



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated 13 July 2020 which reads as follows:*

**“G.R. No. 251611 (SAMA International Recruitment Agency Company v. Neptalie Sumbrana Felipe).** – This is a Petition for Review on *Certiorari* under Rule 45 assailing the Resolution<sup>1</sup> dated 15 January 2020 and the Resolution<sup>2</sup> dated 26 July 2019 of the Court of Appeals (CA) in CA-G.R. SP No.160019 which found no grave abuse of discretion amounting to lack or excess of jurisdiction committed by the National Labor Relations Commission (NLRC) when it upheld in its Decision<sup>3</sup> dated 27 September 2018 in NLRC NCR Case No. (L) 10-15583-17/NLRC LAC No. 05-000313-18-OFW the Decision<sup>4</sup> of the Labor Arbiter dated 30 January 2018 which declared that Felipe was constructively dismissed.

When there is a concurrence of both the decisions of the NLRC and the Labor Arbiter, courts ought to be more prudent in the exercise of its *certiorari* jurisdiction in order to allow greater stability in the marketplace because, after all, labor law and policy mandate speedy, efficient, and effective resolution of employer-employee controversies by specialized labor tribunals who have expertise on the matter and whose decisions must, as much as possible carry finality.

The Court is precluded from doing an independent review of this factual matter since it has already been decided by the labor tribunals, unless the CA, in the *certiorari* petition, ascertains that the NLRC acted with grave abuse of discretion. Absent such determination, factual findings of the NLRC are deemed conclusive and binding even on this Court.<sup>5</sup> In light of

<sup>1</sup> Penned by Associate Justice Apolinario D. Bruselas, Jr., with Associate Justices Germano Francisco D. Legaspi and Ruben Reynaldo G. Roxas, concurring; *rollo*, pp. 41-42.

<sup>2</sup> Penned by Associate Justice Apolinario D. Bruselas, Jr., with Associate Justices Germano Francisco D. Legaspi and Ruben Reynaldo G. Roxas, concurring; *id.* at 32-39.

<sup>3</sup> Penned by Commissioner Mercedes R. Posada-Lacap, with Presiding Commissioner Grace E. Maniquiz-Tan and Commissioner Dolores M. Peralta-Beley, concurring; *id.* at 93-105.

<sup>4</sup> Penned by Labor Arbiter Julia Cecily Coching Sosito; *id.* at 61-67.

<sup>5</sup> *Bugaoisan v. OWI Group Manila*, G.R. No. 226208, February 7, 2018.

the foregoing, the Court considers the findings of fact of the Labor Arbiter, as affirmed by the NLRC, final and conclusive, in the absence of proof that the latter acted *without, in excess of or with grave abuse of discretion* amounting to lack or excess of jurisdiction.<sup>6</sup>

After a judicious study of the case, the Court resolves to **DENY** the instant petition and **AFFIRM** *in toto* the Resolution dated 15 January 2020 and Resolution dated 26 July 2019 of the Court of Appeals in in CA-G.R. SP No.160019 which found no grave abuse of discretion amounting to lack or excess of jurisdiction committed by the NLRC.

**SO ORDERED.**" (*J. Gaerlan, designated Additional Member per Special Order No. 2780 dated May 11, 2020.*)

Very truly yours,

  
TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court *MSC 927*

28 AUG 2020

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(NLRC Case No. [L] 10-15583-17  
NLRC LAC No. 05-000313-18-OFW)

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*Please notify the Court of any change in your address.*  
GR251611. 7/13/2020(12)URES

<sup>6</sup> Id.