

OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS. MR. FRANCISCO P. BAGUIO, INTERPRETER III, REGIONAL TRIAL COURT, BRANCH 13, CEBU CITY, RESPONDENT.

A.M. NO. P-04-1880. March 18, 2005

Ponente: QUISUMBING, J.

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QUISUMBING, J.:

In a Letter dated March 12, 2003, Deputy Court Administrator Zenaida N. Elepaño informed Presiding Judge Meinrado P. Paredes, Regional Trial Court of Cebu City, Branch 13, that Francisco P. Baguio, Interpreter III of the same court, incurred tardiness 13 times for July, 11 times for September, 13 times for October, and 10 times for December 2002. Baguio was directed to explain why he should not be reprimanded pursuant to Civil Service Commission Memorandum Circular No. 23, series of 1998.[1] In his Letter dated April 11, 2003, Baguio replied that he resided 23 kilometers away from his workplace in Cebu City and at times, his tardiness was due to traffic.

In a Certification dated March 15, 2004, the Leave Division of the Office of Administrative Services also reported that Baguio was tardy 17 times in January and 15 times in February 2003.

In a Memorandum dated June 28, 2004, Court Administrator Presbitero J. Velasco, Jr. recommended that Baguio be reprimanded for habitual tardiness and warned that repetition of the same or similar offense would warrant severe penalty.

Mr. Baguio's habitual tardiness seriously compromises efficiency and hampers public service. He falls short of the stringent standard of conduct demanded from everyone connected with the administration of justice.[2] We have time and again said, officials and employees of the judiciary must be role models in the faithful observance of the constitutional canon that a public office is a public trust. Inherent in this mandate is the observance of the prescribed office hours and the efficient use of every moment for public service, if only to recompense the Government, and ultimately, the people, who shoulder the cost of maintaining the judiciary.[3] Strict observance of official time is therefore mandatory lest the dignity of the justice system be compromised.

Baguio's explanation of his habitual tardiness is unsatisfactory and we cannot countenance his cavalier attitude toward public service. We have previously ruled that moral obligations, performance of household chores, traffic problems, and health, domestic and financial concerns are not sufficient reasons to excuse habitual tardiness.[4]

Considering this is Baguio's first offense, the penalty of reprimand[5] is warranted.

WHEREFORE, FRANCISCO P. BAGUIO, Interpreter III, Regional Trial Court of Cebu City, Branch 13, is hereby REPRIMANDED for his habitual tardiness and WARNED that a repetition of the same or similar offense will warrant the imposition of a more severe penalty.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Ynares-Santiago, Carpio, and Azcuna, JJ., concur.

[1] . . .

Any employee shall be considered habitually tardy if he incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year.

[2] Office of the Court Administrator v. Barnedo, A.M. No. P-04-1888 (Formerly A.M. No. 04-6-334-RTC), 7 October 2004, p. 2.

[3] Administrative Circular No. 2-99, Strict Observance of Working Hours and Disciplinary Action for Absenteeism and Tardiness, dated 15 January 1999.

[4] Re: Imposition of Corresponding Penalties for Habitual Tardiness Committed During the Second Semester of 2002, A.M. No. 00-6-09-SC, 14 August 2003, 409 SCRA 9, 15.

[5] CSC Memorandum Circular No. 19, Series of 1999.

Rule IV – PENALTIES

Section 52.

C. . . .

4. Frequent unauthorized tardiness (Habitual Tardiness)

1st Offense

-

Reprimand

2nd Offense

-

Suspension 1-30 days

3rd Offense

-

Dismissal

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