

EN BANC

[A.M. No. P-16-3471 (Formerly A.M. No. 15-06-197-RTC), July 26, 2016]

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
JOHN REVEL B. PEDRIÑA, CLERK III, BRANCH 200, REGIONAL
TRIAL COURT, LAS PIÑAS CITY, RESPONDENT.**

DECISION

PER CURIAM:

The Case

For the consideration of the Court is the Administrative Matter for Agenda dated April 11, 2016 prepared by the Office of the Court Administrator with the following recommendations:

RECOMMENDATION: It is respectfully recommended for the consideration of the Honorable Court that:

- a) the instant administrative case against Mr. John Revel B. Pedriña, Clerk III, Branch 200, RTC, Las Piñas City, be RE-DOCKETED as a regular administrative matter; and
- b) respondent Pedriña be found GUILTY of habitual tardiness for the third time, and accordingly, be DISMISSED from the service with forfeiture of retirement benefits, except accrued leave credits, and with prejudice to re-employment in the government service, including government-owned or controlled corporations.

The Facts

In a Report dated May 26, 2015, Ryan U. Lopez, Officer-in-Charge, Employees Leave Division (ELD), Office of Administrative Services (OAS), Office of the Court Administrator (OCA), transmitted the information that respondent John Revel B. Pedriña, Clerk III, Branch 200, Las Piñas City Regional Trial Court (RTC), incurred tardiness in the following months of 2014:

January	10 times
February	11 times
March	11 times
May	10 times
July	14 times
September	11 times
November	14 times
December	10 times

Photocopies of respondent Pedriña's timecards for the months of January, February, March, May, July, September, November, and December were attached to the aforementioned report.

On May 29, 2015, OCA Chief of Office Caridad A. Pabello referred the matter to Atty. Wilhelmina D. Geronga, OCA Chief of Office, Legal Office, for the filing of appropriate action and disposition.

On June 26, 2015, Court Administrator Jose Midas P. Marquez directed respondent Pedriña to comment on the report charging him with habitual tardiness.

In his Comment dated August 14, 2015, respondent Pedriña admits being habitually tardy in the aforementioned periods. He attributes his tardiness to difficulty of getting up from bed early in the morning to travel from Manila to the RTC of Las Piñas City, because he frequently suffers from severe headaches, vomiting, occasional blurred eyesight and sudden weakness in the morning. He adds that his poor body resistance and being anemic are the reasons why it is difficult for him to sleep at night. However, as observed by the OCA, respondent Pedriña failed to provide any evidence of serious or chronic illness which could cause the same.

Respondent Pedriña likewise avers that he is doing his best in the office and increased his work output to compensate for his shortcomings. He also commits himself to reform so as to prevent being suspended again.

The Court's Ruling

The Court is disposed to accept the recommendation of the OCA.

It is clear from the facts that respondent Pedriña has been habitually tardy.

Civil Service Memorandum Circular No. 23, Series of 1998, provides that:

Any employee shall be 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.

He has fallen short of the stringent standard of conduct demanded from everyone connected with the administration of justice. Every person employed in the government must remember that public office is a public trust. Pursuant to this dictum, the Court issued Memorandum Circular No. 49-2003 dated December 1, 2003, reminding all government officials and employees to be accountable at all times to the people and exercise utmost responsibility, integrity, loyalty and efficiency. They must give every minute of their prescribed official time in the service to the public and must work for every centavo paid to them by the government.^[1] "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."^[2]