

SECOND DIVISION

[A.M. No. 15-02-47-RTC, March 21, 2018]

**RE: REPORT OF EXECUTIVE JUDGE SOLIVER C. PERAS,
REGIONAL TRIAL COURT OF CEBU CITY (RTC), BRANCH 10, ON
THE ACTS OF INSUBORDINATION OF UTILITY WORKER I
CATALINA Z. CAMASO, OFFICE OF THE CLERK OF COURT, RTC.**

R E S O L U T I O N

PERLAS-BERNABE, J.:

This administrative matter stemmed from a Complaint for Gross Insubordination (With a Request for Psychiatric Evaluation)^[1] dated November 5, 2014 filed before the Office of the Court Administrator (OCA) by Executive Judge Soliver C. Peras (Judge Peras) of the Regional Trial Court of Cebu City (RTC), Branch 10, against Catalina Z. Camaso (Camaso), Utility Worker I, Office of the Clerk of Court, RTC.

The Facts

In his complaint, Judge Peras alleged that on September 10, 2014, he issued a Memorandum^[2] temporarily detailing Camaso to Branch 10 to assist in the filing, delivery, and mailing of letters and correspondences in the said court.^[3] As Camaso neither reported to the same branch nor proffered an explanation therefor, Judge Peras sent her two (2) subsequent memoranda^[4] directing her to explain in writing such non-compliance; however, Camaso ignored such directives.^[5] Further, Judge Peras averred that Camaso has been acting and behaving "strangely and abnormally," as exhibited by the latter's following acts: (a) claiming that she will not retire upon reaching the age of 65, citing that she is a "national employee;" and (b) sitting on top of the backrest of a chair and resting her feet on the seat of the same chair, placing herself in danger of falling.^[6] In view of the foregoing, Judge Peras requested the OCA to conduct a psychiatric evaluation on Camaso to determine her fitness to work. Further, should the evaluation yield normal results, he requested the conduct of an administrative investigation against Camaso on the ground of gross insubordination.^[7]

On the basis of Judge Peras's allegations, the OCA issued a Memorandum^[8] dated September 10, 2015 recommending that the matter be referred to Dr. Prudencio P. Banzon, Jr. (Dr. Banzon), Senior Chief Staff Officer of the Court's Medical and Dental Services, for the conduct of a neuro-psychiatric evaluation on Camaso and a report be submitted thereafter.^[9] Subsequently, Dr. Banzon submitted a letter^[10] dated April 28, 2016, attaching thereto the Neuro-Psychiatric Evaluation Report,^[11] as well as the Psychological Report^[12] of Camaso. In the said letter, Dr. Banzon stated that the examinations done on Camaso indicate that she is suffering from *Delusional Disorder, Mixed Type (Grandiose and Persecutory)*, and that in the absence of psychiatric management, she will be unable to maintain good inter-personal

relationships with her co-workers.^[13] In light thereof, the OCA issued a Memorandum^[14] dated January 23, 2017 recommending that Camaso be required to comment on why she should not be dropped from the rolls for being mentally unfit.^[15]

In her handwritten Letter-Comment,^[16] Camaso averred that she was just following a certain administrative order which provides that employees of the lower court are not required to be assigned to any office outside of their job description. She further maintained that Judge Peras's imputation of gross insubordination has no basis, contending that Judge Peras has no jurisdiction over her as she is assigned to the RTC Library, which is under the supervision of the OCA.^[17]

The OCA's Report and Recommendation

In a Memorandum^[18] dated December 6, 2017, the OCA recommended that Camaso be dropped from the rolls without forfeiture of any benefits due her, for being mentally unfit to perform her duties.^[19]

Giving credence to the findings of the psychologist and psychiatrist who examined Camaso, the OCA found that the latter's mental incapacity impairs her efficiency and usefulness in the workplace and her ability to relate to her fellow employees. In this regard, the OCA opined that her situation would adversely affect the performance of her co-employees and that it would be unfair to them, to other deserving applicants, and to the public if Camaso is allowed to continue her employment in the name of mercy and compassion.^[20]

The Issue Before the Court

The essential issue in this case is whether or not Camaso should be dropped from the rolls for being mentally unfit to perform her duties.

The Court's Ruling

The Court adopts the findings and the recommendations of the OCA.

Section 93 of the Revised Rules on Administrative Cases in the Civil Service (RRACCS)^[21] authorizes and provides the procedure for the dropping from the rolls of employees who, *inter alia*, are no longer fit to perform his or her duties. Portions of this provision pertinent to this case read:

Section 93. *Grounds and Procedure for Dropping from the Rolls.* — Officers and employees who are x x x shown to be physically and mentally unfit to perform their duties may be dropped from the rolls subject to the following procedures:

c. Physically Unfit

x x x x

3. An officer or employee who is behaving abnormally and manifests continuing mental disorder and incapacity to work as reported by his/her co-workers or immediate supervisor and confirmed by a competent physician, may likewise be dropped from the rolls.