



Bureau of Corrections

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BUC-STO-PR-021

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REVISION AND APPROVAL

Rev.	Date	Nature of Changes	Approved By
0		Original issue.	<i>Fredric Anthony Santos</i> Atty. Fredric Anthony E. Santos

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1. PURPOSE


For the effective and efficient dispensation and implementation of discipline among erring personnel.

2. SCOPE

This section covers procedure and work instructions concerning the management of all administrative and legal cases filed against personnel of the Bureau of Corrections before the Internal Affairs Service (IAS).

3. DEFINITION OF TERMS

Answer	<ul style="list-style-type: none"> A responsive pleading containing the respondent's negative and affirmative defenses
Complaint	<ul style="list-style-type: none"> A written sworn statement regarding a wrong, grievance or injury sustained by a person
Complainant	<ul style="list-style-type: none"> One who initiates a complaint against BuCor personnel either a complaining witness or as a concerned government agency or office;
Decision	<ul style="list-style-type: none"> A written disposition of the case by a disciplining authority stating clearly the facts and the law upon which it is based;
Disciplining Authority	<ul style="list-style-type: none"> Shall refer to the BuCor Director General
Finality of Decision	<ul style="list-style-type: none"> There is finality of Decision when upon the lapse of fifteen (15) days from receipt of notice of such Decision, no motion for reconsideration or appeal has been filed;
Formal Charge	<ul style="list-style-type: none"> A complaint initiated before the disciplining authority after finding the existence of a prima facie case;
Forum Shopping	<ul style="list-style-type: none"> The filing of several complaints arising from one and the same cause of action involving the same parties asking for the same relief with different administrative disciplining authority;
Jurisdiction	<ul style="list-style-type: none"> The authority vested by law to hear and decide cases;
Newly Discovered Evidence	<ul style="list-style-type: none"> The evidence which could not have been discovered and produce during the hearing of the case despite due diligence, and if presented, would probably alter the Decision;
Pending Case	<ul style="list-style-type: none"> Refers to a case when the respondent has been formally charged before a disciplining authority or an appeal is pending with an

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	appellate authority/body;
Pre-Charge Evaluation	<ul style="list-style-type: none"> The preliminary examination of the complaint and supporting evidence for the purpose of determining the existence or non-existence of prima facie case;
Prima Facie Case	<ul style="list-style-type: none"> The existence of such facts and circumstances as would excite the belief, in a reasonable mind, acting on facts within the knowledge of the investigator, that the respondent is probably guilty of a specific administrative offense/s;
Reglementary Period	<ul style="list-style-type: none"> The period required by law to perform a specific act. In the computation of a period, the first day shall be excluded and the last day to be included unless it falls on a Saturday, Sunday or a legal Holiday, in which case the last day shall fall on the next working day;
Respondent	<ul style="list-style-type: none"> A defendant in administrative case and one who was required to answer the complaint;
Substantial Evidence	<ul style="list-style-type: none"> Such relevant evidence as a reasonable mind might accept as adequate to support a conclusion;
Summary Hearing Officer	<ul style="list-style-type: none"> An officer designated by the Disciplining Authority to conduct the Summary Proceeding and to submit a report of Formal Investigation;
Summary Proceeding	<ul style="list-style-type: none"> An expeditious administrative proceeding conducted by mere submission of memorandum or position paper, consistent with due process, to determine the administrative liability or innocence of the respondent;
Summon	<ul style="list-style-type: none"> A written notice informing the respondent that he is charged with an offense and directing him/her to file an Answer

4. RESPONSIBILITIES

Chief	<ul style="list-style-type: none"> Overall supervision and administration in the operations of Internal Affairs Services (IAS)
Deputy Chief	<ul style="list-style-type: none"> Assists the Chief in the supervision and administration in the operations of IAS
Head Secretariat	<ul style="list-style-type: none"> Reviews and assess the complaint, directive to investigate or investigation



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	<p>reports as to jurisdiction, form and substance.</p> <ul style="list-style-type: none"> • Designates Case Investigators • Supervises the issuance of Subpoena, Notices and Documents received and dispatched by IAS • Prepares a Resolution and Formal Charge, as the case maybe, for Chief IAS review and concurrence
Case Investigators	<ul style="list-style-type: none"> • Conducts investigations of complaints/infractions against BuCor employees • Prepares the complete complaint documents into a case folder, assigns a docket number to the case and records the same into the docket book and ensures that the complaint complied in form
Case Evaluators	<ul style="list-style-type: none"> • Determines the existence or non-existence of prima facie case that warrants either the dismissal of the case or the issuance of the Formal Charge
Records officer/ Evidence Custodian	<ul style="list-style-type: none"> • Manage the safekeeping, recording and filing of Administrative case folders, pieces of evidence and other communications • Provides an inventory and copy of evidence received to the complainant

5. PROCEDURE DETAILS

5.1. CASES MEDIATABLE UNDER ALTERNATIVE DISPUTE RESOLUTION (ADR)

Activity	Person Responsible	Details/Functions	References
<p style="text-align: center;">START</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Receive complaint/report or Motu Proprio</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Docketing and assigning of case no.</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Mediation Process</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Dismissal of the case</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">END</p>	<ul style="list-style-type: none"> • Head Secretariat 	<ul style="list-style-type: none"> • Receives and reviews the request for actions. 	
	<ul style="list-style-type: none"> • IAS Record Officer 		
	<ul style="list-style-type: none"> • Chief, IAS • Head Secretariat • Mediation/ADR Officer 	<ul style="list-style-type: none"> • For mediation or other forms of Alternative Dispute Resolution (Adr) 	
	<ul style="list-style-type: none"> • Chief, IAS • Head Secretariat 	<ul style="list-style-type: none"> • Recommendation mediation/ ADR Officer is submitted to the Chief, IAS • Chief, IAS evaluates the recommendation and approves the case as settled/ dismissed 	



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5.2. CASES NON – MEDIATABLE

Activity	Person Responsible	Details/Functions	References
<p>START</p> <p>Receive complaint/report or Motu Proprio</p>	<ul style="list-style-type: none"> Head Secretariat 	<ul style="list-style-type: none"> Receives and reviews the request for actions. 	
<p>Docketing and assigning of case no.</p>	<ul style="list-style-type: none"> IAS Record Officer 		
<p>Preliminary Investigation</p>	<ul style="list-style-type: none"> Chief, IAS Head Secretariat Case Investigator Case Evaluator 	<ul style="list-style-type: none"> For the purpose of data gathering and determination of the existence of the prima facie evidence 	
<p>Issuance of notice/ show cause order</p>	<ul style="list-style-type: none"> Chief, IAS Head Secretariat 	<ul style="list-style-type: none"> Issuance of Notice TO the respondent 	
<p>Preliminary Conference</p>	<ul style="list-style-type: none"> Case Investigator Case Evaluator 	<ul style="list-style-type: none"> For clarificatory and other relevant questions 	
<p>Resolution with Recommendation</p> <p>A</p>	<ul style="list-style-type: none"> Chief, IAS Head Secretariat Case Investigator Case Evaluator 	<ul style="list-style-type: none"> The investigation report and the Resolution is submitted to the disciplining authority 	



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Activity	Person Responsible	Details/Functions	References
<pre> graph TD A((A)) --> B[Issuance of formal charge/ notice of charge] B --> C[Formal investigation/ summary hearing] C --> D[Adjudication] D --> E[Submission of decision for implementation] E --> F([END]) </pre>	<ul style="list-style-type: none"> Chief, IAS Head Secretariat 	<ul style="list-style-type: none"> Upon approval of the submitted Resolution, the Director General approves of the Formal Charge. Formal Charge is served to the Respondent 	
	<ul style="list-style-type: none"> Hearing Committee Chief, IAS 	<ul style="list-style-type: none"> Hearing Committee is convened 	
	<ul style="list-style-type: none"> Hearing Committee Chief, IAS 		
	<ul style="list-style-type: none"> Chief, IAS Legal Office 	<ul style="list-style-type: none"> Recommendation of Hearing Committee is submitted to the Chief, IAS Chief, IAS evaluates the recommendation and submits Final Disposition/ Decision to DG 	

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6. GUIDELINES

6.1. CASES MEDIATABLE UNDER ALTERNATIVE DISPUTE RESOLUTION (ADR)

- 6.1.1. Receive complaint/report or *Motu Proprio*
 - 6.1.1.1. Administrative proceedings may be initiated by the disciplining authority motu proprio; report duly approved by competent authority; or upon complaint of any other person
 - 6.1.1.2. Except when initiated by the disciplining authority or his/her authorized representative, no complaint against a civil service official or employee shall be given due course unless the same is in writing, subscribed and sworn to by the complainant. In cases initiated by the proper disciplining authority or his/her authorized representative, a show cause order is sufficient.
 - 6.1.1.3. In addition, BuCor IAS shall conduct, *motu proprio*, automatic investigation of the following cases:
 - 6.1.1.3.1. Incidents where BuCor personnel discharges of a firearm;
 - 6.1.1.3.2. Incidents where physical injury, or any violation of human rights incurred in the discharge of official functions;
 - 6.1.1.3.3. Incidents wherein evidence were compromised, tampered with, obliterated with, or lost while in the custody of BuCor personnel; and
 - 6.1.1.3.4. Incidents of non-implementation of the Decision against BuCor personnel.
- 6.1.2. Docketing and assigning of case no.
 - 6.1.2.1. The IAS Record Officer shall docket the verified complaint and assigned to it a Case Number.
- 6.1.3. Mediation Process
 - 6.1.3.1. The assigned IAS Case Evaluator shall evaluate the case to determine whether it falls under “mediatable case” and if so, he shall refer it to the Chief, IAS for mediation or other forms of Alternative Dispute Resolution (ADR).

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- 6.1.4. Dismissal of the case
 - 6.1.4.1. Chief, IAS evaluates the recommendation and approves the case as settled/ dismissed.

6.2. CASES NON-MEDIATABLE

- 6.2.1. Receive complaint/report or *motu proprio*
- 6.2.2. Docketing and assigning of case no.
- 6.2.3. Preliminary investigation
 - 6.2.3.1. The Preliminary Investigator/Pre-Charge Evaluator evaluates the case, prepares an Investigation Report containing the findings and recommendation pertaining to the existence or non- existence of evidence that warrants the preliminary investigation or dropping and/or termination of the investigation, as the case maybe, and submits the same to the Secretariat.
 - 6.2.3.2. If the complaint needs further investigation to substantiate the same, the complaint shall be referred to an investigating body such as the Investigation Section or the Intelligence and Special Operation Division, ad hoc investigation committee and the like.
- 6.2.4. Issuance of notice/ show cause order
 - 6.2.4.1. The IAS Secretariat prepares issuance of Notice for the respondent's formal response to the report or complaint. Said Notice is attached copies of the complaint, and other documents submitted.
 - 6.2.4.2. Where the complaint is initiated by the disciplining authority, the disciplining authority or his authorized representative shall issue a show-cause memorandum directing the person/s complained of to explain why no administrative case should be filed against him/ her/them.
 - 6.2.4.3. The latter's failure to submit the comment/counter-affidavit/explanation shall be considered a waiver thereof and the preliminary investigation may be completed even without his/her counter-affidavit/comment.

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- 6.2.5. Preliminary conference
 - 6.2.5.1. If necessary, the parties may be summoned to a preliminary conference where the IAS Case Evaluator may propound clarificatory and other relevant questions and, if necessary, the case may be referred to an investigating body for complete and proper disposition of the case.
- 6.2.6. Resolution with recommendation⁴
 - 6.2.6.1. Within five (5) days from the termination of the preliminary investigation, the Chief, IAS shall submit the Investigation Report through a Resolution with recommendation and the complete records of the case to the disciplining authority. If a *prima facie* case is established during the investigation, the disciplining authority may issue either a formal charge or a notice of charge. In the absence of a *prima facie* case, the complaint shall be dismissed
- 6.2.7. Issuance of formal charge/ notice of charge
 - 6.2.7.1. After a finding of a *prima facie* case, the disciplining authority shall formally charge the person complained of, who shall now be called as respondent. The formal charge shall contain a specification of charge/s, a brief statement of material or relevant facts, accompanied by certified true copies of the documentary evidence, if any, sworn statements covering the testimony of witnesses, a directive to answer the charge/s in writing, under oath in not less than seventy-two (72) hours from receipt thereof, an advice for the respondent to indicate in his/her answer whether or not he/she elects a formal investigation of the charge/s, and a notice that he/she may opt to be assisted by a counsel of his/her choice.
 - 6.2.7.2. In instances where the complaint was initiated by a person other than the disciplining authority, the disciplining authority may issue a written notice of the charge(s) against the person complained of to which shall be attached copies of the complaint, sworn statement and other documents submitted. The notice shall contain the charges against

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the person complained of with a statement that a *prima facie* case exists. It shall also include a directive to answer the charge(s) in writing, under oath in not less than seventy-two (72) hours from receipt thereof, and a notice that he/she may opt to be assisted by a counsel of his/her choice.

- 6.2.8. Formal investigation/ summary hearing
 - 6.2.8.1. The charged BuCor personnel, as Respondent, files an answer/response to the Formal Charge and indicates that he elects a Formal Investigation.
 - 6.2.8.2. A formal investigation shall be conducted by the disciplining authority where the merits of the case cannot be decided judiciously without conducting such investigation or when the respondent elects to have one, in which case, the investigation shall be held not earlier than five (5) days nor later than ten (10) days from receipt of the respondent's answer or upon the expiration of the period to answer or may be extended upon justifiable reason. Said investigation shall be finished within thirty (30) days from the issuance of the formal charge unless the period is extended by the disciplining authority in meritorious cases.
 - 6.2.8.3. If the Respondent answers the Formal Charge and elects a Formal Investigation, there shall be at least three (3) summary hearings before the promulgation of the Decision.
 - 6.2.8.4. The Chief, IAS recommends the composition of the Hearing Committee (HC) that will facilitate the Summary Hearings
 - 6.2.8.5. The HC reviews the Case Folder and conducts the required Formal Investigation/Summary Hearing and prepares and submits a Formal Investigation Report / Resolution to the Chief, IAS.
- 6.2.9. Adjudication
 - 6.2.9.1. Within fifteen (15) days after the conclusion of the formal investigation, a report containing a narration of the material facts established during the investigation, the findings and the

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evidence supporting said findings, as well as the recommendations shall be submitted by the hearing officer to the Chief of IAS. The complete records of the case shall be attached to the report of investigation. The complete records shall be systematically and chronologically arranged, paged and securely bound to prevent loss. A table of contents shall be prepared.

- 6.2.9.2. The disciplining authority shall decide the case within thirty (30) days from receipt of the Formal Investigation Report or within reasonable time in justifiable circumstances such as evaluation of the evidences presented during the conduct of formal investigation.
- 6.2.9.3. The Decision shall be prepared by the Chief, IAS.
- 6.2.10. Submission of decision for implementation
 - 6.2.10.1. A decision rendered by the disciplining authority whereby a penalty of suspension for not more than thirty (30) days or a fine in an amount not exceeding thirty (30) days' salary is imposed, shall be final, executory and not appealable unless a motion for reconsideration is seasonably filed. However, the respondent may file an appeal when the issue raised is violation of due process. If the penalty imposed is suspension exceeding thirty (30) days, or fine in an amount exceeding thirty (30) days' salary, the same shall be final and executor after the lapse of the reglementary period for filing a motion for reconsideration or an appeal and no such pleading has been filed.
 - 6.2.10.2. The party adversely affected by the decision may file a motion for reconsideration with the disciplining authority who rendered the same within fifteen (15) days from receipt thereof. A motion for extension of time to file a motion for reconsideration is not allowed.
 - 6.2.10.3. If the Respondent did not file for an MR within the period, the Decision will become final and executory and the entire records of the case will be forwarded to Legal Office for

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implementation and issuance to the Respondent

7. WORK INSTRUCTIONS

7.1. CASES MEDIATABLE UNDER ALTERNATIVE DISPUTE RESOLUTION (ADR)

- 7.1.1. Receive complaint/report or *Motu Proprio*
 - 7.1.1.1. No anonymous complaint shall be entertained unless there is obvious truth or merit to the allegations therein or supported by documentary or direct evidence, in which case the person complained of may be required to comment.
 - 7.1.1.2. The complaint shall contain the following: (shall mean a verified complaint)
 - 7.1.1.2.1. Full name and address of the complainant;
 - 7.1.1.2.2. Full name and address of the person/s complained of as well as his/
 - 7.1.1.2.3. Her/their position/s and office/s;
 - 7.1.1.2.4. A narration of the relevant and material facts which shows the acts or
 - 7.1.1.2.5. Omissions allegedly committed;
 - 7.1.1.2.6. Certified true copies of documentary evidence and affidavits of his/ her witnesses, if any; and
 - 7.1.1.2.7. Certification or statement of non-forum shopping.
 - 7.1.1.2.8. The absence of any of the aforementioned requirements may cause the dismissal of the complaint without prejudice to its refiling upon compliance with the above requirements.
- 7.1.2. Docketing and assigning of case no.
 - 7.1.2.1. Certificate of Non-Forum Shopping
 - 7.1.2.1.1. For all complaints to progress to preliminary investigation, the Certificate of Non-Forum Shopping is required. Failure to



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- submit/execute such shall deem the complaint "Anonymous".
- 7.1.2.1.2. The Certificate of Non-Forum Shopping shall be prepared by the IAS Secretariat and signed by the complainant.
- 7.1.2.1.3. Signature or the complainant on and finalization of the Certificate of Non-Forum Shopping shall take no longer than five (5) days upon initial receipt of the complaint.
- 7.1.2.2. Case Folder
- 7.1.2.2.1. The Case Folder shall contain all relevant documents on the complaint, including:
- 7.1.2.2.2. Complaint documents (i.e., complaint letter, directive for investigation),
- 7.1.2.2.3. Affidavit of Complaint,
- 7.1.2.2.4. Affidavit of witness/es,
- 7.1.2.2.5. Inventory and photographs of non-documentary evidence, and
- 7.1.2.2.6. Inventory and copies of documentary evidences.
- 7.1.2.3. The Case Folder shall be updated and pertinent documents included as the case progresses.
- 7.1.2.4. The IAS Record Officer shall docket the verified complaint and assigned to it a Case Number.
- 7.1.2.5. As the case may be, the Secretariat then requests the complainant to submit/sign a Certificate of Non-Forum Shopping.
- 7.1.2.6. For complaints received, the IAS Secretariat assesses the report/complaint whether it requires investigation for the purpose of data gathering or preliminary investigation for the purpose of finding probable cause or existence of prima facie evidence.
- 7.1.2.7. For directives to investigate, anonymous complaints, IAS validates for the material allegations. If the investigation on material allegations of the complaint are not validated,

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IAS recommends for outright dismissal of the case.

7.1.3. Mediation Process

7.1.3.1. The ADR must be made within 30 days from the referral of the complaint to a mediation officer.

7.2. CASES NON-MEDIATABLE

7.2.1. Receive complaint/report or *motu proprio*

7.2.2. Docketing and assigning of case no.

7.2.3. Preliminary investigation

7.2.3.1. If the case is not settled it shall be treated as regular complaint and shall commence with preliminary investigation.

7.2.3.2. The PI shall commence not later than 5 days from receipt of the valid complaint or after the submission of the investigating body whom the case was referred, and terminate within 20 days thereafter or may be extended for justifiable reason.

7.2.4. Issuance of notice/ show cause order

7.2.4.1. Upon receipt of a complaint which is duly docketed together with assigned case number, the IAS Case Evaluator shall determine whether the complaint is sufficient in form and substance, if so the disciplining authority shall require the person/s complained of, through a Notice or a show-cause order.

7.2.4.2. The answer, which is in writing and under oath, shall be specific and shall contain material facts and applicable laws, if any, including documentary evidence, sworn statements covering testimonies of witnesses, if there be any, in support of one's case.

7.2.4.3. If the respondent fails or refuses to file his/her answer to the formal charge or notice of charge/s within the period provided in the formal charge or notice of charge/s which shall not be less than three (3) days from receipt thereof, he/she shall be considered to have waived his/her right to submit the same

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and the case may be decided based on available records within reasonable time.

- 7.2.5. Preliminary conference
- 7.2.6. Resolution with recommendation
 - 7.2.6.1. The DG reviews, approves the Resolution (for Preliminary Investigation)/Pre-Charge Evaluation and issues a memorandum to concerned offices/units to implement the recommendations from the Resolution.
 - 7.2.6.2. If the recommendation is for referral to the appropriate disciplinary authority, the Chief, IAS officially refers the case, as endorsed by the DG.
 - 7.2.6.3. If the recommendation is for the conduct of a Formal Investigation/Summary Hearing, the Chief, IAS issues a memorandum recommending the offense indictment of the personnel subject of the complaint.
 - 7.2.6.4. The Chief, IAS issues a copy of the Formal Charge and issues the same to the charged BuCor personnel and submits proof of issuance to IAS.
 - 7.2.6.5. If the Respondent fails to answer, or if the Formal Investigation is waived, the Chief, IAS initiates the promulgation of the Decision to be signed by DG
- 7.2.7. Issuance of formal charge/ notice of charge
 - 7.2.7.1. The Formal Charge shall have a copy of the approved Resolution as an attachment.
 - 7.2.7.2. The Formal Charge shall be prepared in four (4) copies, to be distributed as follows:
 - 7.2.7.2.1. Charged BuCor Personnel, as Respondent – Original
 - 7.2.7.2.2. Respondent’s Immediate Supervisor - copy
 - 7.2.7.2.3. Records Division – copy, to be kept in the personnel’s 201/102 file
 - 7.2.7.2.4. IAS – copy, to be kept in the Case Folder.
 - 7.2.7.3. Means of issuance of the Formal Charge may be by of the following:
 - 7.2.7.4. Personal delivery (office/residence or last known add); Substituted Service (received by



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- husband/wife or relative); Constructive Service (leaving a copy at official station); or Mail (Registered mail).
- 7.2.7.5. In a substituted service where the husband/wife or relative refuses to acknowledge receipt, the issuing supervisor will execute an affidavit on the refusal by the husband/wife or relative to receive the Formal Charge.
- 7.2.7.6. Acceptable proof of issuance of the Formal Charge to the charged BuCor personnel is a receiving copy of the Formal Charge Sheet duly signed by the charged BuCor personnel, indicating the date of receipt.
- 7.2.7.7. The Respondent is given five (5) days upon receipt of the Formal Charge and attached Resolution (for Preliminary Investigation)/Pre-Charge Evaluation to file an answer and indicate if he prefers to elect a Formal Hearing. Failure to respond shall result in the direct transmittal of the case back to the Chief, IAS for decision.
- 7.2.8. Formal investigation/ summary hearing
- 7.2.8.1. The Formal Investigation/Summary Investigation shall not be more than thirty (30) days from the HC's receipt of the Case Folder, unless there is justifiable reason attributable to the Respondent or force majeure.
- 7.2.8.2. At any stage of the proceedings, the parties may, based on their mutual consent, submit position paper/memorandum and submit the case for resolution without any need for further hearings.
- 7.2.9. Adjudication
- 7.2.10. Submission of decision for implementation
- 7.2.10.1. Decisions of heads of departments, agencies, provinces, cities, municipalities and other instrumentalities imposing a penalty exceeding thirty (30) days suspension or fine in an amount exceeding thirty (30) days salary, may be appealed to the Commission within a period of fifteen (15) days from receipt thereof. In cases the decision rendered by a

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bureau or office head is appealable to the Commission, the same may be initially appealed to the department head and then finally to the Commission.

7.2.10.2. All decisions of heads of agencies are immediately executory pending appeal before the Commission. The decision imposing the penalty of dismissal by disciplining authorities in departments is not immediately executory unless confirmed by the Secretary concerned. However, the Commission may take cognizance of the appeal pending confirmation of its execution by the Secretary.

7.2.10.3. The Legal Office represents the Bureau in the appeal process.

- In case the Respondent files for a Motion for Reconsideration (MR), the IAS shall review and decide on the case by preparing and submitting a Resolution on the MR to the DG.
- The DG reviews, approves the Resolution and issues a memorandum to concerned offices/units to implement the Resolution's recommendations.
- In case Respondent's MR is denied and files an appeal, the IAS receives the Notice of Appeal and transmits the Case Folder to the Department of Justice (DOJ).
- A motion for reconsideration sent by registered mail shall be deemed filed on the date shown by the postmark on the envelope which shall be attached to the records of the case. In case of personal delivery, it is deemed filed on the date stamped thereon by the proper office.
- The motion for reconsideration shall be based on any of the following:
 - New evidence has been discovered which materially affects the decision rendered; or
 - The decision is not supported by the evidence on record; or
 - Errors of law or irregularities have been committed prejudicial to the interest of the movant.
- Only one motion for reconsideration shall be entertained. If a second motion for reconsideration is filed notwithstanding its proscription, the finality of action shall be reckoned from the denial of the first motion for reconsideration. The filing of a motion for reconsideration within the reglementary period of fifteen (15) days shall stay the execution of the decision sought to be reconsidered.