

OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS. MR. WILHELM A. BARNEDO, UTILITY WORKER I, RTC- OCC, PASIG CITY, RESPONDENT.

A.M. No. P-04-1888. October 07, 2004

Ponente: QUISUMBING, J.

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QUISUMBING, J.:

In a Letter dated February 18, 2004 Deputy Court Administrator Christopher O. Lock informed Executive Judge Jose R. Hernandez, RTC-OCC, Pasig City, that Wilhelm A. Barnedo, Utility Worker I, RTC-OCC, Pasig City incurred tardiness eleven (11) times for each month of June and July 2003.

When directed to explain within seventy-two hours (72) from receipt why no administrative sanction, pursuant to Civil Service Commission Memorandum Circular No. 23, Series of 1998,[1] should be imposed against him for incurring the aforesaid tardiness, Mr. Barnedo, in a Letter dated March 11, 2004, replied that he had been tardy because as a father he shared the responsibility of administering medication to his son who was afflicted with primary complex.

In a Memorandum dated June 7, 2004, Court Administrator Presbitero J. Velasco, Jr., recommended that Mr. Barnedo be reprimanded for being habitually tardy and warned that a repetition of the same would warrant the imposition of a more severe penalty.

We agree with the Court Administrator's recommendation.

Mr. Barnedo's administrative offense seriously compromises efficiency and hampers public service. By being habitually tardy, an employee falls short of the stringent standard of conduct demanded from everyone connected with the administration of justice. By reason of the nature and functions of their office, officials and employees of the Judiciary must be role models in the faithful observance of the constitutional canon that public office is a public trust.[2] Inherent in this mandate is the observance of prescribed office hours and the efficient use of every moment for public service, if only to recompense the Government, and ultimately, the people who shoulder the cost of maintaining the Judiciary.[3] 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.[4]

We have likewise ruled that moral obligations, performance of household chores, traffic problems, health conditions, domestic and financial concerns are not reasons to excuse habitual tardiness.[5]

Under Sec. 52 (C)(4), Rule IV of CSC Memorandum Circular No. 19, Series of 1999, habitual tardiness is penalized as follows:

First Offense Reprimand

Second Offense Suspension for 1-30 days

Third Offense Dismissal from the service

WHEREFORE, WILHELM A. BARNEDO, Utility Worker I, RTC-OCC, Pasig City, is REPRIMANDED for being habitually tardy and WARNED that a repetition of the same or a similar offense will warrant the imposition of a more severe penalty.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Ynares-Santiago, and Carpio, JJ., concur.
Azcuna, J., on leave.

[1] Any employee shall be 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 at least two (2) consecutive months during the year.

[2] Re: Imposition of Corresponding Penalties for Habitual Tardiness Committed During the First and Second Semester of 2003, A.M. No. 00-06-09-SC, 16 March 2004, p. 15.

[3] Administrative Circular No. 2-99, Strict Observance of Working Hours and Disciplinary Action for Absenteeism and Tardiness, dated 15 January 1999.

[4] Administrative Circular No. 1-99, Enhancing the Dignity of Courts as Temples of Justice and Promoting Respect for their Officials and Employees, dated 15 January 1999.

[5] Re: Imposition of Corresponding Penalties for Habitual Tardiness Committed During the Second Semester of 2002, A.M. No. 00-6-09-SC, 14 August 2003, 409 SCRA 9, 15.

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