

Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated October 9, 2019 which reads as follows:

“G.R. No. 247796 (Stephanie P. Abong, Ida Marie T. Quilitorio-Moreno, Melissa R. Gadiana, Mery Grace DC. Diño, and Maykey M. Envidiado vs. Bicentennial Food Conglomerate Corporation and Guillermo S. Alquros)

After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the September 18, 2018 Decision² and the May 20, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. SP No. 149197 for failure of petitioners Stephanie P. Abong, Ida Marie T. Quilitorio-Moreno, Melissa R. Gadiana, Mery Grace DC. Diño, and Maykey M. Envidiado (petitioners) to sufficiently show that the CA committed any reversible error in affirming the National Labor Relations Commission’s (NLRC) finding that they were not illegally dismissed.

As correctly ruled by the CA, petitioners failed to show that the NLRC committed grave abuse of discretion in arriving at its Decision⁴ and Resolution,⁵ as its conclusions were supported by the evidence on record.⁶ The Court agrees that respondent Bicentennial Food

¹ *Rollo*, pp. 12-33.

² *Id.* at 38-58. Penned by Associate Justice Geraldine C. Fiel-Macaraig with Associate Justices Ramon R. Garcia and Eduardo B. Peralta, Jr., concurring.

³ *Id.* at 60-62.

⁴ Dated July 29, 2016, penned by Commissioner Dolores M. Peralta-Beley with Presiding Commissioner Grace E. Maniquiz-Tan, concurring; *id.* at 85-102.

⁵ Dated October 13, 2016, penned by Commissioner Dolores M. Peralta-Beley with Presiding Commissioner Grace E. Maniquiz-Tan and Commissioner Mercedes R. Posada-Lacap, concurring; *id.* at 103-107.


⁶ See *id.* at 48. See also *Aluag v. BIR Multi-Purpose Cooperative*, G.R. No. 228449, December 6, 2017, 848 SCRA 284, 296; *Sutherland Global Services (Philippines), Inc. v. Labrador*, 730

Conglomerate Corporation (BFCC) has adduced substantial evidence showing that petitioners were dismissed for serious misconduct for violating its no drinking and centralized tipping policies.⁷ It is of no moment that such evidence were submitted for the first time in BFCC's appeal to the NLRC. It is settled that the NLRC may receive evidence submitted for the first time on appeal since it may ascertain facts objectively and speedily without regard to technicalities of law in the interest of substantial justice.⁸ Moreover, a question relating to the sufficiency of such evidence is a question of fact which, as a general rule, is not subject to a review by this Court.⁹ Evidence on record may be reexamined by this Court only under recognized exceptions,¹⁰ none of which obtain in this case.

The petitioners' filing of a soft copy of the motion for extension to file petition, with a verified declaration as required in the Resolution dated July 24, 2019 is **DISPENSED WITH**.

SO ORDERED.” *Zalameda, J., designated as Additional Member per Special Order No. 2712 dated September 27, 2019.*

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court ATC 10/22

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Phil. 295, 304 (2014); and *Montoya v. Transmed Manila Corporation*, 613 Phil. 696, 707 (2009).

⁷ Id. at 49.

⁸ *Unicol Management Services, Inc. v. Malipot*, 751 Phil. 463, 474 (2015).

⁹ See *Coca-Cola Bottlers Phils. Inc. v. Daniel*, 499 Phil. 491, 503 (2005).

¹⁰ Id.