



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **November 10, 2020** which reads as follows:*

“A.M. No. P-20-4087 [Formerly A.M. No. 19-08-198-RTC – In Re: Habitual Tardiness (2nd offense) of Ms. Christine T. Aliwalas, Process Server III, Branch 34, Regional Trial Court, Calamba, Laguna] (Office of the Court Administrator v. Christine T. Aliwalas, Process Server III, Regional Trial Court of Calamba Laguna, Branch 34). – This administrative matter stemmed from the Report¹ dated August 7, 2019 of Mr. Ryan U. Lopez, Officer-in-Charge of the Employees’ Leave Division, Office of Administrative Services, Office of the Court Administrator (OCA), stating that Christine T. Aliwalas (Aliwalas), Process Server III, Regional Trial Court (RTC) of Calamba, Laguna, Branch 34 incurred the following tardiness, to wit: June 2019 - 13 times and July 2019 - 14 times.

Through 1st Indorsement² dated August 22, 2019, Aliwalas was directed to comment on the above-mentioned Report within ten (10) days from the receipt of the Indorsement.³

In her Comment⁴ dated October 17, 2019, Aliwalas admitted her habitual tardiness and apologized for the same. She explained that her tardiness was due to the fact that she has been juggling work with her evening class. She has also been preoccupied with her field study and thesis on top of her obligations at home. She is the sole breadwinner of her family, supporting her parents who have health conditions and her younger brother who is still studying. Before she

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¹ Rollo, p 3.

² Id. at 5.

³ Id.

⁴ Id. at 6-8.

reports to work, she has to help her mother in cleaning, dressing and feeding her father who has been bedridden because of severe gouty arthritis.⁵

Report and Recommendation of the OCA

In a Memorandum⁶ dated July 14, 2020, the OCA found Aliwalas guilty of habitual tardiness. The OCA recommended that the instant administrative case be re-docketed as a regular administrative matter, and Aliwalas be suspended for 30 days considering that this is the second time she has been charged with the same offense and sternly warned that a repetition of the same or any similar act in the future shall result to her dismissal from office.⁷

Ruling of the Court

After a review of the records of the case, the Court adopts the findings and recommendation of the OCA.

Under the Philippine Constitution, a public office is a public trust. This canon includes the mandate for the observance of prescribed office hours and the efficient use of every moment of such hours for the public service, because only thereby may the public servants recompense the Government and the people for shouldering the costs of maintaining the Judiciary.⁸

Time and again, this Court held that habitual tardiness is not excused by moral obligations, performance of household chores, traffic problems and health, domestic and financial concerns. Accordingly, court officials and employees must at all times strictly observe official hours to inspire the public's respect for the justice system.⁹

Under Civil Service Memorandum No. 23, series of 1998, habitual tardiness is defined as when an employee incurs tardiness, regardless of the number of minutes, ten (10) times for at least two (2) months in a semester or at least two (2) consecutive months in a year.

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⁵ Id.

⁶ Id. at 15-17.

⁷ Id. at 17.

⁸ *Re: Employees Incurring Habitual Tardiness in the First Semester of 2005*, A.M. No. 2005-25-SC, July 6, 2006, 527 Phil. 1, 9 (2006) citing Administrative Circular No. 2-99 (*Strict Observance of Working Hours and Disciplinary Action for Absenteeism and Tardiness*).

⁹ Id. at pp. 29-30, citing Administrative Circular No. 1-99 (*Enhancing the Dignity of Courts as Temples of Justice and Promoting Respect for their Officials and Employees*).

Habitual tardiness is classified as either grave offense or light offense. It is a grave offense if the tardiness prejudiced the operations of the office. Otherwise, it is considered as a light offense.

There being no evidence that the tardiness of Aliwalas prejudiced the operations of their office, it shall be considered as a light offense.

Section 50(4)(F), Rule 10 of Civil Service Commission Resolution No. 1701077 (2017 Rules on Administrative Cases in the Civil Service) provides the following penalties for habitual tardiness as light offense:

First offense	–	Reprimand
Second offense	–	Suspension of 1 to 30 days
Third offense	–	Dismissal from the service

It is worthy to note that this Court has issued a Resolution dated March 9, 2020 in A.M. No. P-20-4048 finding Aliwalas guilty of habitual tardiness for being tardy of more than 10 times in the months of April and May 2019. In that case, the Court imposed the penalty of reprimand against Aliwalas with a stern warning that a repetition of the same offense shall be dealt with more severely.

Considering that this is the second offense committed by Aliwalas, the Court deems the recommendation of the OCA to be proper. Thus, for having committed habitual tardiness a second time, Aliwalas shall suffer the penalty of suspension for 30 days.

WHEREFORE, premises considered, Christine T. Aliwalas, Process Server III, Regional Trial Court of Calamba, Laguna, Branch 34 is found guilty of habitual tardiness and is hereby **SUSPENDED** for 30 days with a **STERN WARNING** that a repetition of the same or similar offense shall result to her dismissal from office.

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SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
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Hon. Jose Midas P. Marquez (x)
Court Administrator
Hon. Raul B. Villanueva (x)
Hon. Jenny Lind R. Aldecoa-Delorino (x)
Hon. Leo Tolentino Madrazo (x)
Deputy Court Administrators
Hon. Lilian Barribal-Co (x)
Hon. Maria Regina A. F. M. Ignacio (x)
Assistant Court Administrators
OCA, Supreme Court

Ms. Christine T. Aliwalas
Process Server III
Regional Trial Court, Branch 34
Calamba, 4027 Laguna

The Clerk of Court
Regional Trial Court, Branch 34
Calamba, 4027 Laguna



Office of Administrative Services (x)
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