

Title: *Saudia Arabian Airlines (Saudia) vs. Rebesencio et al.*

****Facts:****

1. ****Recruitment and Employment:****

- The respondents Ma. Jopette M. Rebesencio, Montassah B. Sacar-Adiong, Rouen Ruth A. Cristobal, and Loraine S. Schneider-Cruz were recruited and hired by Saudi Arabian Airlines (Saudia) as Temporary Flight Attendants with accreditation from the Philippine Overseas Employment Administration (POEA).
- After training, they became Permanent Flight Attendants and entered into formal employment contracts with Saudia on various dates between 1990 and 1995.

2. ****Pregnancy and Maternity Leaves:****

- In 2006, each respondent informed Saudia of their pregnancies and initially had their maternity leaves approved by the local management.
- Later, Saudia's main office in Jeddah, Saudi Arabia, disapproved the leaves and required them to resign. They were informed that non-compliance would result in termination without benefits.

3. ****Forced Resignations:****

- Under duress and threat of losing benefits, the respondents signed handwritten resignation letters.
- Despite attempts to appeal and personal visits to Saudia's office, the respondents were ultimately terminated.

4. ****Complaint for Illegal Dismissal:****

- On November 8, 2007, the respondents filed a complaint against Saudia for illegal dismissal and sought various unpaid benefits and damages.
- The case was assigned to Labor Arbiter Hermino V. Suelo and docketed as NLRC NCR Case No. 00-11-12342-07.

****Procedural Posture:****

1. ****Labor Arbiter Decision:****

- Executive Labor Arbiter Fatima Jambaro-Franco dismissed the complaint for lack of jurisdiction and merit.

2. ****Appeal to NLRC:****

- The respondents appealed to the National Labor Relations Commission (NLRC), which

reversed the labor arbiter's decision, finding that the respondents' resignation was involuntary. It ordered Saudia to pay back wages and separation pay.

3. **Court of Appeals:**

- Saudia filed a Rule 65 petition with the Court of Appeals which was denied. The CA affirmed the NLRC's decision but ordered a recomputation of the monetary awards.

4. **Supreme Court Petition:**

- Saudia and co-petitioner Brenda J. Betia filed a Petition for Review on Certiorari under Rule 45 before the Supreme Court.

Issues:

1. **Jurisdiction:**

- Whether the Labor Arbiter and the NLRC had jurisdiction over Saudi Arabian Airlines and the dispute.

2. **Voluntariness of Resignation:**

- Whether the respondents voluntarily resigned or were constructively dismissed.

3. **Liability of Individual Petitioner:**

- Whether Brenda J. Betia could be held personally liable along with Saudia.

Court's Decision:

1. **Jurisdiction:**

- The Supreme Court held that the labor tribunals had jurisdiction over Saudia as it conducted operations in the Philippines and had a local office. The principle of forum non conveniens and choice of law clauses did not preclude jurisdiction. Philippine law applied, considering the employment contracts' public policy implications.

2. **Constructive Dismissal:**

- The Court found the respondents' resignations were not voluntary but executed under threat and duress. Saudia's policy of terminating pregnant employees was discriminatory and violative of fundamental public policy on equality and labor rights.

3. **Liability of Individual Petitioner:**

- Brenda J. Betia could not be held personally liable as the respondents failed to show she acted in bad faith or with malice in their termination.

Doctrine:

- **Jurisdiction over Foreign Corporation:** Philippine courts hold jurisdiction over foreign

corporations doing business in the Philippines.

- **Employment and Labor Protection:** Termination of employment based on pregnancy is discriminatory and violates both constitutional protections and public policy favoring workers' rights.
- **Constructive Dismissal:** Employee resignations obtained through threats of termination and loss of benefits are considered constructive dismissals and are illegal.

Class Notes:

- **Jurisdiction:** Foreign corporations with local offices in the Philippines are subject to local jurisdiction.
- **Forum Non Conveniens:** Not automatically a ground to dismiss cases if substantial linkages to the local forum exist.
- **Employment Discrimination:** Employment policies must conform to provisions of public policy, including non-discrimination on the basis of sex and equality before the law.
- **Labor Rights:** Employees cannot be forced to resign under threat of termination; such resignations constitute illegal and constructive dismissal.

Historical Background:

The case underscores the progressive application of international labor standards and constitutional guarantees on equality to transnational employment disputes involving Filipino workers. The ruling aligns with global norms against gender discrimination and reinforces local labor rights amidst the Philippines' active deployment of overseas workers.