

## SECOND DIVISION

[ **A.M. NO. 07-10-260-MTC, December 13, 2007** ]

**RE: ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) OF MR. GREGORIO B. SADDI, CLERK OF COURT II, MUNICIPAL TRIAL COURT, SASMUAN, PAMPANGA.**

### R E S O L U T I O N

**TINGA, J.:**

This administrative matter concerns the absence of Gregorio B. Saddi, Clerk of Court II, Municipal Trial Court (MTC), Sasmuan, Pampanga, without approved leave from 2 January 2007 to date.

The records show that Saddi failed to submit his bundy cards from January 2007 up to the present. Neither has he filed any application for leave or retirement.

On 3 July 2007, the Office of the Court Administrator (OCA) of Employees Leave Division was furnished with a copy of the Letter<sup>[1]</sup> dated 5 June 2007 addressed by Hon. Pamela Ann A. Maxino, Executive Judge of the Regional Trial Court, Guagua, Pampanga, to Hon. Pascuala Cleofe G. Canlas, Presiding Judge of said court. The letter was in response to the information provided by Judge Canlas on Saddi's absence without official leave (AWOL).

On 4 July 2007, we requested Judge Canlas by telegram<sup>[2]</sup> to instruct Saddi to submit his bundy cards from January 2007 to date. On 9 July 2007, we likewise requested Judge Canlas to cause the service of a letter to Saddi<sup>[3]</sup> warning and requiring him to explain his unauthorized absences on pain of being dropped from the rolls. Saddi, however, failed to comply.

Consequently, the OCA recommended that (1) Saddi be dropped from the rolls effective 2 January 2007 for having been on AWOL since the said date; (2) his position be declared vacant; and (3) he be informed of his being dropped from the rolls or separation from service at the address appearing on his 201 files.<sup>[4]</sup>

We find the recommendation proper and well-founded. Saddi's conduct falls within the purview of Section 63, Rule XVI of the Omnibus Civil Service Rules and Regulations, as amended by Resolution No. 99-1885 dated 23 August 1999. The Rule provides:

*Sec. 63. Effect of absences without approved leave.*—An official or an employee who is continuously absent without approved leave for at least thirty (30) working days shall be considered on absence without official leave (AWOL) and shall be separated from the service or dropped from the rolls without prior notice. He shall, however, be informed at his