

RE: DROPPING FROM THE ROLLS OF MS. CAROLYN C. ARCANGEL

A.M. NO. 2005-27-SC. March 31, 2006

Ponente: CORONA, J.

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CORONA, J.:

This administrative matter concerns Ms. Carolyn C. Arcangel, human resource management assistant in the Leave Division of the Office of the Court Administrator (OCA).

On August 25, 2005, Ms. Gloria P. Kasilag, SC chief judicial staff officer in the Employees Leave Division of the Office of Administrative Services (OAS), referred Ms. Arcangel's absence without official leave (AWOL) since July 21, 2005 to the Complaints and Investigation Division of the OAS. The OAS immediately sent a memorandum[1] to Ms. Arcangel at her residence directing her to report back for work within five days from receipt thereof and to submit an explanation why no disciplinary action should be taken against her for violation of Civil Service rules and regulations.

On September 2, 2005, Ms. Arcangel submitted her explanation. She claimed that, together with her mother and brother, she personally took care of an aunt who had been hospitalized from July 18, 2005 to the second week of August 2005 due to a fractured hip bone. It was allegedly never her intention to absent herself from work but her duty to a relative who was in need of care and attention prevented her from performing her responsibilities as an employee of the Court. She further alleged that she got sick and was almost hospitalized due to fatigue and exhaustion, thus her prolonged absence.

On October 12, 2005, Ms. Hermogena F. Bayani, SC chief judicial staff officer in the Leave Division of the OCA, sought the help of the OAS in serving her letter dated October 6, 2005 on Ms. Arcangel. The letter directed her to explain why the leave cards of some lower court personnel in her custody were missing. She was required to turn over the leave cards and other pertinent documents in her possession to the Leave Division of the OCA within forty-eight hours from receipt of the letter.[2]

In her October 21, 2005 memorandum, Atty. Eden Candelaria, Deputy Clerk of Court and chief of the OAS, stated that Ms. Arcangel had neither reported back for work nor filed an application for a leave of absence. She likewise failed to account for the missing leave cards in her possession. Atty. Candelaria recommended that Ms. Arcangel be dropped from the rolls since she had been on AWOL for three months already.

To date, Ms. Arcangel still has not reported for work.

The Court finds Atty. Candelaria's recommendation in order.

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. x x x

Under Civil Service rules therefore, Ms. Arcangel should be separated from the service or dropped from the rolls by reason of her continued absence without official leave since July 21, 2005.

A court employee's absence without leave for a prolonged and unreasonable period of time constitutes conduct prejudicial to the best interest of public service.[3] It directly runs contrary to a public servant's obligation to serve the public with utmost responsibility, integrity, loyalty and efficiency. By going on AWOL, Ms. Arcangel disregarded and neglected the duties of her office. She prejudiced public service because her fellow employees were constrained to perform her tasks in addition to their respective duties during her absence. Worse, she unlawfully and irresponsibly retained documents in her custody and failed to comply with the demand to turn them over to the Leave Division of the OCA.

The conduct and behavior of all court personnel 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 violates the norm of public accountability and diminishes or tends to diminish the faith of the people in the judiciary.[4]

WHEREFORE, Carolyn C. Arcangel, human resource management assistant in the Leave Division of the Office of the Court Administrator, is hereby DROPPED from the rolls. She is further ordered to immediately account for, within three days from receipt of this resolution, all missing leave cards and other documents pertaining to leave matters of lower court employees in her custody and to return them to the Leave Division of the Office of the Court Administrator. Otherwise, criminal action shall be taken against her.

In this connection, Mrs. Hermogena F. Bayani, SC chief judicial staff officer in the Leave Division of the Office of the Court Administrator, is hereby directed to determine what documents are still in the possession of Ms. Arcangel.

Let a copy of this resolution be served on Ms. Arcangel at her address appearing in her 201 file pursuant to Rule XVI, Section 63 of the Omnibus Civil Service Rules and Regulations, as amended.

SO ORDERED.

Panganiban, C.J., Puno, Quisumbing, Ynares-Santiago, Sandoval-Gutierrez, Carpio, Austria-Martinez, Carpio Morales, Callejo, Sr., Azcuna, Tinga, Chico-Nazario, and Garcia, JJ. concur.

[1] Dated August 25, 2005.

[2] The letter was personally served at Ms. Arcangel's residence on October 12, 2005.

[3] Re: Absence Without Official Leave of Mr. Gregorio B. Faraon, A.M. No. 04-12-691-RTC, 18 February 2005, 452 SCRA 12.

[4] Id.

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