

FILING OF COMPLAINT AT NIA-CENTRAL OFFICE COMMITTEE ON DISCIPLINE (COD)

Step	Activity/Action to be undertaken	Duration of Activity	Person Responsible	Office Responsible
1	Filing of complaint (Sec. 1, Rule IV, MC No. 27, S. 2005)		A complaint may be filed by any of the following persons, to wit: a.) Any NIA official or employee; b.) Any private individual; or c.) Proper disciplining authority	The complaint may be filed to the: a.) Office of the Administrator; or b.) Committee on Discipline c/o the Chairman
2	Action on the complaint - if the complaint is substantial as required under Section 2, MC 27, S. 2005, notify and require the person complained of to submit a comment under oath within 3 days from receipt of said notice. (Sec. 3, Rule IV, MC No. 27,, S. 2006)	2 days from receipt of the complaint	The Secretary of COD-CO shall determine if the complaint is in the complete form. If not, he will draft a resolution to dismiss the complaint. If yes, it will be the subject of COD meeting (frequency: Monthly). The COD Chairman shall thereafter, assign the cases to the COD Divisions created under NIA MC No. 8, S. 2004.	
3	Conduct of Preliminary Investigation (Sec. 1, Rule V, MC No. 27, S. 2005)	5 days from receipt of the complaint and shall be terminated within 15 days thereafter	The Committee en banc or the concerned COD division	
4	Issuance of Formal Charge - After finding prima facie case, the disciplining authority shall formally charge the person complained of. (Sec.5, Rule V, MC No.27, S. 2005	2 days from the preparation of report as a result of the preliminary investigation	The Committee en banc or the concerned COD division	
5	Conduct of Formal Investigation (Sec. 5, Rule V, MC No. 27, S. 2005)	Not earlier than 5 days nor later than 10 days from receipt of the respondent's answer to the Formal Charge. Said investigation shall be finished within 30 days from the issuance of the formal charge or the receipt of the answer unless the Committee in meritorious cases extends the period.	The Committee en banc or the concerned COD division	
6	Conduct of Pre-Hearing Conference (Sec.6, Rule V, MC No. 27, S. 2005)	At the commencement of the Formal Investigation, the hearing Officer may conduct a pre-hearing conference.	Hearing Officer and members of the Committee en banc or the COD Division concerned	
7	Continuous Hearing until terminated (Sec.7, Rule V, MC No. 27, S. 2005)	Hearings shall be conducted on the hearing dates set or as agreed upon by the parties concerned during the pre-hearing conference	Hearing Officer and members of the Committee en banc or the COD Division concerned	
8	Decision after Formal Investigation (Sec.18, Rule V, MC No. 27, S. 2005)	Within 15 days after the conclusion of the Formal Investigation	Hearing Officer and members of the Committee en banc or the COD Division concerned	
9	When a case is decided. A case is decided when the administrator approves the same (Sec. 19, Rule V, MC No. 27, S. 2005)	Within 30 days from the receipt of decision.	Aggrieved party	Office of the Administrator
10	Filing of the Motion for Reconsideration (MR). Only one MR shall be filed. (Sec. 1,Rule IV, MC No. 27, S. 2005)	15 days from receipt of the decision	Aggrieved party	
11	Decision for MR	10 days from receipt of the MR	Committee en banc or the COD Division concerned; to be approved by the Administrator	Office of the Administrator
12	Filing of Appeals. Parties may appeal the decision of the Administrator imposing a penalty exceeding 30 days suspension or fine in an amount exceeding 30 days suspension or fine in an amount exceeding 30 days salary to the proper authorities as prescribed by law in the administrative cases. The appeal shall be governed by the rules of the appellate court, tribunal or body as the case may be (Sec. 6, Rule VI, MC No. 27, S. 2005	15 days from receipt of the decision (see Uniform Rules on Administrative Cases in the Civil Service)	Appellate court, tribunal or body as the case may be	Office of the Appellate court, tribunal or body as the case may be

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