



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated February 8, 2023 which reads as follows:

“G.R. No. 258251 (CA Telemarketing, Inc. v. Dianna B. Valencia, Jonnalyn V. Abejuela, Miles J. Espadilla, and Alejandro S. Yaon, Jr.). — This Petition for Review on *Certiorari*¹ assails the Decision² dated 21 December 2020 and Resolution³ dated 23 July 2021 of the Court of Appeals (CA) in CA-G.R. SP No. 159949. The CA denied the petition for *certiorari* which questioned the Decision⁴ dated 31 July 2018 of the National Labor Relations Commission (NLRC) in NLRC LAC NO. 05-001937-18. The NLRC denied petitioner’s appeal and affirmed the Labor Arbiter’s (LA) 24 April 2018 Decision⁵ in NLRC NCR Case No. 0-04965-17. The LA found that respondents Diana B. Valencia (Valencia), Jonnalyn V. Abejuela (Abejuela), Miles Joshua Espadilla (Espadilla), and Alejandro S. Yaon, Jr. (Yaon) (collectively, respondents) were illegally dismissed from employment. Petitioner is liable for respondents’ respective separation pay, pro-rated 13th month pay, service incentive leave pay, unpaid salary, and 10% attorney’s fees.

After a judicious review of the case, this Court resolves to **DENY** the Petition for failure on the part of petitioner to sufficiently show any cogent reason why the decisions of the LA, the NLRC, and the CA, which have passed upon the same issues, should be reversed. These tribunals uniformly found that respondents were illegally dismissed. Petitioner failed to show that the tribunals’ factual findings are not based on substantial evidence or that their decisions are contrary to applicable law and jurisprudence.

¹ *Rollo*, pp. 3-48; Under Rule 45 of the Revised Rules of Court.

² *Id.* at 50-61; Penned by Associate Justice Ruben Reynaldo G. Roxas and concurred in by Associate Justices Myra V. Garcia-Fernandez and Bonifacio S. Pascua.

³ *Id.* at 81-82; Penned by Associate Justice Ruben Reynaldo G. Roxas and concurred in by Associate Justices Myra V. Garcia-Fernandez and Bonifacio S. Pascua.

⁴ *Id.* at 129-142; Penned by Presiding Commissioner Grace M. Venus and concurred in by Commissioners Mary Ann P. Daytia and Leonard Vinz O. Ignacio.

⁵ *Id.* at 149-155; Penned by Labor Arbiter Ronaldo R. Doctor


Pursuant to this Court's ruling in *Nacar v. Gallery Frames*,⁶ We modify the judgment by imposing legal interest of six percent (6%) per *annum* on the total monetary award, reckoned from the finality of this Resolution until its full satisfaction.⁷

WHEREFORE, the Petition is **DENIED**. The assailed 21 December 2020 Decision and 23 July 2021 Resolution of the Court of Appeals (CA) in CA-G.R. SP No. 159949 are **AFFIRMED** with the **MODIFICATION** in that the total monetary awards in favor of respondents shall earn legal interest at the rate of six per cent (6%) per *annum* from the date of finality of this Resolution until full payment.

The case is **REMANDED** to the Labor Arbiter for recomputation of the monetary awards and benefits due respondents.

SO ORDERED.” *Rosario, J., on official leave.*

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court

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(NLRC NCR Case No. 04-04965-17)

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⁶716 Phil. 267, 281-283 (2013).

⁷See *Deocampo v. Seacrest Maritime Management, Inc.*, G.R. No. 236570, 14 June 2021.

