

RE: ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) OF MR. ROBERT L. BORCILLO, UTILITY WORKER I, REGIONAL TRIAL COURT OF ILOILO CITY, BRANCH 28.

A.M. No. 07-7-343-RTC. September 05, 2007

Ponente: CORONA, J.

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CORONA, J.:

This administrative matter concerns Robert L. Borcillo, utility worker I in the Regional Trial Court (RTC) of Iloilo City, Branch 28, who has been absent without official leave (AWOL) since November 2006.

In a memorandum dated February 27, 2007,[1] Judge Loida J. Diestro-Maputol, presiding judge of Branch 28 of RTC Iloilo City, sent an official notice to Borcillo regarding his habitual absenteeism and non- submission of daily time records (DTRs). The memorandum read:

Despite the memoranda dated May 26, [2005], June 14, [2005], September 19, [2005] and [September] 29, 2005 calling your attention to your habitual absenteeism and your suspension for ten (10) days in the memorandum dated October 18, 2005 for the said infraction, it is noted that you have repeated your habitual absenteeism from October 2006 to January 2007, specifically on the following dates: October 9, 10, 11, 12, 13, 23, 26 and 27; November 2, 6, 9, 13, 15, 17, 20, 28 and 30; December 4, 11, 12, 19, 20, 21, 22, 27, 28 and 29, 2006; January 5, 8, 9, 12, 17, 19 [and] 23, 2007; and in the afternoons of October 3 and 25, 2006, and January 16, 2007.

It has also been observed that although you were present on the following dates of October 2 and 16, [2006,] November 3, 7, 8, 10, 14, 16, 21, 22, 23, 24, 27 and 30, [2006,] December 5, 2006 and January 11, 2007, you were not in the office during the prescribed office hours of the said dates.

Further, you have failed to submit your Daily Time Records for the months of November and December 2006, and January 2007.

In view of the foregoing, you are directed to explain in writing your incurred habitual absences and non-submission of your Daily Time Records within five (5) days from receipt of this Memorandum, with a stern warning that failure to comply will constrain the undersigned to recommend that you will be dropped from the rolls.

For strict compliance.[2]

Borcillo did not comply. To date, he has not submitted his Bundy cards or DTRs since November 2006. He has neither reported for work nor applied for leave.

The Office of the Court Administrator (OCA) approved the withholding of salaries and benefits of Borcillo as recommended by the Office of Administrative Services. In a memorandum dated June 22, 2007,[3] the OCA recommended that he be dropped from the rolls for being on AWOL and his position declared vacant.[4]

We approve the recommendation of the OCA.

Rule XVI, Section 63 of the Omnibus Civil Service Rules and Regulations, as amended by Circular No. 14, s. 1999, provides:

Section 63. Effect of absences without approved leave. An official or employee who is continuously absent without approved leave for at least thirty (30) calendar days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. He shall, however, be informed, at his address appearing on his 201 files, of his separation from the service, not later than five (5) days from its effectivity. xxx (emphasis supplied)

Thus, under civil service rules, Borcillo should be separated from the service or dropped from the rolls on account of his continued unauthorized absence since November 2006.

A court employee who goes on AWOL for a prolonged period of time disrupts the normal functioning of the organization[5] and delays its operations. His conduct is prejudicial to the best interest of public service.[6] It contravenes a public servant's duty to serve the public with utmost degree of responsibility, integrity, loyalty and efficiency.[7] It also manifests disrespect to his superiors and colleagues, in particular, and the service and the public at large, in general.[8]

By going on AWOL, Borcillo grossly disregarded and neglected the duties of his office. He failed to adhere to the high standards of public accountability imposed on all those in government service.[9]

The conduct and behavior of all court personnel are 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 violates the norm of public accountability and diminishes or tends to diminish the faith of the people in the judiciary.[10]

Accordingly, Robert L. Borcillo, utility worker I in Branch 28 of the Regional Trial Court of Iloilo City, is hereby DROPPED from the rolls and his position declared VACANT.

Let copies of this resolution be served on Borcillo at his address appearing in his 201 file pursuant to Rule XVI, Section 63 of the Omnibus Civil Service Rules and Regulations, as amended, and appended to his records.

SO ORDERED.

Puno, C.J., (Chairperson), Sandoval-Gutierrez, Azcuna, and Garcia, JJ., concur.

[1] Rollo, p. 3.

[2] Id.

[3] Id., pp. 1-2.

[4] Id.

[5] Re: Absence Without Official Leave of Ms. Fernandita B. Borja, A.M. No. 06-1-10-MCTC, 13 April 2007.

[6] Re: Absence Without Official Leave of Mr. Basri A. Abbas, A.M. No. 06-2-96-RTC, 31 March 2006, 486 SCRA 32.

[7] Re: Absence Without Official Leave of Ms. Fernandita B. Borja, *supra*.

[8] Id.

[9] Id.

[10] Re: Absence Without Official Leave of Mr. Basri A. Abbas, *supra*.

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