

EN BANC

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

**(RE: ALLEGED DISHONESTY AND FALSIFICATION OF CIVIL
SERVICE ELIGIBILITY OF MR. SAMUEL R. RUNEZ, JR., CASHIER
III, CHECKS DISBURSEMENT DIVISION, FINANCIAL
MANAGEMENT OFFICE - OFFICE OF THE COURT
ADMINISTRATOR)**

D E C I S I O N

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.