

Title: Karen G. Jaso vs. Metrobank & Trust Co., et al.

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Facts:

1. **Initial Employment and Probationary Status:**

- Karen G. Jaso was hired by Metrobank as a Management Trainee on July 16, 2012, with a probationary period of six months.

2. **Show Cause Order:**

- On January 2, 2013, Jaso received a Show Cause Order from Hernandez (Head of Employee Relations Division) citing “Gross and habitual negligence,” “Unprofessional behavior,” and “Unauthorized absences/Non-disclosure of material information/Dishonesty.”

3. **Reply to Charges:**

- Jaso provided a written explanation on January 9, 2013, denying the allegations.

4. **Termination:**

- On January 14, 2013, Metrobank dismissed Jaso effective January 15, 2013, for failing to meet regularization standards and for the cited infractions.

5. **Procedural History:**

- **Labor Arbiter (LA):**

- On May 2, 2013, the LA ruled in favor of Jaso, ordering her reinstatement and back wages, considering her regular from December 16, 2012 due to belated performance appraisal.

- Both parties appealed.

- **National Labor Relations Commission (NLRC):**

- On January 30, 2014, the NLRC reversed the LA’s decision, ruling that Jaso was still a probationary employee on January 15, 2013, and Metrobank’s dismissal was due to failure to meet the performance standards.

- Jaso’s motion for reconsideration was denied on May 28, 2014.

- **Court of Appeals (CA):**

- On September 13, 2017, the CA dismissed Jaso’s appeal, affirming the NLRC’s ruling.

- The motion for reconsideration was denied on November 23, 2017.

6. **Supreme Court:**

- Jaso filed a Petition for Review on Certiorari contesting the CA's decision.

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Issues:

1. **Whether Jaso was appraised of the standards to qualify as a regular employee at the time of engagement.**
 2. **Whether Metrobank observed due process in terminating Jaso's employment.**
 3. **Whether Jaso qualified as a regular employee before her termination.**
 4. **Whether Jaso's dismissal was justified under labor laws.**
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Court's Decision:

1. **Notification of Standards:**

- The Court found that Jaso was duly informed of the standards for regularization at the time of her engagement via multiple documents and orientations. Substantial evidence supported Metrobank's claim that Jaso was aware of the expectations and appraisal criteria.

2. **Due Process:**

- The Court held that Metrobank followed due process by issuing a Show Cause Order and considering Jaso's response before terminating her employment. This satisfied the procedural requirements for terminating probationary employment for failure to meet performance standards.

3. **Probationary Period Calculation:**

- Applying the precedent in *Alcira v. NLRC* and *CALS Poultry Supply Corp. v. Roco*, the Court concluded that Jaso's probationary employment extended up to January 16, 2013. Thus, she remained a probationary employee at the time of termination on January 15, 2013.

4. **Justified Dismissal:**

- Jaso's dismissal was upheld as valid for failing to meet the reasonable performance standards communicated by Metrobank and for committing several infractions and unprofessional behavior during her probationary period.

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Doctrine:

- **Probationary Employment Standards:** An employer must clearly convey the performance standards for obtaining regular employment at the onset of probation. Failure to meet these standards is a valid ground for termination.
 - **Due Process in Probationary Termination:** Even though less stringent than for regular employees, due process requires informing the probationary employee of their deficiencies and allowing them to respond before termination.
 - **Calculation of Probationary Period:** The Court affirmed that the probationary period extends to the same calendar date of the final month six months after the employment commencement date.
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Class Notes:

- **Probationary Employment:** Employees on probation must be made aware of both the duration and standards for regularization at the time of engagement. (Article 296 of the Labor Code).
 - **Termination Causes:** Grounds for terminating a probationary employee include just or authorized causes, and failure to meet performance standards known to the employee at the start of employment.
 - **Calculation of Periods:** Apply Article 13 of the Civil Code — exclude the first day and include the last day for calculating periods.
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Historical Background:

- This case lies within the long-established landscape of Philippine labor law balancing employer prerogatives and employee rights. It reinforces the need for clarity in conveying probationary criteria and adheres to procedural fairness, thus contributing to the nuanced interpretation of probationary employment and due process.