

(RE: ALLEGED DISHONESTY AND FALSIFICATION OF CIVIL SERVICE ELIGIBILITY OF MR. SAMUEL R. RUNEZ, JR., CASHIER III, CHECKS DISBURSEMENT DIVISION, FINANCIAL MANAGEMENT OFFICE – OFFL...

A.M. No. 2019-18-SC. January 28, 2020

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PER CURIAM:

Antecedents

Samuel R. Runez, Jr. currently holds the position of Cashier III, Checks Disbursement Division, Financial Management Office, Office of the Court Administrator. He has worked with the Court in different capacities for almost thirty-five (35) years.

Acting on confidential reports that he did not actually pass the Civil Service Professional Examination, the Office of Administrative Services (OAS) discovered that his 201 file did not bear a Certificate of his Civil Service Professional Level Eligibility. What his 201 file contained was his Letter dated October 4, 1999 which he submitted to the Court's Selection and Promotion Board, claiming he had a Civil Service Professional Level Eligibility in support of his application for the position of Cashier II.[1] His 201 file also contained several Personal Data Sheets[2] which he submitted to the Court. In all these Personal Data Sheets, he declared that he obtained a rating of 80.51% in the May 16, 1999 Civil Service Professional Examination.

In response to the query of the OAS pertaining to the Civil Service Professional Level Eligibility of Runez, Jr., the Civil Service Commission (CSC), under Letter dated October 4, 2019, replied that based on its Master List of Passing/Failing Examinees in the May 16, 1999 Civil Service Professional Examination Runez, Jr. failed. He obtained a rating of 36.51%. The OAS, thus, required Runez, Jr. to explain why no administrative action should be taken against him for falsification of official document and serious dishonesty.

In his Explanation Letter dated October 24, 2019, Runez, Jr. stated that he already had a Civil Service Professional Level Eligibility since May 13, 1994. He obtained a passing mark of 80.51% in the May 16, 1999 Civil Service Professional Examination. The Certificate of Civil Service Professional Level Eligibility dated May 31, 1999 that was mailed to him indicated this rating. He attached photocopies of his Certificate of Civil Service Professional Level Eligibility to his Explanation Letter and signified his readiness to present its original copy, if needed. He maintained that he never had any reason to doubt the authenticity of his Certificate of Civil Service Professional Level Eligibility. In fact, when he got appointed as Cashier II on February 15, 2000 and subsequently promoted to Cashier III on June 12, 2003, his appointment papers showed "PINAGTIBAY" on its face above the signature of CSC Director Arturo S.J. Panaligan. If he were not qualified, the CSC would not have approved his appointments.

The OAS sought another confirmation from the CSC, this time, enclosing photocopies of Runez, Jr.'s Certificate of Civil Service Professional Level Eligibility dated May 31, 1999, including its mail envelope.

By Letter dated November 12, 2019, the CSC clarified that, while Runez, Jr. had a Civil Service Proofreader (Sub-Professional) Eligibility as of May 13, 1994, he did not pass the May 16, 1999 Civil Service Professional Examination where he obtained a fail rating of 36.51%. The records on file with the Integrated Management Office of the CSC Central Office, as well as the Regional Register of Eligibles of the CSC Examination Services Division, invariably yielded these results.

When afforded another opportunity to comment on the CSC Report, Runez, Jr. said he had nothing more to say, albeit he emphasized that during his entire employment with the Court, he consistently received a "very satisfactory rating." He further asked that the charges against him be dismissed.

OAS Memorandum dated January 24, 2020

In its Memorandum dated January 24, 2020, the OAS found Runez, Jr. guilty of falsification of official document and serious dishonesty. It recommended that he be dismissed from the service with forfeiture of all retirement benefits, except accrued leave credits, and with prejudice to re-employment with government.

Ruling

The Court adopts in full the findings and recommendation of the OAS in its Memorandum dated January 24, 2020.

The CSC consistently confirmed that Runez, Jr. obtained a fail rating of 36.51% in the May 16, 1999 Civil Service Professional Examination as shown by its Master List of Passing/Failing Examinees in the May 16, 1999 Civil Service Professional Examination. More, Runez, Jr.'s name does not appear in its Regional Register of Eligibles. These official records bear the highest probative value. Every entry found therein is presumed genuine and accurate, unless proven otherwise.[3]

There is no doubt, therefore, that Runez, Jr.'s Certificate of Civil Service Professional Level Eligibility dated May 31, 1999 is spurious. His act of using a falsified Certificate of Civil Service Professional Level Eligibility for the purpose of securing employment with the Court and later supporting his bid for promotion constitutes falsification of official document and serious dishonesty.

In the absence of a satisfactory explanation, a person who has in his or her possession or control a falsified document and who makes use of the same, is presumed to be the forger or the one who caused its forgery.[4]

Here, Runez, Jr. is presumed to have falsified his Certificate of Civil Service Professional Level Eligibility dated May 31, 1999. Notably, Runez, Jr. did not adduce any single piece of evidence to rebut this presumption. He is, thus, guilty of falsification of official document.

On the charge of serious dishonesty, we reckon with the basic definition of dishonesty. It is the disposition to lie, cheat, deceive or defraud; untrustworthiness; lack of integrity; lack of honesty, probity or integrity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray.[5] Although dishonesty covers a broad spectrum of conduct, CSC Resolution No. 06-0538 sets the criteria for determining the severity of dishonest acts.[6]

According to Section 3 of CSC Resolution No. 06-0538, for dishonesty to be considered serious, any of the following circumstances must be present:

- 1.

The dishonest act caused serious damage and grave prejudice to the government;

- 2.

The respondent gravely abused his authority in order to commit the dishonest act;

3.

Where the respondent is an accountable officer, the dishonest act directly involves property; accountable forms or money for which he is directly accountable; and respondent shows intent to commit material gain, graft and corruption;

4.

The dishonest act exhibits moral depravity on the part of the respondent;

5.

The respondent employed fraud and/or falsification of official documents in the commission of the dishonest act related to his/her employment;

6.

The dishonest act was committed several times or on various occasions;

7.

The dishonest act involves a Civil Service examination irregularity or fake Civil Service eligibility such as, but not limited to, impersonation, cheating and use of crib sheets.

8

Other analogous circumstances. (Emphasis supplied)

Here, 5, 6, and 7 characterized Runez, Jr.'s act of dishonesty. He employed fraud and/or falsification in falsely declaring under oath that he was a Civil Service Professional Level Eligible. He committed this act of dishonesty on various occasions. Last, his act of dishonesty involved the use of a fake Certificate of Civil Service Professional Level Eligibility. He, therefore, becomes liable for serious dishonesty.

Section 50 of the Revised Rules on Administrative Cases in the Civil Service classifies both falsification of official document and serious dishonesty as grave offenses that warrant the penalty of dismissal from the service.

The Court has repeatedly held that the image of a court of justice is mirrored in the conduct, official or otherwise, of its personnel. In truth, all court personnel are mandated to adhere to the strictest standards of honesty, integrity, morality, and decency. In order to preserve the good name and integrity of the courts of justice, they must exemplify the highest sense of honesty and integrity.[7]

Undoubtedly, Runez, Jr. has no place in the Judiciary, where only those possessing integrity, honesty, competence, and independence of mind are summoned to answer the clarion's call of public office.[8] As a court employee, it was expected of Runez, Jr. to set a good example for other court employees in the standards of propriety, honesty, and fairness. It was expected of him to practice a high degree of work ethic and to abide by the exacting principles of ethical conduct and decorum.[9] Indubitably, Runez, Jr. failed to meet these standards, having placed his personal interest over the interest of the Court. Indeed, his infractions besmirched the public perception of the image of the Court and cast serious doubt as to the ability of the Court to effectively exercise its power of administrative supervision over its employees.[10]

WHEREFORE, Samuel R. Runez, Jr., Cashier III, Checks Disbursement Division, Financial Management Office, Office of the Court Administrator, is **LIABLE** for the administrative offenses of **FALSIFICATION OF OFFICIAL DOCUMENT** and **SERIOUS DISHONESTY**. He is **DISMISSED** from the service. The Court

ORDERS the FORFEITURE of all of his retirement benefits, except accrued leave credits. He is PERPETUALLY BANNED from re-employment in any branch or instrumentality of the government, including any government- owned or controlled corporations.

Let a copy of this Decision be furnished to the Civil Service Commission.

SO ORDERED.

Peralta, (C.J.), Perlas-Bernabe, Leonen, Caguioa, Gesmundo, J. Reyes, Jr., Carandang, Lazaro-Javier, Inting, Zalameda, Lopez, Delos Santos and Gaerlan, JJ., concur.

A. Reyes, Jr., and Hernando, JJ., on official leave.

[1] This position requires Civil Service Professional Level Eligibility. This requirement also applies to his current position that he was promoted to on June 12, 2003.

[2] Dated December 9, 2002, April 7, 2005, and April 26, 2017, as they appear in his 201 file.

[3] Civil Service Commission v. Cayobit, 457 Phil. 452, 460-461 (2003).

[4] Pacasum v. People, 603 Phil. 612, 636-637 (2009).

[5] Committee on Security and Safety, Court of Appeals v. Dianco, et al., 760 Phil. 169, 188 (2015).

[6] Id.

[7] Floria v. Sunga, 420 Phil. 637, 650 (2001).

[8] Re: Spurious Certificate of Eligibility of Tessie G. Quires, Regional Trial Court, Office of the Clerk of Court, Quezon City, 523 Phil. 21, 31 (2006).

[9] Supra note 7.

[10] Id.

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