



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **July 26, 2023** which reads as follows:*

**A.M. No. 23-05-28-RTC (RE: DROPPING FROM THE ROLLS OF MR. JUWAYNE R. TOMBOC, CLERK III, BRANCH 47, REGIONAL TRIAL COURT, URDANETA CITY, PANGASINAN).** – This administrative matter concerns the absences without approved leave (AWOL) incurred by Juwayne R. Tomboc (Tomboc), Clerk III, Branch 47, Regional Trial Court, Urdaneta City, Pangasinan.

**Antecedents**

The records of the Employee's Leave Division (ELD), Office of Administrative Services (OAS), and the Office of the Court Administrator (OCA) show that Tomboc has been on absence without approved leave from June 20 to 21, 2022 and has not reported back for work since June 23, 2022 per his Daily Time Record<sup>1</sup> for June 2022.

On October 11, 2022, the ELD, OAS, OCA received an email from Hon. Elizabeth L. Bernal, Presiding Judge of Regional Trial Court, Branch 47, Urdaneta City, Pangasinan requesting, among others, that Tomboc be officially dropped from the rolls, and his position declared vacant considering his absences.

Acting on the request, the OCA issued Memorandum WSB No. 9E-2022 dated September 15, 2022 ordering that Tomboc's salaries and benefits be withheld.

**Report and Recommendation of the OCA**

In a Report dated April 25, 2023, the OCA noted that Tomboc is still considered in active service since he did not file any application for retirement and is still in the plantilla of personnel per the Regional Trial Court Personnel Division. As well, records of the Complaints Docket Services, and the Judicial

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<sup>1</sup> *Rollo*, p. 3.

Integrity Board, do not show any pending case filed against Tomboc. Based on the records of the Court Management Office, too, he is not an accountable officer.

Thus, the OCA recommended that:

- 1) The name of Juwayne R. Tomboc, Clerk III, Branch 47, Regional Trial Court, Urdaneta City, Pangasinan, be DROPPED FROM THE ROLLS effective June 23, 2022, for having been on absence without official leave (AWOL) for at least thirty (30) working days, however, he is still qualified to receive the benefits he may be entitled to under existing laws and may still be re-employed in the government;
- (2) The position of Clerk II in Branch 47, Regional Trial Court, Urdaneta City, Pangasinan be declared VACANT; and
- (3) Mr. Tomboc be INFORMED of his separation from the service or dropping from the rolls at No. 18 Bugayong, Binalonan, Pangasinan the last known address appearing in his 201 file.<sup>2</sup>

### Ruling

The Court resolves to adopt and approve the report and recommendation of the OCA dated April 25, 2023.

Section 107 of Rule 20 of the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) provides:

a. Absence Without Approved Leave

1. An official or employee who is continuously absent without official leave (AWOL) for at least thirty (30) working days may be dropped from the rolls without prior notice which shall take effect immediately.
2. He/she shall, however, have the right to appeal his/her separation within (15) days from receipt of the notice of separation which must be sent to his/her last known address.

x x x x

Consequently, Tomboc's continuous absence for more than 30 working days warrants that his name be dropped from the rolls.

Significantly, under Section 110 of Rule 20 of the 2017 RACCS, dropping the name of an employee from the rolls as a mode of separation from the service is non-disciplinary in nature, and shall not result in the forfeiture

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

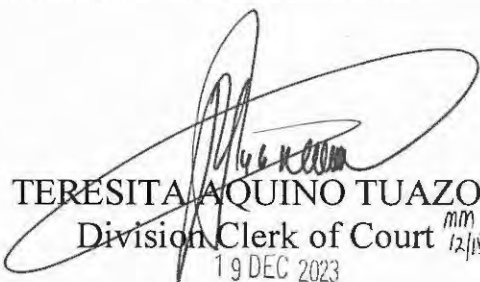
of any benefit on the part of the official or employee or in their disqualification from re-employment in the government.

**FOR THESE REASONS, Mr. Juwayne R. Tomboc**, Clerk III, Branch 47, Regional Trial Court, Urdaneta City, Pangasinan is **DROPPED** from the rolls effective June 23, 2022 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 re-employed in the government.

Let a copy of this Resolution be served on **Mr. Juwayne R. Tomboc** at his last known address at #18 Bugayong, Binalonan, Pangasinan.

**SO ORDERED.”**

By authority of the Court:

  
**TERESITA AQUINO TUAZON**  
 Division Clerk of Court <sup>mm</sup><sub>12/18</sub>  
 19 DEC 2023

HON. RAUL B. VILLANUEVA (x)  
 Office of the Court Administrator  
 HON. DEPUTY COURT ADMINISTRATOR  
 Jenny Lind Aldecoa-Delorino (x)  
 Leo T. Madrazo (x)  
 ASSISTANT COURT ADMINISTRATOR  
 Hon. Lilian C. Baribal-Co (x)  
 Hon. Maria Regina Adoracion  
 Filomena M. Ignacio (x)  
 Legal Office (x)  
 Court Management Office (x)  
 Financial Management Office (x)  
 Docket & Clearance Division (x)  
 Office of Administrative Services (x)  
 Office of the Court Administrator  
 Supreme Court, Manila

MR. JUWAYNE R. TOMBOC (reg)  
 No. 18 Bugayong, Binalonan, Pangasinan

HON. PRESIDING JUDGE (reg)  
 Regional Trial Court, Branch 47  
 Urdaneta City, Pangasinan

\*MR. RYAN U. LOPEZ  
 OIC-Employees' Leave Division (x)  
 Supreme Court, Manila

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 [For uploading pursuant to A.M. No. 12-7-SC]

OFFICE OF THE CHIEF ATTORNEY (x)  
 PHILIPPINE JUDICIAL ACADEMY (x)  
 Supreme Court, Manila

\*For this resolution only  
*Please notify the Court of any change in your address.*  
 AM23-05-28-RTC. 07/26/2023A(238)URES