

RE: REPORT ON THE HABITUAL ABSENTEEISM OF MS. TERESITA S. SABIDO, COURT STENOGRAPHER, 4TH MUNICIPAL CIRCUIT TRIAL COURT, CAMALIG-JOVELLAR, ALBAY.

A.M. No. 94-3-20-MCTC. March 17, 1995

Ponente: BELLOSILLO, J.

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BELLOSILLO, J.:

In his letter of 14 October 1993 Judge Pedro R. Soriao, Presiding Judge, 4th Municipal Circuit Trial Court, Camalig-Jovellar, Albay, charges Ms. Teresita S. Sabido, his court stenographer, with habitual absenteeism. He alleged that Ms. Sabido incurred absences of 100 working days [1] from January to September 1993 without his approval as the presiding judge. Moreover, her Daily Time Records (DTRs) covering the period of two (2) to three (3) years show an equivalent number of absences, if not more. He claims that Ms. Sabido's conduct is lowering the court's morale. Judge Soriao recommends that proper disciplinary action be taken against Ms. Sabido by detailing her elsewhere and that she be fined an amount equivalent to her one (1) month salary as penalty for her unexcused absences. [2]

In her Comment dated 28 May 1994 Ms. Sabido claims that while there were indeed occasions when she was absent from work her absences are supported by proper documents such as medical certificates approved by the Leave Section of the Supreme Court. She also alleges that Judge Soriao just wants to remove her as his court stenographer and that the accusation is but a manifestation of his dislike for and prejudice against her. [3]

In our Resolution of 21 June 1994, we referred the letter of Judge Pedro R. Soriao to Executive Judge Rafael P. Santelices of the Regional Trial Court of Legaspi City for investigation, report and recommendation. [4]

In his Report of 17 October 1994, Investigating Judge Rafael P. Santelices found Ms. Sabido guilty as charged. He observed that as early as 1991 then Acting Presiding Judge of the 4th MCTC, Camalig--Jovellar, complained of Ms. Sabido's frequent absences of which she had been declared in contempt of court. Judge Santelices added that the records revealed that Ms. Sabido was usually absent on Fridays. He surmised that on Fridays she would go home to Polangui, Albay. The indorsements of Atty. Adelaida Cabe-Baumann, Deputy Clerk of Court and Chief Administrative Officer to the effect that some of Ms. Sabido's absences were considered as leaves do not erase the fact that she incurred absences, successively at that. As Judge Santelices put it, "this did not speak well of a disciplined, conscientious, diligent and industrious government employee. [5]

Executive Judge Santelices recommends the suspension of Ms. Sabido for six (6) months without pay pursuant to Sec. 22, par. (q), Rule XIV, of the Omnibus Rules Implementing Book V of the Civil Service Law (E.O. No. 292) which provides among others that frequent unauthorized absences or tardiness in reporting for duty, loafing or frequent unauthorized absences during regular office hours carries a penalty of suspension of six (6) months and one (1) day to one (1) year for the first offense, and dismissal for the second offense.

We agree with the findings and recommendation of the Investigating Executive Judge. As may be gleaned from the records Ms. Sabido as a public officer and public servant has been remiss in the performance of the duties of

her office which demands utmost dedication and efficiency.

It bears repeating that a public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives. [6] The conduct and behavior of everyone connected with an office charged with the dispensation of justice is circumscribed with the heavy burden of responsibility. [7] This Court cannot countenance any act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or even just tend to diminish the faith of the people in the Judiciary. [8]

WHEREFORE, as recommended by Executive Judge Rafael P. Santelices, we find Ms. Teresita S. Sabido, Stenographer I, 4th MCTC Camalig-Jovellar, Albay, GUILTY of unauthorized habitual absenteeism, neglect of duty and inefficiency in accordance with the Civil Service Law and resolve to SUSPEND her from the service for six (6) months without pay commencing on the day immediately following her receipt of a copy of this Resolution, with a warning that repetition of the same or similar act in the future will be dealt with more severely.

SO ORDERED.

Padilla, (Chairman), Davide, Jr., Quiason, and Kapunan, JJ., concur.

[1] In the Report of Atty. Adelaida Cabe-Baumann, Deputy Clerk of Court and Chief Administrative Officer, Supreme Court, the correct figure is 184 days.

[2] Letter-Complaint of Judge Pedro R. Soriano, Rollo , p. 7.

[3] Comment, Rollo , p. 9.

[4] Resolution, 21 June 1994, Rollo , p. 15.

[5] Report of Judge Rafael P. Santelices, 17 October 1994, Rollo , p. 4.

[6] Sec. 1, Art. XI, 1987 Constitution.

[7] Office of the Court Administrator v. Estacion, A.M. No. RTJ-87-104, 11 January 1990, 181 SCRA 33, 35.

[8] Sy v. Academia, Adm. Matter No. P-87-72, 3 July 1991, 198 SCRA 705, 717.

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