

CRISTETA ORFILA, COMPLAINANT, VS. RONA S. QUIROZ, STENOGRAPHER III, RTC-BR. 18, MANILA, RESPONDENT.

A.M. No. P-97-1234. August 18, 1997

Ponente: PADILLA, J.

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PADILLA, J.:

This administrative matter arose from the undated letter-complaint of Cristeta Orfila, Utility Worker, Regional Trial Court, Branch 18, Manila, charging Rona Quiroz, Stenographer III, same court, with habitual tardiness and loafing around during office hours. It was alleged that respondent Quiroz frequently leaves the office during office hours without permission from her immediate superior or from the presiding judge of said court.

On 9 October 1996, Deputy Court Administrator Reynaldo L. Suarez, by way of 1[st] Indorsement, referred the matter to Judge Perfecto A.S. Laguio, Jr. for Comment and Recommendation, the same being within his authority as judge of RTC , Branch 18, Manila. Acting thereon, Judge Laguio issued a memorandum directing respondent Quiroz to submit her comment on the charges against her.

In her comment, respondent Quiroz denies the charges against her stressing that her daily time record will show that she has been regularly reporting for work. She claims that she has been performing “diligently and devotedly all the tasks assigned to her” which include transcribing her stenographic notes and typing court orders and decisions. She avers that the instant administrative complaint was filed by complainant Orfila against her merely in retaliation for the administrative complaint that she (respondent Quiroz) had earlier filed against herein complaint.

On 5 November 1996, Judge Laguio conducted a hearing during which complainant and respondent testified and adduced evidence to support their respective allegations. On 8 November 1996, respondent Quiroz furnished Judge Laguio with a copy of her supplemental comment dated 7 November 1996 which she filed with the Office of Court Administrator Alfredo L. Benipayo.

Thereafter, Judge Laguio submitted his report dated 6 December 1996 stating that:

“After a careful consideration of the testimonies of the complainant and the respondent, the undersigned Judge is inclined to believe the complainant. The fact that the complainant filed the complaint against the respondent in retaliation for the latter’s filing an administrative complaint against the former, is not detrimental to the complainant’s credibility, having in mind the probabilities of her allegations and respective characters of the two protagonists. On many occasions during the periods in question, the undersigned had called the respondent to take some dictation, but she was not around, and the undersigned had been told that she had just gone out for a while, or was in the ladies room (some of her officemates had covered up for her).

Considering that the acts complaint [sic] of are merely light service offenses (Memorandum Circular No. 8, series of 1970) it is respectfully recommended that a fine equivalent to five days salary be imposed on respondent.”

In a memorandum addressed to Chief Justice Andres R. Narvasa, dated 19 December 1996, Deputy Court

Administrator Suarez recommended that:

“Premises considered, the undersigned respectfully recommends that respondent Rona S. Quiroz be suspended for one (1) month without pay with a stern warning that a repetition of same or similar act in the future will be dealt with more severely. Likewise, it is recommended that complainant Cristeta Orfila be advised to settle amicably her differences with the respondent, an act that is expected especially of court employees.

The court is in accord with the findings of the Investigating Judge as well as the evaluation and report of the Office of the Court Administrator (OCA) particularly with respect to the charge that respondent Quiroz had been loafing on the job. Even the Investigating Judge himself attested to the veracity of this charge when he reported, and this we quote again, that:

“x x x On many occasions during the periods in question, the undersigned had called the respondent to take some dictation, but she was not around, and the undersigned had been told that she had gone out for a while, or was in the ladies room (some of her officemates had covered up for her).”

Respondent Quiroz did not directly deny this particular charge against her of loafing on the job. Her justification that her daily time record will show her daily presence in the office is unconvincing. One can simply enter in one's daily time record the time of arrival in the office, thereafter, leave the same and then just come back in the afternoon in time for the close of office hours. In such case, it would obviously appear in the daily time record that the employee was in the office the whole day when in fact, she was not.

The act of respondent Quiroz of frequently leaving the office during office hours necessarily hampers her efficiency as a court stenographer. It bears stressing that the conduct and behavior of everyone connected with an office charged with the dispensation of justice, from the presiding judge to the lowest clerk, is circumscribed with the heavy burden of responsibility. This Court cannot countenance any act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or even just tend to diminish the faith of the people in the judiciary. (Roque, et al. v. Grimaldo, A.M. No. P-95-1148, 30 July 1996; Re: Ms. Teresita S. Sabido, 242 SCRA 432 [1995])

In their respective reports, the Investigating Judge and the OCA have recommended different amounts of fine to be imposed as penalty on respondent Quiroz. The investigating Judge has recommended a fine equivalent to respondent Quiroz' five (5) days salary while the OCA has recommended a fine equivalent to her one (1) month salary. The Court finds the penalty recommended by the Investigating Judge to be the more appropriate penalty in this case as it involves merely light civil service offenses. But the Court chooses to impose a penalty in the amount of Two Thousand Pesos (P2,000.00).

The Court notes with disapproval the pervasive atmosphere of animosity between complainant Orfila and respondent Quiroz as evidenced by the fact that both have filed administrative charges against each other. It has also been brought to the Court's attention that a great deal of official time have already been wasted by them (complainant and respondent) in monitoring and spying on each other's actuations as bases for future complaints. Their conduct is certainly prejudicial to the best interest of the service and cannot be allowed to continue. The Court strongly urges complainant and respondent to amicably settle their differences at the soonest possible time. It is well to remind them that as court employees, they are, at all times, expected to act with strict propriety and decorum so as to earn and keep the public's respect for and confidence in the judicial service. (Gratela v. Yonzon, Jr., 256 SCRA 587 (1996); Tablate v. Tanjutco-Seechung, 234 SCRA 161 [1994])

ACCORDINGLY, the Court finds respondent Quiroz GUILTY of loafing on the job and imposes on her a FINE of Two Thousand (P2,000.00) Pesos, with WARNING that any repetition by her of the same or similar acts will be dealt with more severely.

Bellosillo, Vitug, Kapunan, and Hermosisima, Jr., JJ., concur.

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