

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
SERAFIN S. BASCO, COURT INTERPRETER II, MTCC, BRANCH 2,
ANTIPOLO CITY, RESPONDENT.**

A.M. No. P-08-2459 (Formerly A.M. No. 07-12-308- MTCC). July 23, 2008

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TINGA, J.:

Before us is an administrative matter which concerns the habitual tardiness of Serafin S. Basco (Basco), court interpreter II of the Municipal Trial Court in Cities of Antipolo City, Branch 2.

In a Report[1] dated 14 August 2007, Hermogena F. Bayani, chief judicial staff officer of the Office of Administrative Services, Office of the Court Administrator (OCA), certified that Basco has incurred tardiness as follows:

January 2007 12 times

February 2007 14 times

March 2007 15 times

April 2007 10 times

May 2007 14 times

June 2007 13 times

In his Letter[2] dated 6 October 2007, Basco expressed his regret for his tardiness but attributed the same to heavy traffic that he would encounter in his daily travel from his residence in Pasig City to his place of work. He also avers that he personally signs in and that he has not been remiss in his duties. Basco also points out that he had wanted to avail of the flexible working hour scheme under Civil Service Circular No. 14, Series of 1989 and OCA Circular No. 99-2003 but was discouraged by his Clerk of Court as their presiding judge might not favor such arrangement. As such, he often incurred tardiness.

The OCA found that Basco's explanation did not merit such consideration as to justify his habitual tardiness, and recommends that he be reprimanded with a warning that a repetition of the same or similar offense will warrant the imposition of a more severe penalty.

The Court adopts the OCA's findings and recommendations.

Civil Service Memorandum Circular No. 23, Series of 1998 describes habitual tardiness as follows:

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.

In 2007, Basco had been late at least or for more than ten times for the consecutive months of January to June. It

is clear that Basco is guilty of habitual tardiness. The explanation submitted by Basco that his tardiness is mainly due to heavy traffic is not tenable. Be it stressed that moral obligations, performance of household chores, traffic problems and health, domestic and financial concerns are not sufficient reasons to excuse habitual tardiness.[3]

Basco fell short of the stringent standard of conduct demanded of everyone connected with the administration of justice. By reason of the nature and functions of the Judiciary where he belongs, its employees must be role models in the faithful observance of the constitutional canons that public office is a public trust. Inherent in this mandate is the observance of prescribed office hours and the efficient use of every moment thereof for public service, if only to recompense the Government, and ultimately the people who shoulder the cost of maintaining the Judiciary. Thus, to inspire public respect for the justice system, court officials and employees are at all times behooved to strictly observe official time. As punctuality is a virtue, absenteeism and tardiness are impermissible.[4]

Section 52(c)(4), Rule VI of Civil Service Circular No. 19, Series of 1999 on the Revised Uniform Rules on Administrative Cases in the Civil Service, provides:

C. The following are Light Offenses with corresponding penalties:

...

4. Frequent unauthorized tardiness (Habitual Tardiness)

1st Offense - Reprimand

2nd Offense - Suspension 1-30 days

3rd Offense - Dismissal

...

It appearing that this is Basco's first offense, the penalty of reprimand is appropriate.[5]

WHEREFORE, Serafin S. Basco, Court Interpreter II of the Municipal Trial Court in Cities of Antipolo City, Branch 2, is found guilty of habitual tardiness and is hereby **REPRIMANDED** with a stern warning that a repetition of the same or similar offense shall be dealt with more severely.

SO ORDERED.

Quisumbing, (Chairperson), Carpio Morales, Velasco, Jr., and Brion, JJ., concur.

[1] Rollo, p. 2.

[2]Id. at 8-9.

[3]Re: Habitual Tardiness of Mrs. Natividad M. Calingao, Clerk III, RTC, Br. 255, Las Piñas City, A.M. No. P-05-2080, 5 October 2005, 472 SCRA 88, 90.

[4] Re: Habitual Tardiness of Ma. Socorro E. Arnaez, Court Stenographer III, RTC, Br. 18, Cebu City, A.M. No. P-04-1867 (Formerly A.M. No. 04-6-355-RTC), 23 September 2005, 470 SCRA 604, 606-607.

[5]Office of the Court Administrator v. Cunanan, A.M. No. P-05-2050 (Formerly A.M. No. 05-7-418-RTC), 10 March 2006, 484 SCRA 234, 237; Re: Habitual Tardiness of Mrs. Natividad M. Calingao, Clerk III, RTC, Br. 255, Las Piñas City, A.M. No. P-05-2080, 5 October 2005, 472 SCRA 88, 91; Re: Habitual Tardiness of Ma. Socorro E. Arnaez, Court Stenographer III, RTC, Br. 18, Cebu City, A.M. No. P-04-1867 (Formerly A.M. No.

04-6-355-RTC), 23 September 2005, 470 SCRA 604, 608; Office of the Court Administrator v. Baguio, A.M. No. P-04-1880 (Formerly A.M. No. 04-6-353-RTC) 18 March 2005, 453 SCRA 593, 597; Re: Habitual Tardiness of Julie M. Maycacayan, RTC, Br. 165, Pasig City, A.M. No. P-04-1847 (Formerly A.M. No. 04-5-286-RTC), 27 August 2004, 437 SCRA 192, 195.

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