

SECOND DIVISION

[A.M. No. P-17-3634 [Formerly A.M. No. 16-04-94-RTC], March 01, 2017]

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
ENRIQUE I. ALFONSO, COURT STENOGRAPHER III, REGIONAL
TRIAL COURT, BRANCH 52, MANILA, RESPONDENT.**

D E C I S I O N

MENDOZA, J.:

In its Certification,^[1] dated April 20, 2016, the Employees' Leave Division (*ELD*), Office of Administrative Services (*OAS*), Office of the Court Administrator (*OCA*), stated that respondent Enrique I. Alfonso (*Alfonso*), Court Stenographer III, Regional Trial Court, Branch 52, Manila (*RTC*), incurred unauthorized absences for 2015 as follows:

Months	Absences
October 5, 6, 9, 15, 16, 19, 20, 30	7.5 days
November 2, 3, 5, 6, 9, 23, 24, 25, 26, 27	10 days
December 1-4, 7-11, 15, 17-18, 21-22, 28-29	15.5 days

In its Letter,^[2] dated March 19, 2016, the *ELD* informed Alfonso that his sick leave applications filed for October 2015 were not recommended for approval by *RTC* Presiding Judge Ana Marie T. Mas (*Judge Mas*). Further, it cited the Evaluation and Recommendation,^[3] dated January 14, 2016, of the Supreme Court Medical and Dental Services (*SC-MDS*) which also did not recommend the approval of the said sick leave applications. The *SC-MDS* noticed that the attached medical certificates issued by Dr. Giancarlo Arandia (*Dr. Arandia*) of the Medical Center Manila showed no history of his confinement or required him to take sick leaves on the aforementioned dates in October 2015.

In another Letter,^[4] dated March 31, 2016, the *ELD* noticed that his sick leave applications filed for November and December 2015 were likewise not recommended for approval by Judge Mas. It referred to another Evaluation and Recommendation,^[5] dated March 30, 2016, of the *SC-MDS* which also did not recommend the approval of the said sick leave applications. The *SC-MDS* opined that Alfonso's sick leave applications contained insufficient medical documents, such as the results of the diagnostic tests and medical certificates requiring him to rest for 20 days due to his medical condition.

In the Indorsement,^[6] dated May 5, 2016, the *OCA* directed Alfonso to submit his

comment on the certification.

In his Comment,^[7] dated June 14, 2016, Alfonso denied that he failed to attach the required medical certificates to his sick leave applications. He bewailed that Judge Mas transmitted the denial of his sick leave applications to the Court without informing him that he lacked documents. Alfonso explained that he was informed of the unfavorable action on his applications only on May 23, 2016.

The OCA Recommendation

In its Report, dated November 15, 2016, the OCA recommended that the ELD's certification be noted and re-docketed as a regular administrative matter; and that Alfonso be found guilty of habitual absenteeism and be suspended from the service for six (6) months and one (1) day without pay, with a stern warning that a repetition of the similar infraction would be dealt with more severely.

The OCA opined that Alfonso committed habitual absenteeism under the Supreme Court Administrative Circular (SC-AC) No. 14-2002 because he had unauthorized absences exceeding the allowable 2.5 days monthly leave credits for at least three (3) months in a semester. It stressed that the lack of medical certificate was not the issue but the insufficiency of the medical certificates to support or justify his repeated absences. The OCA emphasized that the attached medical certificates did not state that Alfonso's medical condition required him to be absent from work.

Hence, the case was elevated to the Court.

The Court's Ruling

The Court adopts the findings of the OCA but modifies the penalty imposed.

By reason of the nature and functions of their office, officials and employees of the judiciary must faithfully observe the constitutional canon that public office is a public trust. This duty calls for the observance of prescribed office hours and the efficient use of official time for public service, if only to recompense the Government, and, ultimately, the people who shoulder the cost of maintaining the judiciary. Thus, to inspire public respect for the justice system, court officials and employees should at all times strictly observe official time. As punctuality is a virtue, absenteeism and tardiness are impermissible.^[8]

Frequent unauthorized absences without authorization are inimical to public service. Even with the fullest measure of sympathy and patience, the Court cannot act otherwise since the exigencies of government service cannot and should never be subordinated to purely human equations.^[9]

SC-AC No. 14-02, issued on March 18, 2002, provides the policy of the Court with respect to habitual absenteeism, to wit:

A. HABITUAL ABSENTEEISM

1. An officer or employee in the civil service shall be considered habitually absent if he incurs unauthorized absences exceeding the