



**REPUBLIC OF THE PHILIPPINES
SANDIGANBAYAN
QUEZON CITY**

FIFTH DIVISION

**PEOPLE OF THE PHILIPPINES,
Plaintiff,**

SB-11-CRM-0084

**For: Violation of Sec. 4, R.A.
6656**

-vs-

EDUARDO G. VARELA,

Accused.

Present:

**LAGOS, J., Chairperson,
MENDOZA-ARCEGA, J.,
and CORPUS-MAÑALAC,
J.**

Promulgated:

October 08, 2018 *jal*

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DECISION

MENDOZA-ARCEGA, J.:

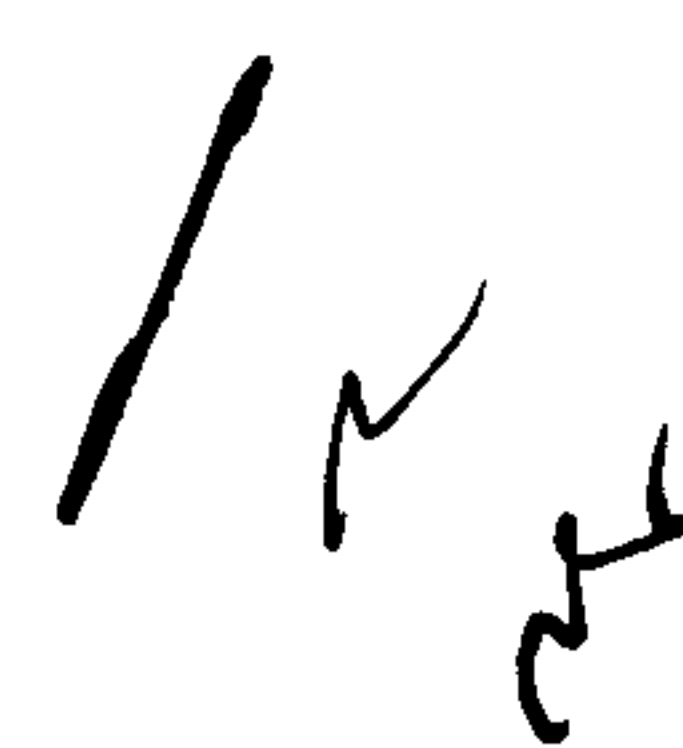
Accused Eduardo G. Varela is charged with violation of Sec. 4, R.A. 6656, otherwise known as an Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Reorganization, in relation to Sec. 10 of R.A. 6656, in an Information, the accusatory portion of which reads:

“That on or about the 1st day of January 1999, and for sometime subsequent thereto, in the City of Cadiz, Province of Negros Occidental, Philippines, and within the jurisdiction of this Honorable Court, above-named accused, EDUARDO G. VARELA, a public

jal

officer, being the Mayor of Cadiz City, in such capacity and committing the offense in relation to office, with deliberate intent, did then and there willfully, unlawfully and feloniously fail to give preference to: Emilene P. Ong for the appointment to the position of Clerk III; Ma. Theresa Beatingo and Marilou L. Supremo for the appointment to the position of Public Health Nurse II; Shirley M. Sinoy, Jocelyn L. Bermejo and Melinda P. Angeles for the appointment to the position of Midwife IV; Mary Grace S. Bedayos for the appointment to the position of Supply Officer I; and Enrique G. Ambos for the appointment to the position of Engineer III, new positions in the approved staffing pattern of the City Government of Cadiz, comparable to the former positions of: Emilene P. Ong as Clerk III; Ma. Theresa Beatingo and Marilou L. Supremo as Public Health Nurse II; Shirley M. Sinoy, Jocelyn L. Bermejo and Melinda P. Angeles as Midwife IV; Mary Grace S. Bedayos as Supply Officer I; and Enrique G. Ambos as Engineer IV of the City Government of Cadiz, or to their positions next lower in rank, as accused has given preference or chosen Anavel P. Gasper, Filipinas S. Barriesses, Mary Grace R. Casinillo and Ernesto P. Castroverde over said Emilene P. Ong; Hazel V. Anam-Anam, Ma. Fanny B. Robles and Gemma S. Barilea over said Ma. Theresa Beatingo and Marilou L. Supremo; Felomina J. Oplas, Jennifer M. Ledres and Adorna B. Gardose over said Shirley M. Sinoy, Jocelyn L. Bermejo and Melinda P. Angeles; Rommel A. Amante over said Mary Grace S. Bedayos; and Ferdinand D. Quirao over Enrique G. Amabos, and accused, furthermore, has failed to give preference to Bany John P. Sarabia for the appointment to the position of Manpower Development Officer I, a new position in the approved staffing pattern in the City Government of Cadiz, comparable to his former position as Sports Development Officer I of the City Government of Cadiz, or to the position of Manpower Development Assistant, a position next lower in rank, as accused has given preference or chosen Marlene H. Militar and Jake Braza over said Bany John P. Sarabia, and likewise, accused has failed to appoint Nida T. Bullag to a position comparable to her former position as Social Welfare Officer III, or a position next lower in rank in the said approved new staffing pattern, and finally, accused has appointed new employees: Anavel P. Gasper, Mary Grace R. Casinillo and Ernesto P. Castroverde, to the permanent positions of Clerk III; Hazel V. Anam- Anam and Ma. Fanny B. Robles, to the permanent positions of Public Health Nurse II; Felomina J. Oplas and Jennifer M. Ledres, to the permanent positions of Midwife IV; and Rommel A. Amante to the permanent position of Supply Officer I, all in the approved staffing pattern of the City Government of Cadiz, to the prejudice and detriment of public service.

CONTRARY TO LAW.”



Upon arraignment, with the assistance of his counsel Atty. Alexander Mirano and Atty. Rafael Ocampo Jr., accused Eduardo Gustilo Varela, pleaded not guilty to the offense charged.

During the pre-trial, the parties stipulated on the following matters:

- 1) That at the time material to this case, accused Eduardo G. Varela was the City Mayor of Cadiz City;
- 2) The authenticity of Resolution No. 98-112 and its attachments;
- 3) That on September 22, 1998, the Sangguniang Panlalawigan of Cadiz City, Negros Occidental passed a resolution;
- 4) That the resolution was approved by the accused as City Mayor of Cadiz City on October 15, 1998.

Also the parties identified and narrowed down their issues as follows:

- 1) Whether or not the accused violated Sec. 4 of Republic Act 6656; and
- 2) Whether or not the accused acted in bad faith in implementing Resolution No. 98-112¹, the New Staffing Pattern.

The pre-trial was terminated on February 13, 2013 and trial thereafter ensued.

The prosecution presented the following witnesses:

- 1) Emilene P. Ong; 2) Marilou L. Supremo; and 3) Melinda Pastutiyo-Angeles.; 4) Bany John P. Sarabia; and 5) Mary Grace Santua Bedayos; 6) Shirley Miravalles Sinoy; 7) Nida T. Bullag; 8) Jocelyn Ledesma Bermejo; and 9) Elsa C. Calderon.

EVIDENCE FOR THE PROSECUTION

EMILENE P. ONG

She was a Clerk III at the General Services Office of the local government of Cadiz City, Negros Occidental. She was appointed on February 1, 1995.² Prior to her termination, she was receiving Seventy-Nine Thousand Twenty Pesos (PhP79,020.00) per annum. Her eligibility includes a Professional Board Examination for Teachers (PBET) and Civil Service Professional Examination.

¹ Resolution Adopting the Proposed New Organizational Structure and Staffing Pattern of the Cadiz City Government, Covering the Amount of Sixty Nine Million Four Hundred Fifty Nine Thousand Eight Hundred Four Pesos (P69,459,804.00) with a Total Personnel Complement of 649 for 17 Offices, Declaring All Positions Vacant, Except Elective Positions and the Positions of the City Treasurer and Assistant City Treasurer, Being National Appointees Pursuant to Sections 470 and 471 of the Local Government Code of 1991, R.A. 7160, Respectively.

² Exhibit "VV" Original Appointment Record dated February 1, 1995.

On November 10, 1998, she received a Termination Notice³ from Mayor Eduardo Varela (Mayor Varela or former Mayor), stating that her position will be vacant effective December 31, 1998. Her termination was due to the reorganization of the city government pursuant to Sangguniang Panlungsod Resolution No. 98-112 dated September 22, 1998. However, she believes that the implementation by the Mayor was tainted with bad faith and he did not comply with the requirements of R.A. 6656, which provides that employees with permanent appointments shall be given preference for appointment to new positions in the approved staffing pattern or in case there are not enough comparable positions, to the position next lower in rank. In addition, it provides that no new employee shall be hired until all permanent employees have been appointed. She also said that when the organization took effect, her position was abolished but later on recreated but she was not given preference for appointment in the new staffing pattern. Specifically, the new staffing pattern created two (2) positions in the Office of the Mayor, one (1) in the Office of the City Administrator and one (1) in the Office of the City Agriculture. In the said re-created positions for Clerk III, she was not appointed and worse, new entrant employees namely: Anavel Gaspar, Filipinas Barrices, Mary Grace Casinillo and Ernesto Castroverde were appointed in her stead. Anavel Gaspar was only a college graduate, Ernesto Castroverde has a Sub-Professional Eligibility while Filipinas Gomez-Barrices and Mary Grace Casinillo have Civil Service Professional Eligibility. All those mentioned new entrant started working in January 1, 1999, as indicated in their appointment and service records.

After her termination from work, she and other permanent employees of Cadiz City filed a complaint⁴ with the Civil Service Commission (CSC) and on May 21, 1999, the CSC issued Resolution No. 991068 ordering the reinstatement of the illegally terminated employees including her. In violation of said resolution, she was not immediately reinstated until after a couple of years later or on July 1, 2001. She was reinstated as a Clerk III and was assigned in the Office of the City Agriculture after the election of City Mayor, Hon. Salvador Escalante, Jr. In total, she was denied of work for two (2) years and six (6) months and she is asking for full payment of backwages using as a basis Section 75, Rule V of the CSC Rules. Moreover, she asks for the disqualification of former Mayor Varela from holding public office in the future because of the injustice done during his tenure as mayor. She also said that the termination was the former mayor's way of vengeance after the latter accused her along with other permanent employees of Cadiz City of not supporting his candidacy in 1998.

On cross-examination, the witness said that the reorganization of the City of Cadiz was done through the Sangguniang Panlungsod by passing Resolution No. 96-112. She admitted that Mayor Varela only implemented the resolution passed by the Sanggunian and that the Termination Notice dated November 10, 1998 as well as the Notice of Lay-Off was not personally handed by former Mayor Varela to her. Finally, she admitted that as stated in her Judicial Affidavit, RA 6656 only gives preference over permanent employees.

³ Exhibit "AA".

⁴ Exhibit "XX".

On re-direct examination, the witness clarified that although the reorganization was made by the Sangguniang Panlungsod of the City of Cadiz, Mayor Varela in implementing the said resolution acted with bad faith as he terminated all the employees concerned. She explained that the termination was not attended with due process as it was not coursed through the personnel services and no interview was ever conducted. She also added that they tried to communicate with the Mayor regarding the matter however the same was denied and was only forwarded to the Office of the Personnel Service.

MARILOU L. SUPREMO

She was a Public Health Nurse II with a permanent appointment before her services was terminated by former Mayor Varela. On November 10, 1998, she received a Termination Notice from the former Mayor stating that her position will be vacant effective December 31, 1998. On said date (December 31, 1998), she received a Notice of Lay-off, informing her that her work is terminated on that same day.

She testified that the reorganization of the city government was based on Sangguniang Panlungsod Resolution No. 98-112 dated September 22, 1998. She said that the implementation by the former Mayor was tainted with bad faith because the latter did not re-appoint the permanent employees whom he suspected of not having supported his candidacy and because he did not comply with RA 6656.

RA 6656 states that permanent employees shall be given preference for appointment to new positions after reorganization. Also, the former Mayor should not hire new employees if there are still permanent employees not yet re-appointed.

Before the reorganization, she was appointed as Public Health Nurse II. After the reorganization, her position was abolished but was re-created. In fact, under the new staffing pattern, seven (7) positions for nurses was created from the three (3) nurse positions before the reorganization. However, she was not given preference for appointment in the new staffing pattern, instead new entrant Gemma Barilea, Fanny Robles and Hazel Anam-Anam, were appointed. Thereafter, she appealed her termination to the CSC and on May 21, 1999, the CSC issued Resolution No. 991068 ordering her reinstatement along with other similarly situated employees of Cadiz City. Despite said resolution of CSC, she was only reinstated on July 1, 2001 or after two (2) years and six (6) months, thus she is asking for full payment of her backwages. In addition, she is asking the Court for the disqualification of the former Mayor to hold public office in the future and for moral damages.

On cross-examination, she testified that prior to September 22, 1998, she was employed as Nurse II in the local government of Cadiz City for twenty-two (22) years already. She also said that her position was abolished by the Sangguniang Panlungsod by virtue of a resolution. In fact, both the termination notice and notice of lay-off state that the termination was pursuant to Resolution No. 98-112 or the re-organization of the positions in the local government unit. After termination, she

admitted that she did not apply for a re-appointment with the local government. Furthermore, she said that the termination was a form of political vendetta against her as the former Mayor accused her of not voting for him in the election. In addition, she said that she was given partial payment for back wages for the two (2) years that she was laid-off. Finally, she was reinstated as Nurse II in 2001 up to the present.

On re-direct, she explained that she filed an action with the CSC after her termination. The CSC thereafter directed the former Mayor to reinstate the affected employees, however the former Mayor did not follow the same. She also clarified that she did not apply for a position in the local government after termination because it is stated in the CSC rules that former employees should be given preference in case the city government will reorganize. Finally, she said that the backwages given was part of the resolution of the CSC and it was given under the direction of the new mayor.

MELINDA PASTUTIYO-ANGELES

The witness is one of the complainants who filed a case against former Mayor Varela for violation of RA 6656.

She is a former Midwife IV at the City of Cadiz. She started working on September 1, 1981 and rose from the ranks until she was permanently appointed Midwife IV. Before her termination, she was receiving the amount of One Hundred Twenty-Two Thousand Nine Hundred and Seventy-Six Pesos per annum. Her qualification as Midwife IV includes a midwife license with Certificate No. 00034779 dated November 13, 1978.

On November 10, 1998, together with her co-complainants, she received a Termination Notice from former Mayor Varela, stating therein that her position will be vacant effective December 31, 1998. True enough, she received another notice on December 31, 1998, informing her that she is being terminated from work effective the same day.

The termination was based on the reorganization of the city government by virtue of Sangguniang Panlungsod Resolution No. 98-112 dated September 22, 1998. However, she believes that the implementation of said resolution by the former Mayor was tainted with bad faith as the Mayor gave preference to new entrant who supported him in his candidacy and also because the former Mayor did not comply with the requirements of RA 6656. As stated in RA 6656, permanent employees should be given preference for appointment to new positions in the new staffing pattern appointment and that the Mayor should not hire new entrant until permanent employees have been appointed.

After her termination, she elevated the matter to the CSC, who issued Resolution No. 991068 ordering their reinstatement on May 21, 1999. However, they were only reinstated a couple of years after or on May 30, 2002. In total, she

was denied three (3) years and five (5) months or from December 31, 1998 until June 30, 2001.

Finally, she asks for the disqualification of the former Mayor to hold public office in the future and for damages.

On cross-examination, the witness testified that she has been employed in the local government of Cadiz City from 1980 to 1998 as Midwife IV. After her termination, she sent a letter of application with the Office of former Mayor Varela for the position of Midwife IV. However, the position applied for was already taken which impelled her to file a complaint with the CSC.

On re-direct, she testified that a total of 166 employees were terminated because of the reorganization. Particularly, in the City Health Department, more than fifty (50) employees were terminated. Among the twenty-two (22) midwives, only four (4) were left and then the local government hired new entrants. She also said that she was never given an invitation or information that she was considered in the re-created positions. Moreover, she said that after May 1999, the CSC directed Mayor Varela to reinstate the affected employees, however, the former Mayor did not follow the same. It was only on July 1, 2001 or two (2) years later that she was reinstated.

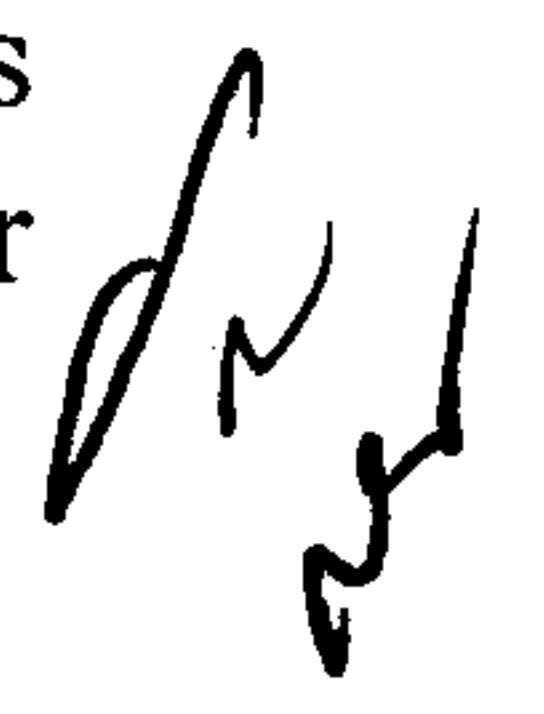
BANY JOHN P. SARABIA

The witness is suing former Mayor Varela for violation of RA 6656. Prior to the election of the former Mayor, the witness was a Sports Development Officer I under the Sports/Youth Development Division of the City Special Services with salary grade 10 of the city government of Cadiz. He was appointed on September 1, 1994 until his employment was terminated by former Mayor Varela on December 31, 1998.

The Sangguniang Panlungsod of Cadiz passed Resolution No. 98-112, series of 1998. Then Mayor Varela implemented the reorganization which led to the abolition of the positions and termination of the employees. By virtue of the mentioned resolution, the City of Cadiz adopted a new organizational structure and staffing pattern and declared all positions vacant except elective positions.

After the reorganization, his position with a salary grade of 10 was abolished and the new staffing pattern created a new division called Youth Development Unit under the Office of the Mayor. Also three (3) new positions were created namely, Executive Assistant III, Manpower Development Officer II, Manpower Development Officer I and Manpower Development Assistant with salary grades 20, 15, 11, and 8 respectively.

He then applied for the position of Manpower Development Officer I in the approved new staffing pattern or to any position that suits his qualifications as licensed teacher and experienced in sports and youth development. However, former



Mayor Varela appointed a new recruit, Marlene Militar, without giving him preferential right even if he has the qualifications in the recreated positions having been previously appointed as permanent employee in the same position.

The said act of the Mayor prompted him, together with other employees, to file a complaint before the CSC which found their claim meritorious and directed the Mayor to reappoint them to the positions in the new staffing pattern, which are comparable or similar to their former positions. The Mayor, thereafter, elevated the matter to the Court of Appeals, which sustained the findings of the CSC and the said decision became final and executory.

The witness during cross-examination said that he is aware that under the CSC rulings, the appointing authority may not give preference to old employees if it was made under a bona fide reorganization and if the intention of the executive is to infuse new blood to the government system. He also said that he applied for the position of Manpower Development Officer I after his position was abolished.


MARY GRACE SANTUA BEDAYOS

She was the Supply Officer I in the Property and Supply Division of the City government of Cadiz. She was appointed in January 1, 1993 until her employment was terminated by Mayor Varela on December 31, 1998. After the Sangguniang Panlungsod of Cadiz passed Resolution No. 98-112, series of 1998, Mayor Varela terminated her employment together with other employees of the City. Their positions were abolished, however, the City government recreated two positions of Supply Officer I under the Property and Supply Division under item numbers 28 and 29 in the new staffing pattern. Thereafter, Mayor Varela appointed a new recruit Rommel Amante, without giving her the preferential right even if she has the qualifications to be appointed in the newly re-created position.

Left without recourse, she filed a complaint with the CSC who resolved the matter in her favor. Mayor Varela was directed to reappoint the terminated employees of Cadiz government to the positions in the new staffing pattern which are comparable or similar to their former positions. In order to frustrate their re-employment, Mayor Varela pursued the case to the Court of Appeals, which however, denied the petition, thus the decision became final and executory.

She was rendered jobless by reason of the termination for two (2) years and six (6) months or from December 31, 1998 to June 30, 2001, representing almost the whole term of former Mayor Varela. In view of said event, she asks the Court for damages for the financial difficulties and mental anguish caused by her termination from employment.

On cross-examination, she said that she filed the present case against the accused to protect the security of tenure of government officials and employees in the implementation of government reorganization.



During re-cross, the witness testified that after her termination, she incurred legal expenses and had financial difficulties.

The Court asked clarificatory questions wherein the witness elucidated that the position was abolished by virtue of a resolution passed by the Sangguniang Panlungsod, however, it was the former Mayor who solely implemented the said resolution and was the one who appointed a new entrant. Also, it was clarified that the position abolished by virtue of the resolution was re-created, specifically the position of herein witness, Supply Officer I at the Property and Supply Division of the City General Services Office, yet another person was appointed despite her application to the mentioned position.

SHIRLEY MIRAVALLLES SINOY

The witness testified that in November 10, 1998, together with her co-complainants received a Termination Notice from Mayor Varela, stating that their positions will be vacant effective December 31, 1998. Another notice was received by the witness on December 31, 1998, informing her that she is being terminated from work effective the same day.

She worked as a Midwife IV from 1989 until she was terminated by Mayor Varela. Prior to her termination, she was receiving an annual income of One Hundred Twenty-Two Thousand Nine Hundred Seventy-Six Pesos (PhP122, 967.00).

She also testified that when Mayor Varela implemented Sangguniang Panglungsod Resolution No. 98-112 dated September 22, 1998, her position was abolished but was later on re-created. Particularly, the items in the plantilla was reduced, from the twenty-two (22) positions for midwives, only eight (8) were recreated. Four (4) incumbent Midwife IV were reappointed, one Midwife II was promoted to Midwife IV and two (2) new entrants were appointed to Midwife IV, without giving her preference for reappointment. In the re-created positions, new entrants Filomena Oplas and Jennifer Ledres were appointed as Midwife IV. Adorna Gardose, on the other hand was promoted from Midwife II to Midwife IV and one appointee to the position of Midwife IV is the sister of a Sangguniang Panlungsod Member who was a partymate of Mayor Varela. The new entrants' salary according to the personnel schedule as Midwife IV is One Hundred Twenty-Two Thousand Nine Hundred Seventy-Six Pesos (PhP122, 967.00), which salary was same as the witness' before she was terminated from work.

After she was terminated from work, she filed a complaint with the CSC, along with other employees of Cadiz City and on May 21, 1999, the CSC issued Resolution No. 991068, ordering their reinstatement, however, she was only reinstated in September 16, 2001 by the new Mayor, Salvador Escalante, Jr. In total, she was denied work for two (2) years and nine (9) months or from December 31, 1998 until September 16, 2001. In view of said illegal termination by the former Mayor, she asks the Court for full backwages and damages.



On cross-examination, she admitted that accused former Mayor was not present during the adoption of the subject resolution and that the Sangguniang Panlungsod members were not indicted in the present case.

NIDA T. BULLAG

The witness filed a case against former Mayor Varela for violation of security of tenure.

In November 10, 1998, she received a Termination Notice from Mayor Varela, stating that her position will be vacant effective December 31, 1998. True enough, she received a Notice of Lay-Off, wherein the Mayor told her that her work is terminated on the same day.

Before her termination, she worked as a Social Welfare Officer III at the City Social Welfare Office of the local government of Cadiz City, Negros Occidental, under a permanent appointment. Prior to her termination, she was receiving a salary grade of 18 in the amount of One Hundred Sixty-Four Thousand Five Hundred Eighty Pesos (PhP164,580.00) per annum. Part of her qualifications for her position includes a Professional Board Examination for Teachers (PBET).

She also testified that she was terminated from work because of the reorganization of the city government pursuant to Sangguniang Panlungsod Resolution No. 98-112 dated September 22, 1998. Due to the said reorganization, her position was abolished but she was not given preference for appointment in the new staffing pattern, which was approved by former Mayor Varela.

Thereafter, she appealed her termination in the CSC together with her co-employees and on May 21, 1998, the CSC issued Resolution No. 991068, ordering their reinstatement, however, she was only reinstated in 2001 as a Social Welfare Office III and was assigned in the Office of the City Social Worker and Development. In total, she was denied work for two (2) years and six (6) months or from December 31, 1998 until June 30, 2001, and for that, the witness is asking the Court for payment of full backwages and for damages.

On cross examination, the witness admitted that the notice of termination was pursuant to Resolution Number 98-112 and that she did not file a case against the Sangguniang Panlungsod members, who voted for and passed the said resolution.

On re-direct examination, the witness explained that the new staffing pattern of Cadiz City was approved and signed by Mayor Varela. She also said that the resolution of CSC was issued during the time of former Mayor Varela.

JOCELYN LEDESMA BERMEJO

The witness is one of the private complainants in the present case against former Mayor Varela for her illegal termination in December 1998.

On November 10, 1998, she received a Notice of Termination from the Office of the Mayor, stating that her services will be terminated on December 31, 1998. After that, she received a Notice of Lay-Off on December 31, 1998, stating that her work is terminated the same day.

Prior to her termination, she worked as a Midwife IV with a salary of One Hundred Twenty-Two Thousand Nine Hundred Seventy-Six Pesos (PhP122,976.00) per annum.

She testified that Mayor Varela in implementing Sanggunian Panlungsod Resolution No. 98-112, abolished 22 positions of midwives and re-created 8 positions. In the eight (8) re-created positions, four (4) incumbent Midwife IV were re-appointed. For the remaining four (4) positions, one Midwife II was promoted to Midwife IV and two (2) new entrants were appointed to Midwife IV, without giving her preference for reappointment. According to the Personnel Schedule, the new entrants receive an annual salary of One Hundred Twenty-Two Thousand Nine Hundred Seventy-Six Pesos (PhP122,967.00), which salary was same as the witness' before she was terminated from work.

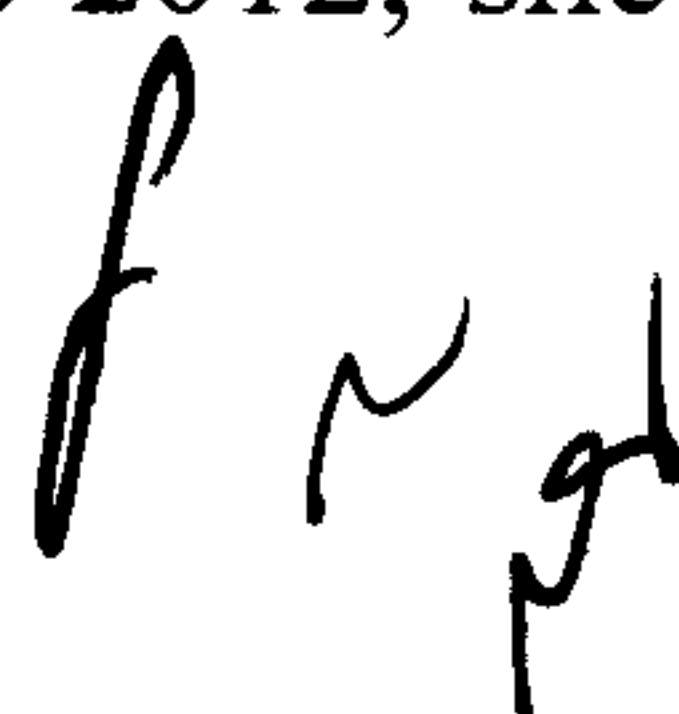
After her termination from work, the witness, together with other co-employees appealed to the CSC, which ordered their reinstatement, however, it was only in June 1, 2002 that she was reinstated by Mayor Salvador Escalante, Jr. In total, she was deprived of work for three (3) years and five (5) months. Finally, the witness asks the court for damages incurred.

On cross-examination, the witness testified that Mayor Varela was not present at the time of the approval of the subject resolution and that she did not file any civil, criminal or administrative cases against the Sangguniang Panlungsod of Cadiz, who were present and who approved the resolution. In addition, she admitted that Mayor Varela was merely implementing the resolution passed by the Sangguniang Panlungsod dated September 22, 1998. Furthermore, she said that she was already paid her backwages.

On re-direct, the witness explained that she only filed a case against Mayor Varela because he was the one who terminated her pursuant to a letter received from the former Mayor's office. She also clarified that her backwages was paid in installment and it was only fully paid in 2015.

ELSA C. CALDERON

She is the City Government Assistant Department Head I and designated Officer-in-Charge (OIC) of the Human Resource Management Division. Her duties include supervising the personnel matters concerning all employees of Cadiz City such as evaluation and selection of personnel, appointment preparations, personnel developments and has custody of personnel records. She was employed with the city government in October 1, 1993 and since 2012, she was designated as OIC of the Human Resource Management Division.



She identified the private complainants, Emilene Ong, Ma Theresa Beatingo, Marilou Supremo, Shirley Sinoy, Jocelyn Nermejo, Melinda Angeles, Nida Bullag, Mary Grace Bedayos, Enrique Ambos and Bany John Sarabia, as permanent employees of the City government of Cadiz based on their employment records.

She also testified that on January 1, 1999, all employees except the City Treasurer and the Assistant City Treasurer were terminated and all positions were declared vacant. Based on service records, the concerned employees were terminated due to reorganization, which was effected by Mayor Varela, and there was no subsequent record of reappointment from January 1, 1999 until 2001. However, the concerned employees were reappointed in 2001, based on CSC Resolution No. 991068 dated May 21, 1999. She also emphasized that the employees were only reappointed after the term of Mayor Varela in June 30, 2001.

During cross-examination, the witness testified that she has personal knowledge of the subject resolution passed by the Sangguninag Panlungsod and that accused Mayor Varela only effected the termination based on the said resolution.

After presenting all its witnesses, the prosecution made a formal offer of its documentary evidence as follows:

Exhibit

A	Certified True Copy of Service Record of Mary Grace S. Bedayos
F	Certified True Copy of Service Record of Enrique G. Ambos
H	Certified True copy of Service Record of Bany John P. Sarabia
EE	Certified True Copy of Service Record of Emilene P. Ong
AAA	Certified True Copy of Service Record of Marilou L. Supremo
PPP	Certified True Copy of Service Record of Melinda Angeles
DDDD	Certified True Copy of Service Record of Nida Bullag
LLLL	Certified True Copy of Service Record of Shirley Sinoy
RRRR	Certified True Copy of Service Record of Jocelyn Bermejo
XXXX	Certified True Copy of Service Record of Ma. Teresa Beatingo
B	Certified True Copy of Oath of Office of Mary Grace S. Bedayos
C	Appointment Paper from the Civil Service Commission of Mary Grace S. Bedayos as Supply Officer I (photocopy)
D	Certified True Copy of Civil Service Form No. 203 of Mary Grace S. Bedayos as Supply Officer I dated January 1, 1993
E	Certified True Copy of Civil Service Form No. 1, Position Description Form of Mary Grace S. Bedayos
G	Certified True Copy of KSS Porma Blg. 33 for the Permanent Appointment as Engineer IV of Enrique G. Ambos
I	Certified true Copy of Appointment Paper of Bany John P. Sarabia as permanent Sports Development Officer I
J	Copy of Application for Leave of Bany John P. Sarabia indicating his agency-Special Services Department, his position-Sports Development and his monthly salary (photocopy)

K	Notice of Salary Adjustment of Bany John P. Sarabia (photocopy)
K-1	Name of Bany John P. Sarabia
K-2	Signature of Bany John P. Sarabia
L	Notice of Salary Adjustment of Bany John P. Sarabia (photocopy)
L-1	Notice of Salary Adjustment of Bany John P. Sarabia (photocopy)
VV	Certified True Copy of the Permanent Appointment of Emilene P. Ong as Clerk III dated February 1, 1995
ZZ	Certified True Copy of the Permanent Appointment of Marilou L. Supremo as City Nurse dated August 1, 1977
QQQ	Certified True Copy of Civil Service Form No. 203 dated September 1, 1980 in connection with the proposed appointment of Melinda Pastutiyo
CCCC	Permanent Appointment of Nida Bullag as Social Welfare Aide dated November 6, 1990
KKKK	Permanent Appointment of Shirley Sinoy as Midwife II dated November 6, 1990 (photocopy)
QQQQ	Certified True Copy of the Permanent Appointment of Jocelyn Bermejo as Public Health Midwife dated August 19, 1987
YYYY	Certified True Copy of the Permanent Appointment of Ma. Teresa Beatingo as Public Health Nurse I dated October 31, 1990
ZZZZ	Certified True Copy of the Permanent Appointment of Ma. Teresa Beatingo as Public Health Nurse II dated January 1, 1993
M	Personnel Schedule/ Local Budget
M-1 to M-25	Preparation Form No. 153 under 1998 Annual Budget (photocopy)
M-13, also marked as BBB	Page 3 of 7, Personnel Schedule for the Office of the City Health Officer
M-14, also marked as RRR	Page 4 of 7, Personnel Schedule for the Office of the City Health Officer
N, N-1 to N-17	Resolution No. 98-112, Series of 1998 of the Sangguniang Panlungsod of Cadiz City dated September 22, 1998 with attached List of New Staffing Pattern of Cadiz consisting of 16 pages (photocopy)
N, also marked as II	Resolution No. 98-112
N, also marked as FFFF	Certified True Copy of Resolution No. 98-112
N-1 to N-17, also marked as GGGG	Certified True Copy of the List of New Staffing Pattern of Cadiz consisting of 16 pages
GGGG-1	Signature of Eduardo G. Varela
O, O-1 to O-18	Personnel Schedule/ Local Budget Preparation Appraising Form No. 153 under 1999 Annual Budget consisting of 16 pages (photocopy)

fmg

P	Letter of Termination signed by Eduardo G. Varela addressed to Mary Grace S. Bedayos dated November 10, 1998 (photocopy)
Q	Letter of Termination signed by Eduardo G. Varela addressed to Bany John P. Sarabia dated November 10, 1998 (photocopy)
R	Letter of Termination signed by Eduardo G. Varela addressed to Enrique G. Ambos (photocopy)
AA	Letter of Termination signed by Eduardo G. Varela addressed to Emilene P. Ong dated November 10, 1998 (photocopy)
BB, remarked as WW	Letter/Notice of Lay-Off signed by Eduardo G. Varela dated December 31, 1998 addressed to Emilene P. Ong (photocopy)
CC	Letter of Termination signed by Eduardo G. Varela addressed to Ma Teresa Beatingo (photocopy)
DD	Letter of Termination/ Lay-Off signed by Eduardo G. Varela dated December 31, 1998 addressed to Ma Teresa Beatingo (photocopy)
MMM	Letter of Termination signed by Eduardo G. Varela addressed to Marilou Supremo dated November 10, 1998 (photocopy)
NNN	Letter/Notice of Lay-Off signed by Eduardo G. Varela dated December 31, 1998 addressed to Marilou Supremo (photocopy)
AAAA	Letter of Termination signed by Eduardo G. Varela addressed to Nida Bullag dated November 10, 1998 (photocopy)
BBBB	Letter/Notice of Lay-Off signed by Eduardo G. Varela dated December 31, 1998 addressed to Nida Bullag (photocopy)
III	Letter of Termination signed by Eduardo G. Varela addressed to Shirley Sinoy dated November 10, 1998 (photocopy)
JJJ	Letter/Notice of Lay-Off signed by Eduardo G. Varela dated December 31, 1998 addressed to Shirley Sinoy (photocopy)
OOOO	Letter of Termination signed by Eduardo G. Varela addressed to Jocelyn Bermejo dated November 10, 1998 (photocopy)
OOOO-1	Signature of accused Eduardo G. Varela
PPPP	Letter/Notice of Lay-Off signed by Eduardo G. Varela dated December 31, 1998 addressed to Jocelyn Bermejo (photocopy)
PPPP-1	Signature of accused Eduardo G. Varela
S, S-1 to S-17	Personnel Schedule/Local Budget Preparation Form under the 2000 Annual Budget from the Office of the Mayor (photocopy)
S. also marked as JJ	Page 1 of 6 Personnel Schedule for the Office of the City Mayor
KK	Page 1 of 2 Personnel Schedule for the Office of the City Administrator
LL	Personnel Schedule for the Office of the City Agriculturist
DDD	Page 2 of 3 of the Personnel Schedule for the Office of the City Health Officer
EEE	Page 3 of 3 of the Personnel Schedule for the Office of the City Health Officer
T	Civil Service Form No. 203 signed by Eduardo G. Varela in connection with the proposed appointment of Rommel Amante (photocopy)
T-1	Appointment of Rommel Amante as Supply Officer I (photocopy)

