



## SECTION 1. COMPLAINT. –

- a. A complaint or petition is a pleading alleging the cause or causes of action of the complainant or petitioner. The names and addresses of all complainants or petitioners and respondents must be stated in the complaint or petition. The facts of the case and supporting documents proving the cause of action if any, should also be included in the complaint.
- b. A party having more than one cause of action against a contractor, arising out of the same relationship, shall include all of them in one complaint or petition.

## SECTION 2. ANONYMOUS AND LETTER COMPLAINTS –

A                      and                      complaints shall be entertained only upon the presence of all the following requirements:

- a. The complaint is complete in itself
- b. There is obvious truth or merit to the allegations
- c. The allegations are supported by documentary and/or direct evidence
- d. The allegations may be verified by documents which are readily available for verification

If all the above requirements are present, PCAB shall make an investigation on the matter and require the contractor to comment on the complaint and verified documents available.

SECTION 4. FILING AND SERVICE OF PLEADINGS. -

- a. All pleadings in connection with a case shall be filed in PCAB via the Monitoring and Enforcement Division.
- b. , every party filing a pleading shall serve the opposing party with a copy and its supporting documents.
- c. Except for initiatory pleadings, no pleading shall be considered without proof of service to the opposing parties. Pleadings filed and simultatenuously served the other party, during a scheduled hearing set before the PCAB Monitoring and Enforcement Division, shall also be considered.

SECTION 5. SERVICE OF NOTICES, RESOLUTIONS, ORDERS, DECISIONS AND OTHER OFFICE PROCESSES. -

- a. Noti

- b. A non-lawyer may appear in any of the proceedings before the PCAB investigating officer but should be properly authorized by the party in writing. : in cases where the party is a corporation, the non-lawyer must be authorized via a notarized certification issued by the board secretary and attested to by the president of the corporation stating that the bearer is authorized to represent the said corporation in

The proceedings before the PCAB Monitoring and Enforcement Division shall be non-litigious in nature. Subject to the requirements of due process, the technicalities of law, procedure and the rules obtaining in the courts of law shall not strictly apply thereto.

The investigating officer shall avail of all reasonable means to ascertain the facts of the controversy speedily, including but not limited to clarificatory hearings, witness interview, ocular inspection and examination of well-informed persons.

#### SECTION 4. ISSUANCE OF SUMMONS. –

Within ten (10) business days from receipt of a complaint or amended complaint, the Monitoring and Enforcement Division shall issue the required summons, attaching thereto a copy of the complaint or amended complaint and its annexes, if any.

The summons shall specify the date, time and place of the initial hearings with two (2) settings. And the instructions for filing their Answer, Explanations and Comments.

#### SECTION 5. PROHIBITED PLEADINGS AND MOTIONS. –

The following pleadings and motions shall not be allowed and acted upon nor elevated to the BOARD:

- i. Motion to dismiss the complaint;
- ii. Motion for a bill of particulars;
- iii. Motion for new trial;
- iv. Petition for Relief from Judgment
- v. Motion to declare respondent in default;
- vi. Such other pleadings, motions and petitions of similar nature intended to circumvent above provisions

to, an ORDER:

- i. denying a motion to dismiss;
- ii. denying a motion to inhibit;
- iii. denying a motion for issuance of writ of execution; or
- iv. denying a motion to quash writ of execution.
- v. Such other pleadings, motions and petitions of similar nature intended to circumvent above provisions.

#### SECTION 6. NON-APPEARANCE OF PARTIES. –

- a. The non-appearance of the complainant or petitioner during the settings for hearing scheduled in the summons, despite due notice thereof, shall be a ground for the dismissal of the case without prejudice.
- b. In case of non-appearance by the respondent during the scheduled hearings despite being duly served with summons, he/she shall be considered to have waived his/her right to file its answer and explanation. In such cases, the Monitoring and Enforcement Division shall immediately terminate the proceedings and the Board shall thereupon render its Resolution/Decision on the basis of the evidence on record.

#### SECTION 7. DETERMINATION OF NECESSITY OF HEARING OR CLARIFICATORY CONFERENCE. -

Immediately after the submission by the parties of their pleadings, the investigation officer shall \_\_\_\_\_, determine whether there is a need for a hearing or clarificatory conference.

At this stage, the investigating officer may, at his discretion and for the purpose of making such determination, ask clarificatory questions to further elicit facts or information, including but not limited to the subpoena of relevant documentary evidence, if any, from any party or witness.

#### SECTION 8. NON-APPEARANCE OF PARTIES, AND POSTPONEMENT OF HEARINGS AND CLARIFICATORY CONFERENCES.



Fines shall not be less than Five Hundred Pesos (P500.00) nor more than Five Thousand Pesos (P5,000.00) to ensure compliance with decisions, orders or awards.

Filing of Criminal Action

Suspension and Blacklisting as STE or AMO

5F Executive Building Center  
369 Sen. Gil J. Puyat Ave., Makati City 1209, Philippines

(+632) 895.4258, (+632) 895.4220  
[ciap.dti.gov.ph](mailto:ciap.dti.gov.ph)

+639178482427  
[pcab@dti.gov.ph](mailto:pcab@dti.gov.ph)  
[ciappcab.main@gmail.com](mailto:ciappcab.main@gmail.com)