

OFFICE OF THE COURT ADMINISTRATOR, PETITIONER, VS. MYRENE C. BALISI, COURT STENOGRAPHER II, METROPOLITAN TRIAL COURT (METC), BRANCH 29, MANILA, RESPONDENT.*A.M. No. 08-1-11-MeTC. August 11, 2008*

Ponente: BRION, J.

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A Report of Tardiness submitted by the Leave Division of the Office of the Court Administrator (OCA) on November 28, 2007, shows that Myrene C. Balisi, Court Stenographer II, Metropolitan Trial Court (MeTC), Branch 29, Manila, had been tardy in going to her office, eleven (11) times in February and fourteen (14) times in April 2007.

Required to comment on the Report, Ms. Balisi admitted her tardiness. She, however, reasoned out that before she could leave for the office, she has to attend to her 5-year old daughter whose nanny left and went home to the province. She could report for work on time only when she leaves her daughter to the care of her mother.

In her evaluation report, Court Administrator Zenaida N. Elepaño found that respondent "had indeed violated the rule on tardiness." According to her, Ms. Balisi's explanation does not merit consideration to justify her tardiness. Hence, Court Administrator Elepaño submitted the following recommendation:

Respectfully submitted for the consideration of the Honorable Court recommending that this be RE-DOCKETED as a regular administrative matter; that Ms. Myrene C. Balisi, Court Stenographer II, MeTC, Branch 29, Manila, be REPRIMANDED for habitual tardiness and WARNED that a repetition of the same or similar offense will warrant the imposition of a more severe penalty.

Under CSC Memorandum Circular No. 04, Series of 1991, an officer or employee of the civil service is 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 for at least two (2) consecutive months.[1] To ensure its observance, it was circularized in the Court on May 5, 1998 for the information and guidance of all its officials and employees.

The policy on absenteeism and tardiness was reiterated by the Court with the issuance of Administrative Circular No. 2-99 dated February 15, 1999 which provides that: Absenteeism and Tardiness, even if such do not qualify as "habitual" or "frequent" under CSC Memorandum Circular No. 04, S. 1991, shall be dealt with severely, and falsification of daily time records to cover-up for such absenteeism and/or tardiness shall constitute gross dishonesty and serious misconduct. This was further reiterated by the Court in Administrative Circular No. 14-2002, dated March 18, 2002.

In a long line of cases involving employees of the Court, the respondents offered varied excuses for coming late to their offices. However, the Court had consistently ruled that non-office obligations, household chores, and domestic concerns are not sufficient reasons to excuse or justify habitual tardiness.[2] Hence, Ms. Balisi's reason for her tardiness, that she has to attend to the need of her 5-year old daughter before going to her office, cannot

free her from her infractions. The Court cannot countenance such infraction as it seriously compromises efficiency and hampers public service. By being habitually tardy, Ms. Balisi has fallen short of the stringent standard of conduct demanded from everyone connected with the administration of justice.[3]

We have repeatedly reminded officials and employees of the Judiciary that by reason of the nature and functions of their office, they must be role models in the faithful observance of the constitutional canon that public office is a public trust.[4] A way of doing this is through the strict observance of prescribed office hours and the efficient use of every working moment, if only to give back the true worth of what the Government, and ultimately, the people, pay in maintaining the Judiciary.[5] 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.[6]

Under Section 52(c)(4), Rule VI of CSC Memorandum Circular No. 19, Series of 1999, habitual tardiness is penalized as follows: first offense, reprimand; second offense, suspension for 1 to 300 days; and third offense, dismissal from the service.

WHEREFORE, we find respondent Myrene C. Balisi, Court Stenographer II, Branch 29, MeTC, Manila GUILTY of habitual tardiness. This being Ms. Balisi's first offense, she is hereby REPRIMANDED with WARNING that a repetition of the same or similar offense in the future will be dealt with more severely.

SO ORDERED.

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

[*] Designated additional member of the Second Division per Special Order No. 512 dated July 16, 2008.

[1] Re: Imposition of Corresponding Penalties for Habitual Tardiness Committed During the Second Semester of 2002, A.M. No. 00-6-09-SC, August 14, 2003, 409 SCRA 1, 8.

[2] Ibid, citing Re: Imposition of Corresponding Penalties on Employees of this Court for Habitual Tardiness Committed During the Second Semester of 2000, 393 SCRA 9 (2002).

[3] Ibid.

[4] 1987 Constitution, Article XI, Section 1; Re:Imposition of Corresponding Penalties for Habitual Tardiness Committed During the Second Semester of 2002, supra note 1.

[5] Ibid.

[6] Ibid.

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