

EN BANC

[A.M. NO. 04-12-691-RTC, February 18, 2005]

**RE: ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) OF MR.
GREGORIO B. FARAON, ADMINISTRATIVE OFFICER IV,
REGIONAL TRIAL COURT-OFFICE OF THE CLERK OF COURT,
MANILA,**

DECISION

PER CURIAM:

This administrative matter concerns Mr. Gregorio B. Faraon, Administrative Officer IV of the Regional Trial Court-Office of the Clerk of Court of Manila. Records of the Office of Administrative Services (OAS) of the Office of the Court Administrator (OCA) showed that Mr. Faraon failed to submit his Daily Time Records (DTRs)/Bundy Cards from the month of June 2004 up to the present.

On 7 September 2004, the OAS-OCA sent Mr. Faraon a telegram instructing him to submit his DTRs/Bundy Cards for the months of June and August 2004.^[1] Mr. Faraon however failed to comply.

On 13 September 2004, the OAS-OCA requested Executive Judge Enrico A. Lanzanas of RTC, Branch 7, Manila, to cause service of a warning letter to Mr. Faraon.^[2] The warning letter required Mr. Faraon to explain in writing his unauthorized absences; otherwise, the OAS-OCA will recommend his dropping from the rolls.^[3] Mr. Faraon again failed to comply.

In the Agenda Report dated 27 September 2004,^[4] the OCA recommended the withholding of salaries and benefits of Mr. Faraon for non-submission of DTRs/Bundy Cards, pursuant to Section 50, Rule XVI, of the Omnibus Civil Service Rules and Regulations, as amended by Memorandum Circular No. 41, s. 1998.^[5]

As of this writing, Mr. Faraon has still not reported for duty, nor has he complied with any of the office directives.

The OCA, in its Agenda Report dated 19 November 2004,^[6] recommends that pursuant to Section 63, Rule XVI, of the Omnibus Civil Service Rules and Regulations, as amended by Memorandum Circular No. 14, s. 1999,^[7] Mr. Faraon be dropped from the rolls for having been on AWOL since 1 June 2004 and that his position be declared vacant.

We find the recommendation to be proper under the circumstances. Mr. Faraon's conduct falls within the purview of Section 63, Rule XVI of the Omnibus Civil Service Rules and Regulations, as amended. It is clear from a reading of the above provision that no prior notice is required to drop from the rolls an employee who has been