

Title: Cornworld Breeding Systems Corporation and/or Laureano C. Domingo vs. Court of Appeals and Lucena M. Alvaro-Ladia

Facts:

- Employment History:** Lucena M. Alvaro-Ladia (Lucena) was hired by Cornworld Breeding Systems Corporation (Cornworld) in August 1982 as a field labor employee. Over time, she was promoted and eventually became Vice President for Research and Development.
- Management Change:** On January 16, 2009, Cornworld's President, Benito M. Domingo, had a stroke, resulting in Laureano C. Domingo (Laureano) taking over the management.
- Incident with Laureano:** On January 24, 2009, Laureano called a special meeting where he publicly berated Lucena for missing previous meetings and not responding to his communications. The confrontation led Lucena to cry and leave the meeting on Laureano's orders.
- Medical Leave:** Following the incident, Lucena was hospitalized due to hypertension and subsequently applied for a seven-day sick leave on January 26, 2009.
- Appointment of Overseer:** On February 17, 2009, Officer-in-Charge Rizalina C. Domingo appointed Alan Canama as Overseer of all offices under Research and Development via a Board Resolution dated January 22, 2009.
- Alleged Constructive Dismissal:** Lucena claimed her position was undermined, leaving her in a floating status, compounded by threats to her person and life. She consequently refrained from returning to work and filed another sick leave on May 15, 2009.
- Substitution at Meeting:** On May 25, 2009, despite attending a meeting in representation of Cornworld, two other employees were sent by Laureano instead.
- Filing of Complaint:** On June 23, 2009, Lucena filed a complaint for constructive dismissal against Cornworld and Laureano.

Procedural Posture:

- Labor Arbiter:** Dismissed Lucena's complaint for lack of merit (August 24, 2009).
- National Labor Relations Commission (NLRC):** Affirmed the Labor Arbiter's decision, stating there was neither constructive dismissal nor abandonment (March 24, 2010). The NLRC also denied Lucena's Motion for Reconsideration.
- Court of Appeals (CA):** Granted Lucena's Petition for Certiorari, stating she was constructively dismissed and awarded her backwages, separation pay, and attorney's fees. Cornworld's Motion for Reconsideration was denied (February 8, 2012).

****Issues:****

1. ****Whether Cornworld availed of the wrong legal remedy in filing a Petition for Certiorari instead of a Petition for Review on Certiorari.****
2. ****Whether Lucena was actually or constructively dismissed by Cornworld.****
3. ****Whether Lucena abandoned her job.****
4. ****Whether procedural due process was accorded to Lucena.****

****Court's Decision:****

1. ****Wrong Remedy****: The Supreme Court held that Cornworld improperly filed a special civil action for certiorari under Rule 65 instead of a Petition for Review on Certiorari under Rule 45. This procedural error warranted the petition's dismissal.
2. ****Constructive Dismissal****: Examining the merits, the Court concurred with the CA's finding that Lucena was constructively dismissed. The actions by Cornworld, including the appointment of Canama, withholding of salaries, and public humiliation, made Lucena's continued employment unbearable.
3. ****No Abandonment****: Cornworld failed to prove that Lucena abandoned her job. Lucena's applications for sick leave and her prompt filing of the illegal dismissal complaint indicated she did not intend to sever her employment.
4. ****Due Process****: The Court noted that due process was lacking since the employer did not provide the required notices to Lucena before termination.

****Doctrine:****

- ****Constructive Dismissal****: When continued employment becomes intolerable due to actions by the employer, such as demotion, non-payment, public ridicule, or other hostile actions, it amounts to constructive dismissal.
- ****Abandonment****: Requires (1) absence from work without a valid reason and (2) a clear intention to sever the employer-employee relationship. Mere absence does not equate to abandonment if justifiable reasons are provided, and immediate filing of complaints disputes abandonment claims.

****Class Notes:****

- ****Constructive Dismissal****: Defined as involuntary resignation due to unbearable working conditions. Key elements include significant changes in duties, reduction in responsibilities, non-payment of wages, or hostile work environment.
- ****Abandonment****: Requires both failure to report to work and clear intent to terminate employment relationship. Filing complaints negates the assumption of abandonment.
- ****Procedural Due Process in Dismissals****: Involves two notices—the first to inform the

employee of the charges and the second to notify the penalty following an opportunity to be heard.

****Historical Background:****

This case reflects the legal challenges in hierarchical shifts within corporations and the protections afforded to employees under labor law. It reaffirms employee rights against dismissals disguised as voluntary resignations (constructive dismissals) and highlights procedural adherence for valid terminations. The judicial decisions reinforce the legal principle that procedural and substantive due process must be upheld to protect employees' rights against arbitrary employment practices.