

EN BANC

[A.M. No. P-04-1860 (formerly A.M. No. 04-6-311-RTC), August 31, 2004]

**RE: HABITUAL TARDINESS OF GUENDOLYN C. SISON, CLERK III,
REGIONAL TRIAL COURT, BRANCH 23, CEBU CITY**

RESOLUTION

AUSTRIA-MARTINEZ, J.:

Before us is an administrative matter involving the habitual tardiness of Guendolyn C. Sison, Clerk III in Branch 23, Regional Trial Court of Cebu City.

In a certification dated March 15, 2004,^[1] issued by Hermogena F. Bayani, Chief Judicial Staff Officer, Office of the Administrative Services, Office of the Court Administrator (OCA), Guendolyn C. Sison incurred tardiness on the following dates:

<u>2002</u>	
SEPTEMBER	18 TIMES
OCTOBER	17 TIMES
NOVEMBER	18 TIMES
DECEMBER	13 TIMES

<u>2003</u>	
JANUARY	16 TIMES
MARCH	13 TIMES
APRIL	10 TIMES

In response to the Memorandum dated March 12, 2003^[2] of OCA, Sison submitted a letter-explanation dated April 9, 2003^[3] stating that: she is stationed about twenty kilometers from her home which necessitates her to travel the said distance by taxi to possibly reach the office on time; considering the fraction of time lost due to tardiness, she maintained the attitude of maximizing her working hours by omitting breaktime to ensure that the task assigned to her for the day is finished which she does even on days when she reported to work early; she believes that by seriously attending to her assigned task and working beyond office hours, the lost time has already been compensated for.

The OCA posits that Sison's explanation does not merit consideration to justify her habitual tardiness. Thus, the OCA recommends that Sison be reprimanded and warned that a repetition of the same or similar offense will warrant the imposition of a more severe penalty.^[4]

We approve the OCA's findings but not as to the recommended penalty.

We have consistently held that moral obligations, performance of household chores,