



Republic of the Philippines
Supreme Court
Baguio City

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **January 11, 2023** which reads as follows:*

“G.R. No. 261785 (BSM Crew Service Centre Philippines, Inc. and/or Bernhard Schulte Shipmanagement (Singapore) Pte., Ltd. and/or Narcissus L. Duran v. Gielamars C. Lorete). – The instant Petition for Review on *Certiorari*¹ (Petition) seeks to reverse and set aside the Decision² dated 28 February 2022 of the Court of Appeals (CA) in CA-G.R. SP No. 156163 and the Resolution³ dated 23 June 2022 affirming the Decision⁴ dated 28 March 2018 of the Panel of Voluntary Arbitrators (the Panel) of the National Conciliation and Mediation Board in Case No. AC980-RCMB-NCR-MVA-321-42-09-2017. The Panel found respondent Gielamars C. Lorete (respondent) to be totally and permanently disabled and ordered petitioners BSM Crew Service Centre Philippines, Inc. and/or Bernard Schulte Shipmanagement (Singapore) Pte., Ltd. and/or Narcissus L. Duran (petitioners) solidarily liable to pay respondent the amount of USD98,848.00 for total and permanent disability benefits pursuant to the collective bargaining agreement, and ten percent (10%) of the total judgment award by way of attorney’s fees.

Considering the allegations, issues, and arguments presented, the Court finds no cogent reason to deviate from the consistent findings of the Panel and the CA and resolves to **DENY** the instant Petition for failure of petitioners to sufficiently show any reversible error in the challenged Decision and Resolution of the CA.

However, We find the need to **MODIFY** the assailed rulings and impose legal interest on the total monetary amounts due to respondent at the

¹ *Rollo*, pp. 42-76.

² *Id.* at 77-96; penned by Associate Justice Maria Filomena D. Singh (now a member of this Court) and concurred in by Associate Justices Fernanda Lampas Peralta and Bonifacio S. Pascua.

³ *Id.* at 97-98; penned by Associate Justice Fernanda Lampas Peralta and concurred in by Associate Justices Zenaída T. Galapate-Laguilles and Bonifacio S. Pascua.


⁴ *Id.* at 168-176; penned by Chairman MVA Reynaldo B. Ubaldo and concurred in by Members MVA Norberto M. Alensuela, Sr. and MVA Rosario C. Cruz.

rate of six percent (6%) per *annum* from finality of this Resolution until fully satisfied.⁵

WHEREFORE, the instant Petition is hereby **DENIED**. The Decision dated 28 February 2022 and the Resolution dated 23 June 2022 of the Court of Appeals (CA) in CA-G.R. SP No. 156163 are **AFFIRMED with MODIFICATION** in that the total monetary awards due to respondent Gielamars C. Lorete shall earn legal interest at the rate of six percent (6%) per *annum* from finality of this Resolution until fully satisfied.

SO ORDERED.” *Hernando, J., on leave.*

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *at 116*

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court

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No. 12-7-1-SC)

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(NCMB Case No. AC-980-RCMB-NCR-MVA
-321-42-09-2017)

Philippine Judicial Academy (x)
Supreme Court

Judgment Division (x)
Supreme Court

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⁵ *Nacar v. Gallery Frames*, 716 Phil. 267, 283 (2013).