

Title:

Rapid Manpower Consultants, Inc. vs. Eduardo P. de Guzman, G.R. No. 183664, Supreme Court of the Philippines

Facts:

- **Employment and Contract**: Eduardo P. de Guzman (respondent) was employed as an air conditioner and refrigerator technician by Omar Ahmed Bin Bichr in Saudi Arabia through Rapid Manpower Consultants, Inc. (petitioner). The employment contract stipulated a 2-year term (May 18, 2000 to May 18, 2002) with a monthly salary of SR1,500.
- **Initial Complaint**: On September 18, 2002, De Guzman filed a complaint for non-payment of salaries/wages from October 2001 to June 2002, vacation pay, underpayment of salaries/wages (from SR1,500 to SR1,300), and travel expenses.
- **Labor Arbiter Decision**: Labor Arbiter Clarito D. Demaala, Jr. issued a decision on November 16, 2004, in favor of De Guzman, awarding him SR8,000 for underpayment and SR9,000 for unpaid wages plus 10% as attorney's fees. Other claims were dismissed.
- **NLRC Appeal**: Rapid Manpower appealed, leading to a reversal by the NLRC on August 18, 2005, citing lack of substantiation by De Guzman.
- **Motion for Reconsideration**: De Guzman filed for a reconsideration, which was granted by the NLRC on September 24, 2008, reinstating the Labor Arbiter's decision.
- **Court of Appeals**: Rapid Manpower filed a petition for certiorari with a prayer for a Temporary Restraining Order (TRO) before the Court of Appeals. The petition was dismissed on December 8, 2008, due to failure to file a motion for reconsideration with the NLRC.
- **Further Developments**: Rapid Manpower's motion for reconsideration with the Court of Appeals was denied on March 20, 2009, prompting the petition to the Supreme Court.

Issues:

1. **Procedural Issue**: Whether the petition for certiorari before the Court of Appeals should be dismissed for failure to file a motion for reconsideration before the NLRC.
2. **Substantive Issues**:
 - The entitlement of De Guzman to his claims of unpaid and underpayment of salaries.
 - The legality of awarding attorney's fees.
 - The liability of Besilda I. Felipe, the general manager of Rapid Manpower.

Court's Decision:

1. **Procedural Issue**:
 - The Court ruled that the general rule requiring a motion for reconsideration before a petition for certiorari under Rule 65 has exceptions. In this case, the 'second exception'

applied as the issues raised were already duly raised and passed upon by the NLRC in its resolution of De Guzman's motion for reconsideration.

- Referenced **Abraham v. NLRC**, the Court noted that requiring another motion for reconsideration would be futile since the issues had been thoroughly reviewed by the NLRC.
- Thus, the requirement was deemed unnecessary, setting aside the Resolutions of the Court of Appeals and remanding the case for consideration on its merits.

2. **Substantive Issues**:

- Given that the case was remanded to the Court of Appeals, the Supreme Court did not delve into the merits regarding the unpaid and underpayment of salaries, attorney's fees, and the liability of Besilda I. Felipe.

Doctrine:

- **Exceptions to Motion for Reconsideration**: The requirement for a motion for reconsideration before filing a petition for certiorari has exceptions such as when the issues have already been addressed substantively by the agency.
- **Case Precedent Consideration**: When prior case determinations like in **Abraham v. NLRC** direct a similar procedural pathway, they can be applied to justify the bypassing of certain procedural requirements.

Class Notes:

- **Rule 65, Rules of Court**: Filing a motion for reconsideration is generally required before resorting to certiorari except for cases where:
 1. The questioned order is a patent nullity.
 2. Issues raised in certiorari were already addressed in lower adjudication.
 3. Further procedural formalities would be futile.
- **Legal Burden in Labor Cases**: Employers bear the burden of proving proper payments of wages.
- **Jurisdictional Grounds**: Convictions on similar legal grounds or lack of material facts can differentiate the need for procedural steps.

Historical Background:

- **Labor Migration**: The case falls within the context of labor migration issues in the Philippines, where overseas employment disputes are common due to the large number of Filipino workers abroad.
- **Jurisdictional Challenges**: Reflects procedural complexities and judicial relief involving transnational employment disputes adjudicated in local forums. This highlights the ongoing

efforts to ensure legal protections for Overseas Filipino Workers (OFWs).

This case underscores the importance of understanding procedural nuances, especially in labor disputes involving overseas employment, ensuring judicial bodies properly address both procedural and substantive justice.