

****Title:**** Cambil v. Kabalikat Para sa Maunlad na Buhay, Inc.

****Facts:****

Cattleya R. Cambil was hired on May 30, 2016, by Kabalikat Para sa Maunlad na Buhay, Inc. (KMBI) as a Program Officer on a probationary basis. She was provided with an employment packet during a training session, outlining her job description and the company's work policies. There is a dispute regarding her termination date: Cambil claims it was July 22, 2016, while KMBI asserts it was August 1, 2016.

On July 19, 2016, Cambil left work early due to illness and was absent on July 20-21, 2016. She returned on July 22, 2016, when she was informed by her supervisor Mark Edwin Espos that her services were terminated. From July 25-28, 2016, she was not assigned any tasks by KMBI, which substantiated her unauthorized absences and alleged failure to meet the company's performance standards, resulting in the termination notice issued on August 1, 2016.

Cambil filed a complaint, resulting in the Labor Arbiter (LA) ruling in her favor, affirming illegal dismissal and awarding unpaid wages and compensation for the unexpired probationary term. KMBI appealed to the National Labor Relations Commission (NLRC), which upheld the LA decision. KMBI then filed a petition for certiorari with the Court of Appeals (CA), which reversed the NLRC and ruled in favor of KMBI, leading Cambil to bring the case to the Supreme Court.

****Issues:****

1. Whether Cambil was illegally dismissed by KMBI.
2. Whether KMBI followed due process in terminating Cambil.
3. Whether the CA correctly found grave abuse of discretion by the NLRC.
4. Whether the petition filed by Cambil, although late, should be given due course due to her indigent status and lack of legal representation.

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

1. ****Illegal Dismissal:**** The Supreme Court upheld the CA's finding that the NLRC committed grave abuse of discretion in affirming the LA decision. Cambil was terminated for failure to meet KMBI's performance standards, not solely due to unauthorized absences.
2. ****Due Process Adherence:**** The Court found that KMBI complied with procedural requirements by notifying Cambil of her performance evaluation and subsequent deficiencies within a reasonable time frame. The issuance of performance evaluation

findings and termination notice was seen as sufficient adherence to due process.

3. **Grave Abuse of Discretion:** The CA was correct in finding that the NLRC's conclusions were not supported by substantial evidence. Cambil's dismissal was founded on her non-compliance with KMBI's performance standards and her proven refusal to accord respect and follow company protocol.

4. **Late Petition Acceptance:** Although the petition was filed late, the Supreme Court invoked leniency considering Cambil's indigent status and lack of legal assistance. The Court allowed the petition to ensure no miscarriage of justice occurred due to procedural technicalities.

Doctrine:

The key legal doctrines established or reiterated in this case include:

- **Probationary Employment Standards:** A probationary employee can be terminated if they fail to meet reasonable performance standards communicated at the time of their engagement (Article 296, Labor Code of the Philippines).
- **Employer's Right to Terminate:** An employer has the right to terminate probationary employment based on non-performance of duties or failure to meet established standards, provided the standards are reasonable and communicated clearly to the employee.
- **Due Process in Termination:** Due process in termination encompasses notifying the employee of the grounds for dismissal and providing an opportunity for the employee to explain or rectify their deficiencies.

Class Notes:

- **Probationary Employee (Article 296, Labor Code):** Probationary employees must be informed of the performance standards for regularization. Failure to inform results in automatic regularization.
- **Just Ground for Dismissal:** Attributable to failure to meet performance standards also signs of insubordination or poor attitude towards work evaluated through performance reviews.
- **Due Process in Termination:** Comprising notifications of deficiencies, reasonable time for improvement, and procedural adherence required under company policies.
- **Judicial Review in Labor Cases:** Supreme Court reviews CA decisions based on whether the CA correctly found grave abuse of discretion in NLRC's findings. Evaluation is grounded in substantial evidence from administrative bodies.

****Historical Background:****

The case reflects ongoing labor issues in the Philippines, particularly the balance between protecting employees' rights and acknowledging employers' prerogatives. This legal conflict has historical roots in the post-industrialization era, where regulatory frameworks developed to address discriminatory employment practices while also refining lawful grounds and procedures for employment termination. The progressive judicial stance reflects the policy aiming to align employment practices with broader objectives of social justice codified in the 1987 Constitution and evolving labor legislation.