

Title: ABS-CBN Broadcasting Corporation vs. Marlyn Nazareno, et al.

Facts:

ABS-CBN, a major broadcasting company, employed Marlyn Nazareno, Merlou Gerzon, Jennifer Deiparine, and Josephine Lerasan as production assistants (PAs) at varying dates and assigned them to different radio programs at its Cebu Broadcasting Station, with a monthly salary of P4,000. Their duties were closely related to the company's core business operations, and they worked under the supervision of ABS-CBN executives.

When a collective bargaining agreement (CBA) was executed between ABS-CBN and its rank-and-file employees, the respondents were excluded on the grounds that they were not considered part of the bargaining unit. Subsequently, they filed a Complaint for Recognition of Regular Employment Status and other related claims against ABS-CBN before the National Labor Relations Commission (NLRC) but initially failed to pursue it. They later refiled their complaint, insisting on their status as regular employees and seeking associated benefits.

The case was dismissed for lack of interest, refiled, and ultimately decided in favor of the respondents by the Labor Arbiter, declaring them regular employees and awarding monetary benefits. ABS-CBN appealed to the NLRC, which modified the decision in favor of the respondents. The Court of Appeals upheld the NLRC's decision.

Issues:

1. Whether the respondents should be considered regular employees.
2. If respondents are regular employees, whether they are entitled to benefits under the ABS-CBN and its rank-and-file employees' CBA.

Court's Decision:

The Supreme Court denied the petition of ABS-CBN, affirming the decisions of the Court of Appeals and the NLRC. It held that the respondents were regular employees because their job responsibilities were integral and necessary to ABS-CBN's business. The decision was based on several factors, including the nature of their work, the length of their service, and the degree of control and supervision exercised by ABS-CBN over them.

The Court also ruled that the respondents were entitled to the benefits under the CBA because their work made significant contributions to the company's profits, and being

regular employees, they should enjoy the benefits provided to other regular employees under the CBA.

Doctrine:

This case reiterated the doctrine that employment should be deemed regular when the employee has been engaged to perform activities usually necessary or desirable in the usual business or trade of the employer, except in specific circumstances clearly outlined by law. It also underscored the principle that technicalities should not impede the resolution of labor disputes in favor of substantive justice.

Class Notes:

- **Regular Employment**: Employment is regular if the employee has been engaged to perform activities that are usually necessary or desirable in the employer's usual business or trade.
- **Project Employment**: Employment is project-based if it is for a specific project or undertaking, the duration, and scope of which are specified at the time of engagement.
- **CBA Benefits**: Non-union members who are regular employees are entitled to benefits under the Collective Bargaining Agreement.
- **Doctrine of Substantial Justice Over Technicality in Labor Cases**: Technical rules are not binding in labor cases and are not to be applied strictly if the result would be detrimental to the workingman.
- **Labor Code, Art. 280**: The critical provision for determining regular employment.

Historical Background:

This case is illustrative of the evolving nature of labor relations and employment classifications in the Philippines. It highlights the Supreme Court's commitment to protecting workers' rights and ensuring fair and humane working conditions, aligning with the broader goals of Philippine labor laws to provide social justice to workers and promote employment security.