



PHILJA E-Alerts

The PHILJA E-Alerts is published by the Research, Publications and Linkages Office of the Philippine Judicial Academy, with office at the 3rd Floor of the Supreme Court Centennial Building, Padre Faura Street corner Taft Avenue, Manila.

Tel. No: 02 5529524 Fax No: 02 5529621

E-mail address

philja@sc.judiciary.gov.ph
research_philja@yahoo.com

Website address

<http://philja.judiciary.gov.ph>

PHILIPPINE JUDICIAL ACADEMY

Justice Adolfo S. Azcuna
Chancellor

Dean Sedfrey M. Candelaria
*Head, Research, Publications
and Linkages Office*

Atty. Orlando B. Cariño
Editor

Editorial, Research and Circulation
*Research, Publications
and Linkages Office*

Issue 15-04

April 2015

Judge: Sexual harassment

Under Section 3 of A.M. No. 03-03-13-SC (Re: Rule on Administrative Procedure in Sexual Harassment Cases and Guidelines on Proper Work Decorum in the Judiciary), work-related sexual harassment is committed by an official or employee in the Judiciary who, having authority, influence or moral ascendancy over another in a work environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the latter. It is committed when “the sexual favor is made as a condition in the hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee.”

While respondent judge exercised moral ascendancy over complainants, his subordinates, his alleged sexual advances were not proven with moral certainty. The totality of evidence failed to convince that he committed the acts imputed against him.

The case against respondent was dismissed for lack of merit. **(A.M. No. RTJ-13-2363 [Formerly OCA IPI No. 13-4149-RTJ], February 25, 2015)**

Clerk of Court: Dishonesty, gross neglect of duty and grave misconduct

Administrative Circular No. 35-2004, as amended, dated August 20, 2004 requires the daily remittance of JDF and SAJF collections. Also, Section 4, of OCA Circular No. 50-95 provides that all collections from bailbonds, rental deposits and other Fiduciary collections shall be deposited by the Clerk of court concerned within twenty-four (24) hours upon receipt thereof with the Landbank of the Philippines.

Respondent clerk of court did not follow the procedural guidelines. Worse, she incurred deficits in her collections which she failed to settle despite the ample time allowed her to do so.

For dishonesty, gross neglect of duty, and grave misconduct, respondent was dismissed from the service immediately and all benefits due her were ordered forfeited, with prejudice to re-employment in the government service including GOCCs. **(A.M. No. P-10-2872 [Formerly A.M. No. 10-10-118-MTC], February 24, 2015)**