

SECOND DIVISION

[A. M. No. 08-1-07-MeTC, July 14, 2008]

**OFFICE OF THE COURT ADMINISTRATOR, PETITIONER, VS.
EMMA ANNIE D. ARAFILES COURT LEGAL RESEARCHER,
METROPOLITAN TRIAL COURT (METC), BRANCH 48, PASAY CITY,
RESPONDENT.**

D E C I S I O N

BRION, J.:

The Leave Division of the Office of the Court Administrator submitted a Report of Tardiness on December 6, 2007 stating that Ms. Emma Annie D. Arafiles, Court Legal Researcher, Metropolitan Trial Court (MeTC), Branch 48, Pasay City, incurred tardiness in September and October 2007. She was tardy 11 times in September and 16 times in October. The Report was docketed as A.M. No. 08-107-MeTC (Habitual Tardiness of Emma Annie D. Arafiles, MeTC, Branch 48, Pasay City.)

Court Administrator Zenaida N. Elepaño (through a 1st Indorsement dated January 14, 2008) required Ms. Arafiles to comment on the report within ten (10) days from receipt.

Ms. Arafiles complied with a letter-comment dated January 30, 2008. She admitted the tardiness and gave various explanations, specifically: that she had no maid; that she had to attend to the needs of her school children ages eight (8) and two (2) years; and that she was hypertensive. She asked for "human consideration" and apologized for her tardiness, promising that she would no longer be tardy in the future.

Court Administrator Elepaño evaluated Ms. Arafiles' explanation and found no justification for her habitual tardiness. The Court Administrator recommended (1) that the Report be redocketed as a regular administrative matter, and (2) that Ms. Arafiles be given a reprimand with a warning that a repetition of the same offense would warrant the imposition of a more severe penalty.

The law requires all government officials and employees to render not less than eight (8) hours of work per day for five (5) days a week, or a total of forty (40) hours of work per week, exclusive of time for lunch. As a rule, these hours are from eight (8) o'clock in the morning to five (5) o'clock in the afternoon.^[1]

Under CSC Memorandum Circular No. 14, S. 1991,^[2] an officer or employee of the civil service is considered 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 for at least two (2) consecutive months during the year.

We have previously ruled that non-office obligations, household chores, traffic