

Title: National Labor Relations Commission, St. Jude Catholic School, et al. v. Ma. Bernadette S. Salgarino

Facts:

On February 15, 1999, Ma. Bernadette A. Salgarino took maternity leave from her post as a Mathematics teacher at St. Jude Catholic School. During her leave, she attempted to improve certain students' grades by conducting unauthorized make-up tests at her home. On March 2, 1999, the fourth periodical test for Mathematics IV was held by substitute teacher Ms. Maria Luisa Capistrano, as Salgarino was still on leave. The substitute teachers checked the test papers and found that some students had failing grades. Without petitioners' permission, the respondent obtained the grading sheets and altered the failing grades to passing marks. Respondent Salgarino justified her actions by arguing that she had the right to pass her students and claiming humanitarian considerations.

When the alterations were discovered, the matter was escalated, and an investigation was conducted on March 26, 1999. The panel concluded that Salgarino's actions constituted "education malpractice or grave misconduct" in violation of the Manual of Regulations for Private Schools. Her services were subsequently terminated on April 15, 1999. Salgarino filed a complaint with the Labor Arbiter, who ruled in her favor concluding that she was illegally dismissed, given that no malice or immoral considerations were proven. On appeal, the NLRC reversed this decision, finding her conduct as serious misconduct justifying dismissal. Salgarino then filed a Petition for Certiorari with the Court of Appeals, which reinstated the Labor Arbiter's decision. Petitioners sought a review from the Supreme Court but initially failed to comply with the requirements. However, upon reconsideration with a motion to exclude two petitioners, the Supreme Court reinstated the petition.

Issues:

1. Whether or not Salgarino's dismissal was legal considering her admittance to changing the students' grades while on leave.
2. Whether or not Salgarino was entitled to reinstatement, backwages, 13th month pay, and attorney's fees.
3. Whether the Court of Appeals erred in its decision.

Court's Decision:

The Supreme Court denied the Petition for Review and affirmed the decision of the Court of Appeals. The Court found Salgarino's act of unilaterally increasing grades as misconduct, but not serious enough to warrant dismissal, considering her intent to help her students and

lack of previous derogatory records. The penalty of dismissal was deemed too harsh. Moreover, Salgarino was neither a managerial employee nor one who handled significant amounts of money or property, and hence, the loss of trust and confidence did not apply. Therefore, her dismissal was deemed illegal, and she was entitled to reinstatement with full backwages.

Doctrine:

Serious misconduct justifying dismissal requires wrongdoing with wrongful intent, and the penalty must be commensurate with the gravity of the offense. Under Article 282 of the Labor Code, the employer has the burden of proving the lawfulness of the dismissal. Academic freedom refers to the freedom of thought or utterance in academic research and is not related to the discretion of teachers in grading students.

Class Notes:

- Misconduct must be wrongful in intent, not merely an error in judgment.
- The penalty imposed on an employee must be proportionate to the nature of the offense.
- Loss of confidence as a ground for dismissal applies only to positions of trust and custody of money or property.
- Burden of proof in termination cases lies with the employer.

Historical Background:

This case demonstrates the balance courts must strike between protecting employees' rights under Philippine labor laws and respecting the management prerogatives of employers. Moreover, it highlights the nuanced interpretation of academic freedom and misconduct in the context of educational institutions.