



Republic of the Philippines  
**Supreme Court**  
Manila

**THIRD DIVISION**

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated April 6, 2022, which reads as follows:*

**“A.M. No. P-23-075 (Office of the Court Administrator vs. Jesus B. Ignacio, Clerk of Court III, Metropolitan Trial Court [MeTC], Branch 30, Manila [Formerly A.M. No. 19-06-35-MeTC (In Re: Habitual Tardiness of Jesus B. Ignacio, Clerk of Court III, MeTC, Branch 30, Manila)])**

**The Case**

Officer-in-Charge Ryan U. Lopez of the Office of the Administrative Services (OAS), Employees’ Leave Division, issued a Report on June 17, 2019,<sup>1</sup> showing that respondent Jesus B. Ignacio, Clerk of Court III, Metropolitan Trial Court (MeTC), Branch 30, Manila repeatedly reported for work past the regular time of 8 o’clock in the morning, viz.:

**January 2019**

<b>Day</b>	<b>Time-in</b>
3	9:25 am
4	8:40 am
10	8:15 am
11	10:45 am
17	8:45 am
18	9:25 am
21	12:30 pm
22	8:30 am
28	12:00 pm
30	8:15 am
<b>Total Number of Tardy Days</b>	<b>10 days<sup>2</sup></b>

**March 2019**

<b>Day</b>	<b>Time-in</b>
5	12:25 pm
7	8:16 am
8	12:15 pm
13	8:15 am

<sup>1</sup> Rollo, p. 2.

<sup>2</sup> Id. at 3.

14	8:11 am
20	8:15 am
21	8:20 am
22	8:30 am
25	8:25 am
27	9:00 am
29	9:25 am
<b>Total Number of Tardy Days</b>	<b>11 days<sup>3</sup></b>

**April 2019**

<b>Day</b>	<b>Time-in</b>
2	8:15 am
3	12:00 pm
5	11:15 am
8	9:15 am
11	10:10 am
12	10:20 am
16	9:55 am
26	9:30 am
29	8:10 am
30	8:55 am
<b>Total Number of Tardy Days</b>	<b>10 days<sup>4</sup></b>

**May 2019**

<b>Day</b>	<b>Time-in</b>
3	12:03 pm
6	9:00 am
9	8:07 am
10	8:24 am
11	8:15 am
14	10:15 am
16	9:01 am
20	8:15 am
21	2:30 pm
22	8:35 am
23	11:11 am
28	8:07 am
29	9:38 am
31	10:10 am
<b>Total Number of Tardy Days</b>	<b>14 days<sup>5</sup></b>

Through her 1<sup>st</sup> Indorsement<sup>6</sup> on even date, Office of the Court Administrator (OCA) Chief Officer Caridad A. Pabello forwarded the Report to Atty. Wilhelmina D. Geronga, OCA Chief of Office, Legal Office, for appropriate action.

<sup>3</sup> Id. at 4.

<sup>4</sup> Id. at 5.

<sup>5</sup> Id. at 6.

<sup>6</sup> Id. at 9.

Under the 1<sup>st</sup> Indorsement<sup>7</sup> dated July 2, 2019, the OCA, through former Court Administrator, and now Supreme Court Associate Justice Jose Midas P. Marquez, Assistant Court Administrator Maria Regina Adoracion Filomena M. Ignacio, and OCA Chief of Office Wilhelmina D. Geronga, directed respondent to file his comment on the Report within ten (10) days from receipt of such directive.

The directive to file comment was reiterated by OCA through its 1<sup>st</sup> Tracer<sup>8</sup> dated February 7, 2020. Respondent, however, failed to comply. Consequently, OCA got constrained to refer the Report to the Judicial Integrity Board (JIB), sans respondent's comment

**Report and Recommendation  
of the Judicial Integrity Board – Office of the  
Executive Director (OED)**

By Report and Recommendation<sup>9</sup> dated May 28, 2021, the JIB-OED noted that respondent was dropped from the rolls per Decision dated January 28, 2020 in A.M. No. 20-01-02-MeTC for obtaining two (2) consecutive “unsatisfactory” performance ratings: (1) for July to December 2018; and (2) for January to June 2019. His poor work ethic was cited as one of the reasons for the “unsatisfactory” performance rating. In her letter-complaint, Hon. Grace Maria Theresa Bambi A. Delos Reyes-Jurado (Delos Reyes-Jurado), Presiding Judge of MeTC, Branch 30, Manila, averred that respondent had no inclination to change his work attitude and demeanor.<sup>10</sup>

Respondent's daily time records (DTRs) reveal that he repeatedly reported late for work. Under Section 23 of Rule 140, habitual tardiness is considered a less serious charge punishable by suspension from office for not less than one (1) month nor more than three (3) months or a fine not less than ₱10,000.00 but not more than ₱20,000.00.<sup>11</sup>

In addition to his habitual tardiness, respondent also failed to comply with OCA's directives for him to file his comment on the Report despite receipt of the notice to do so. This constituted a clear and willful disrespect, not just of the OCA, but also of the Court, which is another less serious charge under Rule 140.<sup>12</sup>

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<sup>7</sup> Id. at 19.

<sup>8</sup> Id. at 20.

<sup>9</sup> Id. at 21–23.

<sup>10</sup> Id. at 22.

<sup>11</sup> Id.

<sup>12</sup> Id. at 22–23.

Thus, it recommended that respondent be held guilty of habitual tardiness and violation of Supreme Court directives and meted with a fine of ₱20,000.00.

### Report and Recommendation of the Judicial Integrity Board

In its Report and Recommendation<sup>13</sup> dated February 16, 2022, the JIB adopted and approved the JIB-OED's recommendation.

### Ruling

The Court resolves to **RE-DOCKET** this case as a regular administrative matter and further **ADOPTS** and **APPROVES** the findings of fact, conclusions of law, and recommendations of the JIB in its Report and Recommendation dated May 28, 2021 and February 16, 2022.

Respondent was charged with habitual tardiness for repeatedly reporting for work beyond the ordinary time-in of 8 o'clock in the morning. Record shows that respondent incurred several late logs as early as October 2018, per the report submitted by Presiding Judge Delos Reyes-Jurado, albeit his tardy days were less than ten (10) in a month. In January 2019 and March to May 2019, however, he reported late for work for at least ten (10) days in a month.

Civil Service Commission (CSC) Memorandum Circular No. 23, series of 1998 provides that an employee shall be considered habitually tardy if he or she incurs tardiness, regardless of the number of minutes, ten (10) times a month for at least two (2) months in a semester or at least two (2) consecutive months during the year.<sup>14</sup>

Respondent's DTRs clearly show that he incurred ten (10) tardiness in January 2019, eleven (11) in March 2019, ten (10) in April 2019, and fourteen (14) in May 2019. Verily, he is considered habitually tardy under the afore-quoted CSC Memorandum.

As the Court reiterated in *In re: Lagajino*,<sup>15</sup>

Habitual tardiness seriously compromises efficiency and hampers public service. By being habitually tardy, the employee has fallen short of the stringent standard of conduct demanded from everyone connected with the administration of justice. By reason of the nature and functions of

<sup>13</sup> Penned by retired Justice Rodolfo A. Ponferrada and concurred in by retired Justice Romeo J. Callejo, Sr, retired Justice Angelina Sandoval-Gutierrez, and retired Justice Sesinando E. Villon, id. at 25–30.

<sup>14</sup> *Re: Habitual Tardiness of Ruby C. Tabio*, A.M. No. P-20-4026 (Notice), January 27, 2020.

<sup>15</sup> A.M. No. P-20-4034 (Notice), January 27, 2020.

their office, officials and employees of the Judiciary must be role models in the faithful observance of the constitutional canon that public office is a public trust. Inherent in this mandate is the observance of prescribed office hours and the efficient use of every moment thereof for public service, if only to recompense the Government, and ultimately, the people who shoulder the cost of maintaining the Judiciary. Thus, to inspire public respect for the justice system, court officials and employees are at all times behooved to strictly observe official time. As punctuality is a virtue, absenteeism and tardiness are impermissible.

The Court also emphasized in *Office of the Court Administrator v. Tabio*<sup>16</sup> that moral obligations, performance of household chores, traffic problems, and health, domestic, and financial concerns are not sufficient reasons to excuse habitual tardiness.

Here, respondent did not bother to explain his tardiness. He chose to ignore the directives of the OCA to file his comment on the Report. Thus, the JIB also found him guilty of violation of Supreme Court directives for failing to file his comment despite receipt of the notice to do so.

This conforms with the Court's pronouncement in *Clemente v. Bautista*,<sup>17</sup> viz.:

We would like to stress that **all directives coming from the Court Administrator and his [or her] deputies are issued in the exercise of this Court's administrative supervision of trial courts and their personnel, hence, should be respected.** These directives are not mere requests but **should be complied with promptly and completely.** Clearly, respondent's indefensible disregard of the orders of the OCA, as well as of the complainant and Judge Manodon, for him to comment on the complaint and to explain his infractions, shows his **disrespect for and contempt**, not just for the OCA, but also for the Court, which exercises direct administrative supervision over trial court officers and employees through the OCA. His indifference to, and disregard of, the directives issued to him clearly constituted **insubordination.**

Compliance with the directive to comment on complaints filed against court personnel is not an empty requirement. x x x (Emphasis supplied)

Sections 23 and 25 of Rule 140 provide:

SECTION 23. Less Serious Charge. — Less serious charge include:

x x x x

<sup>16</sup> A.M. No. P-21-001 (Notice), February 10, 2021, citing *OCA v. Torio*, A.M. No. P-20-4082, November 25, 2020.

<sup>17</sup> 710 Phil 10, 15–16 (2013).

- 2. Frequent and unjustified absences without leave or habitual tardiness
- 3. x x x x
- 4. Violation of Supreme Court rules, directives, and circulars;

x x x                      x x x                      x x x

SECTION 25. Sanctions. —

x x x x

B. If the respondent is guilty of a less serious charge, any of the following sanctions shall be imposed:

- 1. Suspension from office without salary and other benefits for not less than one (1) month nor more than three (3) months; or
- 2. A fine of not more than P10,000.00 but not exceeding P20,000.00. x x x x

Verily, respondent committed two (2) offenses – habitual tardiness and violation of Supreme Court directives. In view of the fact that respondent had already been dropped from the rolls pursuant to the Decision dated January 28, 2020 in A.M. No. 20-01-02-MeTC, the recommendation of the JIB to impose the maximum fine of P20,000.00 is in order.

**WHEREFORE**, Jesus B. Ignacio, former Clerk of Court III, Metropolitan Trial Court, Branch 30, Manila, is found **GUILTY** of Habitual Tardiness for the period of January, March, April, and May 2019; and violation of Supreme Court Directives. In view of his prior dismissal in A.M. No. 20-01-02-MeTC, he is sanctioned with a **FINE of Twenty Thousand Pesos (P20,000.00)**, payable within thirty (30) days from receipt of this Resolution.

Within five (5) days from notice hereof, respondent is required to inform the Court in writing of the exact date when he shall have received this Resolution.

**SO ORDERED.”**

By authority of the Court:

*MisDcDatt*  
**MISAELO DOMINGO C. BATTUNG III**  
Division Clerk of Court  
*21/11/22*

Mr. Jesus B. Ignacio  
Clerk of Court III  
METROPOLITAN TRIAL COURT  
Branch 30, 1000 Manila

Justice Romeo J. Callejo Sr. (ret.)  
Chairperson  
Judicial Integrity Board

Justice Angelina Sandoval-Gutierrez (ret.)  
Vice-Chairperson  
Judicial Integrity Board

Members  
Justice Sesonando Villon (ret.)  
Justice Rodolfo Ponferrada (ret.)  
Justice Cielito Mindaro-Grulla (ret.)  
Judicial Integrity Board

Atty. James D.V. Navarrete  
Deputy Clerk of Court at-Large  
Office of the Court Administrator and  
Acting Executive Director  
Office of the Executive Director  
Judicial Integrity Board

Atty. Vener B. Pimentel  
Sc Senior Chief Staff Officer  
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**A.M. No. P-23-075**  
**[Formerly A.M. No. 19-06-35-Metc]**