FIRST DIVISION

[A.M. No. 23-08-55-RTC. November 05, 2025]

RE: DROPPING FROM THE ROLLS OF MS. MAILYN E. MIRAS, STENOGRAPHER III, BRANCH 65, REGIONAL TRIAL COURT, INFANTA, QUEZON.

R E S O L U T I O N

ROSARIO, J.:

This administrative matter concerns Ms. Mailyn E. Miras (Ms. Miras), Court Stenographer III of Branch 65, Regional Trial Court (RTC), Infanta, Quezon. Records of the Employees' Leave Division (ELD), Office of Administrative Services (OAS) of the Office of the Court Administrator (OCA) showed that Ms. Miras failed to submit her Daily Time Records (DTRs) from July 2020 to date, and she also did not submit an approved leave application for the period. [1]

In his Letter,[2] Atty. Edward Justine R. Orden (Atty. Orden), Clerk of Court VI of the same court, explained that on July 22, 2020, Ms. Miras filed an application for Sick Leave, which Atty. Orden recommended for disapproval. Undaunted, Ms. Miras filed another application on July 24, 2020, this time for Vacation Leave of 30 days. Again, Atty. Orden recommended the denial of the application. However, both leave applications were not acted upon by the presiding judge of their court because he was appointed to another court.[3]

Without waiting for official action on her leave applications, Ms. Miras stopped reporting for work on July 27, 2020. On July 30, 2020, Atty. Orden sent a Return to Work Order to Ms. Miras, but she ignored it. Ms. Miras returned to work only on September 23, 2020-or after 43 working days-in order to make her DTRs for the months of July to December 2020. Atty. Orden refused to accept her DTRs, and on September 28, 2020 wrote a letter to the OCA with a request to drop Ms. Miras from the rolls due to her long unexcused absence.[4]

After due investigation, the OCA, in its Agenda Report,[5] found that aside from the request to drop her from the rolls, Ms. Miras had three pending administrative cases against her and numerous criminal cases for falsification of public documents, use of falsified public documents, and perjury filed against her, in relation to her job as stenographer, and her numerous absences. The OCA recommended that Ms. Miras be dropped from the rolls for having been continuously absent without approved leave

(AWOL) for at least 30 days, without prejudice to the outcome of the pending administrative and. criminal cases against her. The OCA also recommended that her position be declared vacant, pursuant to Rule 20, Section 107(a)(l) of the 2017 Rules on Administrative Cases in the Civil Service (RACCS).[6]

On October 9, 2023, the First Division of this Court, through Division Clerk Maria Teresa B. Sibulo, issued a Resolution[7]: (1)dropping Ms. Miras from the rolls effective July 1, 2020; (2) retaining the benefits she may be entitled to under existing laws, as well as her capacity to be reemployed in the government; (3) declaring her position of Court Stenographer III in Branch 65, RTC, Infanta, Quezon as vacant; and (4) directing that Ms. Miras be given notice of her dropping from the rolls.[8]

On March 27, 2024, Ms. Miras filed an untitled pleading[9] seeking reconsideration of the October 9, 2023 Resolution dropping her from the rolls.[10] We consider Ms. Miras's pleading as an appeal.

In her appeal, Ms. Miras alleged that her immediate supervisor, Atty. Orden, had been oppressing, vexing and harassing her, and had been consistently recommending the disapproval of her applications for·leave despite the fact that she was bleeding due to a myoma in her uterus. Moreover, Atty. Orden had filed various criminal and administrative cases against her, causing her to experience anxiety and trauma, and eventually leading her to have an anxiety disorder. To emphasize that Atty. Orden was simply bullying her, Ms. Miras pointed out that all of the criminal cases against her were dismissed. According to Ms. Miras, it was her long absence due to her anxiety disorder that led to her being dropped from the rolls.[11] Ms. Miras also claimed that the letter of Atty. Orden requesting that she be dropped from the rolls without notice deprived her of her right to due process.[12]

Issue

Was the Court mistaken in ordering the dropping of Ms. Miras from the rolls?

The Court's Ruling

We resolve to deny Ms. Miras's appeal from the Court's resolution dropping her from the rolls.

We find the dropping of Ms. Miras from the rolls to be proper under the circumstances. Ms. Miras's conduct falls within the purview of Rule 20, Section 132(A-l) of the 2025 Rules on Administrative Cases in the Civil Service (RACCS),[13] which reads:

RULE 20
DROPPING FROM THE ROLLS

> Section 132. *Grounds and Procedure for Dropping from the Rolls.* Officers and employees who are either (1) absent without approved leave, (2) have unsatisfactory or poor performance, (3) have shown to be physically unfit, or (4) medically determined to be mentally unstable to perform their duties may be dropped from the rolls within thirty (30) days from the time a ground therefor arises.
>
> The failure to drop the officer or employee concerned within the period mentioned will bar the head of agency from exercising the same.
>
> The procedure for dropping from the rolls shall be as follows:
>
> A. Absence Without Official Leave (AWOL)
>
> 1. An official or employee who is continuously on AWOL for at least [30] working days may be immediately dropped from the rolls without prior notice.
>
>   A notice of separation shall be issued at the official's or employee's last known address (e.g., personal data sheet on record, etc.). The separated official or employee has the right to appeal such separation within [15] days from receipt of the notice of separation.
>
>   Failure to provide a notice of separation shall not invalidate the dropping from the rolls of the employee concerned. However, the right to appeal shall be counted from the date of actual receipt by the employee of the notice of separation.

It is clear from a reading of the above provision that no prior notice is required to drop an employee from the rolls, who has been continuously AWOL for at least 30 working days.

Dropping from the rolls is a non-disciplinary proceeding,[14] as stated in Section 135, Rule 20 of the 2025 RACCS, to wit:

> This mode of separation... is non-disciplinary in nature and shall not result in the forfeiture of any benefit. .. or in disqualification from reemployment in the government.

Its purpose is to address the disruption caused by an employee's continuous and prolonged AWOL. Thus, the employee is removed from the rolls, and their position is declared vacant with the intention of filling it with another who can perform the required service. This mechanism serves the exigency of the service, enabling the government to maintain operational efficiency by promptly removing employees who have effectively abandoned their posts, without the stigma or penalties attendant to disciplinary dismissal.[15]

As such, the dismissal of the criminal cases against Ms. Miras are irrelevant to her continuous absence for 43 working days without an approved leave, and the OCA correctly recommended her dropping from the rolls.

Proof of Ms. Miras's going on AWOL is the record of the OAS-OCA of her failure to submit her DTRs/Bundy Cards, and the absence of any approved application for leave of absence during the relevant dates. There is also the undisputed fact that she failed to return to work despite having received a written order from Atty. Orden to do so.

Ms. Miras was wrong in refusing to report to work for the reason that she had medical and psychological problems, or because she felt that she had been bullied by Atty. Orden. She should have waited for the approval of her application for vacation leave before absenting herself continuously for 43 working days.

The approval of a vacation leave is not automatically presumed. It is contingent on the needs of the service and the discretion of the head of the agency or department. The mere filing of a vacation leave application does not authorize an employee to be absent. [16]

In this case, We note that Ms. Miras not only refused to return to work when ordered to do so almost immediately after she stopped reporting for work, she was also continuously absent for 43 working days despite having applied for only 30 days of vacation leave. To the mind of the Court, these facts show Ms. Miras's recalcitrant attitude and willful intention to be absent regardless of her supervisor's clear disapproval of her leave application.

There is no doubt that Ms. Miras's absence without official leave caused prejudice to public service. Public office is a public trust. Public officers must at all times be accountable to the people, and serve them with utmost degree of responsibility, integrity, loyalty, and efficiency.[17]

The conduct and behavior of everyone connected with an office charged with the dispensation of justice is circumscribed with the heavy burden of responsibility. The Court cannot countenance any act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or even just tend to diminish the faith of the people in the Judiciary.[18]

FOR THE FOREGOING REASONS, Ms. Mailyn E. Miras's appeal from the Court's October 9, 2023 Resolution: (1) dropping her from the rolls effective July 1, 2020; (2) declaring the position of Court Stenographer III in Branch 65, Regional Trial Court, Infanta, Quezon vacant; and (4) informing her of her separation from the service, is **DENIED** with finality.

SO ORDERED.

Gesmundo, C.J, (Chairperson), Hernando, Zalameda, and *Marquez, JJ.,* concur.

[1] *Rollo*, pp. 1-3.

[2] *Id.* at 4-5. The September 28, 2020 Letter was written by Atty. Edward Justine R. Orden, Clerk of Court VI of Branch 65, Regional Trial Court, Infanta, Quezon.

[3] *Id.*

[4] *Id.*

[5] *Id.* at 1-3. The July 28, 2023 Agenda Report was signed by then Court Administrator Raul 8. Villanueva (now a Member of the Court).

[6] *Id.* at 3.

[7] *Id.* at 8-9. The October 9, 2023 Resolution was issued by the First Division of the Supreme Court and signed by Atty. Maria Teresa B. Sibulo, Division Clerk of Court.

[8] *Id.*

[9] *Id.* at 10-73.

[10] *Id.* at 10.

[11] *Id.* at 11-13.

[12] *Id.* at 14-15.

[13] CSC Resolution No. 2500357 (2025).

[14] *Re: Dropping.frqm the Rolls of Mr. Jabonete,* 845 Phil 853, 857(2019) (Per J. Perlas-Bernabe, Second Division].

[15] *Judge Maxino v. Jasmin,* 934 Phil. 723,726 (2023) [Per J. Inting, Third Division].

[16] OP Memorandum Order No. 823 (1985), Implementing the New Guidelines on the Filing of Application for Vacation Leave as Embodied in CSC Resolution No. 840-034.

[17] *Loyao, Jr. v. Manatad,* 387 Phil. 337, 344 (2000) [*Per Curiam, Er Banc*].

[18] *Office of the Court Administrator v. Sheriff IV Cabe,* 389 Phil. 685, 698 (2000) [Per J. De Leon, Jr., Second Division]; *Santiago v. Judge Jovellanos,* 391 Phil. 682, 698 (2000) [Per J. De Leon, Jr., Second Division].

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