

EN BANC

[**A.M. No. 14-10-322-RTC, December 05, 2017**]

**RE: HABITUAL ABSENTEEISM OF RABINDRANATH A. TUZON,
OFFICER-IN-CHARGE (OIC)/COURT LEGAL RESEARCHER II,
BRANCH 91, REGIONAL TRIAL COURT, BALER, AURORA**

RESOLUTION

PER CURIAM:

A Report^[1] submitted by the Leave Division, Office of the Court Administrator (OCA) dated 16 October 2014, shows that respondent Rabindranath A. Tuzon (*Tuzon*), OIC/Legal Researcher II, Branch 91, Regional Trial Court (RTC), Baler, Aurora, had incurred unauthorized absences for the months of June to November 2013, as follows:

June 3-4, 13-14	4.0 days
August 5-8, 15, 28	6.0 days
September 2-5, 9- 13, 26	10.0 days
October 7-9, 14, 16-18, 21	8.0 days
November 4-6, 14	4.0 days

On 13 November 2014, the OCA issued a 1st Indorsement^[2] directing Tuzon to comment on the aforesaid report. However, he failed to comply with the said directive, thus, on 10 August 2015, the OCA issued a Tracer^[3] reiterating its earlier directive for him to file a comment. No comment has been filed to this date.

On 27 June 2016, the Court, in A.M. No. 16-04-88-RTC,^[4] issued a Resolution dropping Tuzon from the rolls effective 1 March 2014, for having been on absence without official leave (*AWOL*). The resolution held that respondent Tuzon "*is still qualified to receive any benefit that he may be entitled to under existing laws and be re-employed in the government, without prejudice to the outcome*" of the present case, i.e., A.M. No. 14-10- 322-RTC.

In an agenda report dated 10 April 2017, the OCA recommended that:

- (1) the Report dated 16 October 2014 of Mr. Ryan U. Lopez, Officer-In-Charge, Employees' Leave Division, Office of Administrative Services, Office of the Court Administrator, be **RE-DOCKETED** as a regular administrative matter against respondent Rabindranath A. Tuzon, OIC/Court Legal Researcher II, Branch 91, Regional Trial Court, Baler, Aurora, for *Habitual Absenteeism*; and
- (2) respondent Tuzon be found **GUILTY** of Habitual Absenteeism; and