SECOND DIVISION

[A.M. No. P-04-1847 (formerly A.M. No. 04-5-286-RTC), August 27, 2004]

RE: HABITUAL TARDINESS OF JULIE M. MAYCACAYAN, REGIONAL TRIAL COURT, BRANCH 165, PASIG CITY.

R E S O L U T I O N

AUSTRIA-MARTINEZ, J.:

Before us is an administrative matter which concerns the habitual tardiness of Julie M. Maycacayan, Clerk III, Branch 165, Regional Trial Court, Pasig City.

The Certification[1] dated March 23, 2004 issued by Hermogena F. Bayani, Chief Judicial Staff Officer, Office of the Administrative Services, Office of the Court Administrator (OCA) shows that Julie M. Maycacayan incurred tardiness as follows:

AUGUST	2003	10 TIMES
SEPTEMBER	2003	16 TIMES

In compliance with the Letter-Memorandum[2] dated February 18, 2004 of the OCA, Maycacayan submitted her letter-explanation[3] dated March 12, 2004 extending her apology with an assurance that henceforth, she will report to office regularly and on time. Maycacayan explains that: during the months of August and September, 2003, she did not have any household help and had to do household chores including bringing her children to school in the morning before proceeding to the office; she lives in Binangonan, Rizal and works at Pasig City and the traffic problem in the area worsens everyday; she tried looking for a vacant item for Clerk III in RTC, Binangonan, Rizal but unfortunately, she could not find one; and to compensate for her tardiness, there are times when she goes to the office on Saturdays to type the subpoenae.

The OCA finds that Maycacayan's explanation does not merit consideration to justify her habitual tardiness and recommends that she be reprimanded with a warning that repetition of the same or similar offense will warrant the imposition of a more severe penalty.

We approve the OCA's findings and recommendation.

Civil Service Memorandum Circular No. 23, Series of 1998 describes habitual tardiness as follows:

> Any employee shall be considered habitually tardy if he incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least