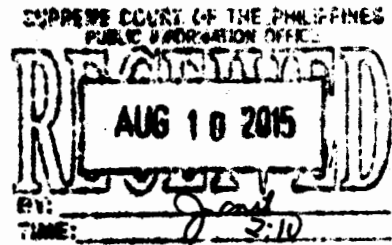




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated July 20, 2015 which reads as follows:

“G.R. No. 218096 (Arnel V. Kalalo v. Chevron Corporation, Chevron Philippines, Inc., and James Edward Meynink). – The National Labor Relations Commission is DELETED as party respondent in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

After a judicious perusal of the records, the Court resolves to **DENY** the petition and **AFFIRM** the November 13, 2014 Decision¹ and April 30, 2015 Resolution² of the Court of Appeals (CA) in CA-GR. SP No. 129656 for failure of petitioner Arnel V. Kalalo (petitioner) to sufficiently show that the CA committed any reversible error in dismissing his labor complaint for lack of merit.

As correctly ruled by the CA, there was no grave abuse of discretion on the part of the National Labor Relations Commission in holding that petitioner was validly dismissed on the ground of redundancy, the same having been supported by substantial evidence. It is well-settled that a redundancy program shall be validly implemented once the employer has complied with the following requisites: (1) written notice served on both the employees and the Department of Labor and Employment at least one

- over - two (2) pages

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¹ *Rollo*, pp. 25-30. Penned by Associate Justice Ricardo R. Rosario with Associate Justices Rebecca C. De Guia-Salvador and Leoncia Real-Dimagiba concurring.


² *Id.* at 31. Penned by Associate Justice Ricardo R. Rosario with Associate Justices Leoncia Real-Dimagiba and Eduardo B. Peralta, Jr., concurring.

(1) month prior to the intended date of retrenchment; (2) payment of separation pay equivalent to at least one (1) month pay or one (1) month pay for every year of service, whichever is higher; (3) good faith in abolishing the redundant positions; and (4) fair and reasonable criteria in ascertaining what positions are to be declared redundant and accordingly abolished, such as in this case.

Likewise, the instant petition failed to include a material portion of the record, *i.e.*, the Decision of the Labor Arbiter dated May 30, 2012, thus justifying its denial altogether.

SO ORDERED.” SERENO, C.J., on official leave; **PERALTA, J.**, acting member per S.O. No. 2103 dated July 13, 2015. **LEONARDO-DE CASTRO, J.**, on official leave; **LEONEN, J.**, acting member per S.O. No. 2108 dated July 13, 2015.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court
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SR

³ *Arabit v. Jardine Pacific Finance, Inc. (formerly MB Finance)*, G.R. No. 181719, April 21, 2014, 722 SCRA 44, 62; citations omitted.

