



Republic of the Philippines
Supreme Court
Baguio City

SUPREME COURT OF THE PHILIPPINES
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FIRST DIVISION

**RE: DROPPING FROM THE
 ROLLS OF ROWIE A.
 QUIMNO, Utility Worker I,
 Municipal Circuit Trial Court of
 Ipil - Tungawan - Roseller T.
 Lim, Ipil, Zamboanga Sibugay.**

A.M. No. 17-03-33-MCTC

Present:

SERENO, *C.J.*,
 LEONARDO-DE CASTRO,
 DEL CASTILLO,
 PERLAS-BERNABE, and
 CAGUIOA, *JJ.*

Promulgated:

APR 17 2017

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RESOLUTION

PERLAS-BERNABE, *J.*:

This administrative case involves Mr. Rowie A. Quimno (Quimno), Utility Worker I in the Municipal Circuit Trial Court (MCTC) of Ipil-Tungawan-Roseller T. Lim in Ipil, Zamboanga Sibugay.

The records of the Employees' Leave Division, Office of Administrative Services, Office of the Court Administrator (OCA), show that Quimno has not submitted his Daily Time Record (DTR) since February 2016 up to the present. He neither submitted any application for leave. Thus, he has been on absence without official leave (AWOL) since February 1, 2016.¹

¹ Rollo, p. 1.

Moreover, Presiding Judge Arthur L. Ventura (Judge Ventura) of the MCTC informed the OCA that Quimno not only failed to submit his DTR since the month of February 2016, but also failed to report for work since July 20, 2016 without applying for leave.² Judge Ventura added that prior to said date, Quimno was either late for work or absent; showed little concern for time lost from work; and was lazy, indifferent, and unreliable.³ Thus, Quimno received unsatisfactory ratings in his performance evaluations for the rating periods July 1 to December 31, 2015⁴ and January 1 to June 30, 2016.⁵ Judge Ventura later found out that Quimno was arrested at his residence on September 20, 2016; and was subsequently formally charged for violating several provisions of Republic Act No. 9165 before the Regional Trial Court of Ipil, Zamboanga Sibugay, Branch 24.⁶

To date, Quimno has still not reported for work. His salaries and benefits were withheld based on a Memorandum dated June 2, 2016.⁷

The OCA informed the Court of its findings based on the records of its different offices: (a) Quimno is still in the *plantilla* of court personnel, and thus, considered to be in active service; (b) he is no longer in the payroll; (c) he has no application for retirement; (d) no administrative case is pending against him; and (e) he is not an accountable officer.⁸

In its report⁹ dated February 20, 2017, the OCA recommended that: (a) Quimno's name be dropped from the rolls effective February 1, 2016 for having been absent without official leave for more than thirty (30) working days; (b) his position be declared vacant; and (c) he be informed about his separation from service at his last known address on record at Purok Everlasting, Don Andres, Ipil, Zamboanga Sibugay. The OCA added, however, that Quimno is still qualified to receive the benefits he may be entitled to under existing laws and may still be reemployed in the government.¹⁰

The Court's Ruling

The Court agrees with the OCA's recommendation.

² Id. at 3.

³ Id.

⁴ Id. at 5.

⁵ Id. at 6.

⁶ Id. See also Informations; id. at 7-12.

⁷ Id. at 13-14. Approved by Deputy Court Administrator and Officer-in-Charge per Office Order No. 10-2016 dated May 31, 2016 Raul Bautista Villanueva.

⁸ Id. at 1 and 14.

⁹ Id. at 1-2. Signed by Court Administrator Jose Midas P. Marquez, Deputy Court Administrator Raul Bautista Villanueva and OCA Chief of Office Caridad A. Pabello.

¹⁰ Id. at 2.

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Section 63, Rule XVI of the Omnibus Rules on Leave, as amended by Memorandum Circular No. 13, Series of 2007,¹¹ states:

Section 63. *Effect of absences without approved Leave.* — An official or 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. x x x.

x x x (Emphasis supplied)

Based on this provision, Quimno should be separated from service or dropped from the rolls in view of his continued absence since February 2016.

Indeed, prolonged unauthorized absence causes inefficiency in the public service.¹² A court employee's continued absence without leave disrupts the normal functions of the court.¹³ It contravenes the duty of a public servant to serve with the utmost degree of responsibility, integrity, loyalty, and efficiency.¹⁴ The Court stresses that a court personnel's conduct is laden with the heavy burden of responsibility to uphold public accountability and maintain people's faith in the judiciary.¹⁵

As Judge Ventura reported, Quimno failed to report for work long before he was arrested. He also exhibited disinterest in diligently fulfilling his assigned tasks. Evidently, his conduct constitutes gross disregard and neglect of his duties. Undeniably, he failed to adhere to the high standards of public accountability imposed on all those in the government service.¹⁶

WHEREFORE, Rowie A. Quimno, Utility Worker I, Municipal Circuit Trial Court, Ipil-Tungawan-Roseller T. Lim, Ipil, Zamboanga Sibugay, is hereby **DROPPED** from the rolls effective February 1, 2016 and his position is declared **VACANT**. He is, however, still qualified to receive the benefits he may be entitled to under existing laws and may still be reemployed in the government.

Let a copy of this Resolution be served upon him at his address appearing in his 201 file pursuant to Rule XVI, Section 63 of the Omnibus Civil Service Rules and Regulations, as amended.

¹¹ Amending the Omnibus Civil Service Rules and Regulations, entitled "Re: Amendment to Section 63, Rule XVI of the Omnibus Rules on Leave, Civil Service Commission (CSC) Memorandum Circular Nos. 41 and 14, Series of 1998 and 1999, Respectively" (July 25, 2007).

¹² See Notice of Resolution in *Re: Dropping from the Rolls of Ronie B. Sumampong*, A.M. No. 16-05-157-RTC, June 27, 2016.


¹³ *Re: AWOL of Ms. Fernandita B. Borja*, 549 Phil. 533, 536 (2007).

¹⁴ *Id.*


¹⁵ See *id.*


¹⁶ See *Re: Dropping from the Rolls of Ronie B. Sumampong*, *supra* note 12.

SO ORDERED.

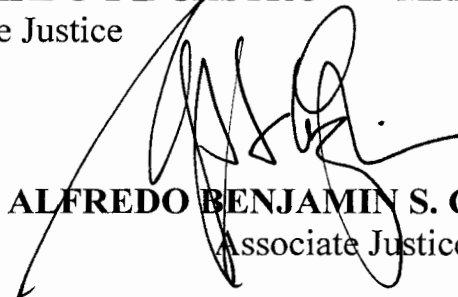

ESTELA M. PERLAS-BERNABE
Associate Justice

WE CONCUR:


MARIA LOURDES P. A. SERENO
Chief Justice


TERESITA J. LEONARDO-DE CASTRO
Associate Justice


MARIANO C. DEL CASTILLO
Associate Justice


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice