconduct is a serious, aggravated, or dishonest action. Simple misconduct is typically wrongdoing, unlawful behavior, or negligence that does not reach that level of corruption or severity.
- **Penalties:**
 - **Grave Misconduct:** Often results in dismissal from service.
 - **Simple Misconduct:** Usually results in suspension (e.g., 1 month 1 day to 6 months).
- **Examples:**
 - **Grave:** Receiving money to speed up a transaction, falsifying official records for personal gain.
 - **Simple:** Rudeness, slight negligence in duties without corrupt motive.

*Source: Supreme Court E-library

The Committee believes that the respondent committed simple misconduct and should be suspended as provided under Sections 60 and 65 of Republic Act No. 7160 (the "Local Government Code of 1991") when he: (1) reported for work at the Barangay Hall under the influence of intoxicating substances and (2) publicly berated the complainant for acts that he alleged were in violation of standing policies of the Barangay without affording her due process. The testimony of Mr. Ondivilla, a disinterested party in this case, was given great probative value by the Committee because it was not only unbiased and consistent. It was also confirmed by the respondent himself.



The committee notes that during the May 21, 2026 hearing on this case, the respondent admitted that he apologized to the complainant and sought her forgiveness but the latter refused because the said apology did not sound sincere. The Committee believes that an innocent person will not apologize for the commission of an offense if he is innocent of the said transgression and will stand firm on his protestations of innocence come hell or high water.

Reporting for work or appearing at a government facility under the influence of intoxicating substances is a violation of Section 2 of Republic Act No. 6713 (the "Code of Conduct and Ethical Standards for Public Officials and Employees") which decree that "It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest." This legal tent was used by the Civil Service Commission (CSC) as basis in coming up with Resolution No. 1100093 which was promulgated on 10 January 2011.

Section 5 of CSC Resolution No. 1100093 provides that government officials and employees who report for work under the influence of alcohol are guilty of simple misconduct and maybe suspended from one month to six months for the first offense. Considering that: (1) elected barangay officials such as the respondent have no fixed working hours and are considered on duty 24-hours every day, and (2) the incident happened in the barangay hall – a public facility, the Committee believes that the respondent should be penalized for Simple Misconduct due to his reporting for work while under the influence of alcohol. Moreover, the respondent's failure to respect the right of the complainant to due process before he berated her publicly for an alleged violation of standing barangay policies on the implementation of curfew ordinance cannot be countenanced by the Committee and serves as an additional justification to the imposition of the said penalty.

In view of the foregoing findings, the Committee respectfully recommends that a **SUSPENSION for sixty (60) calendar days without pay** be imposed on respondent, Barangay Kagawad Raymundo Caber, with a stern warning that a commission of a similar offense shall be dealt with more severely.

WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.

Signed this 28th day of May, 2026 at the City of Bacoor, Cavite.



COMMITTEE ON ETHICS, APPOINTMENTS AND GOVERNMENT REORGANIZATION

COUN. MIGUEL N. BAUTISTA
Chairperson

COUN. REYNALDO D. PALABRICA
Vice Chairperson

COUN. CATHERINE S. EVARISTO
Member

COUN. ROGELIO M. NOLASCO
Member

