

**\*\*Title:\*\***

Adamson University Faculty and Employees Union vs. Adamson University

**\*\*Facts:\*\***

The case revolves around Orestes Delos Reyes, a professor and assistant chairperson at Adamson University, also serving as the president of the Adamson University Faculty and Employees Union. This union represents the faculty and non-academic personnel of the university.

The controversy began when Adamson received a complaint from Josephine Esplago on behalf of her daughter, a minor and a student at the university, alleging that Delos Reyes verbally abused her daughter by exclaiming “anak ng puta” during a chance encounter, which purportedly caused the student emotional trauma.

Following the complaint, Adamson established an Ad Hoc Investigating and Hearing Committee to probe into the allegations. Delos Reyes was asked to submit a written explanation for the charges against him, which he eventually did, denying the accusations and additionally lodging a counter-complaint against the student.

After a hearing where Delos Reyes was represented by legal counsel, he was dismissed from his position for gross misconduct and unprofessional behavior, a decision he sought to reconsider but was denied. Adamson subsequently published an advertisement detailing Delos Reyes’ dismissal, which he claimed further tarnished his reputation.

Delos Reyes brought the case to voluntary arbitration, where the Panel of Voluntary Arbitrators upheld his dismissal, emphasizing the need for Delos Reyes, as both a teacher and the union’s president, to exhibit exemplary conduct. Unconvinced, Delos Reyes appealed to the Court of Appeals, which affirmed the arbitral panel’s decision.

Persisting, Delos Reyes then elevated the matter to the Supreme Court, arguing disparate treatment and bias in the handling of his case compared to other employees, the inappropriate rush to judgment without sufficient clarification or dialogues, and a claimed bias of the Ad Hoc Committee. He also contended that his expression “anak ng puta” was neither defamatory nor amounted to gross misconduct warranting dismissal.

**\*\*Issues:\*\***

1. Whether Delos Reyes was validly dismissed from employment for gross misconduct and unprofessional behavior;

2. Whether the dismissal constituted an act of unfair labor practice.

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

The Supreme Court denied Delos Reyes' petition, affirming the Court of Appeals' decision that upheld his valid dismissal. The Court underlined that while the initial misconduct (expletive exclamation) might not inherently constitute serious misconduct, Delos Reyes' subsequent actions demonstrated a willful wrongful intent. The Court emphasized the context of Delos Reyes' position and prior conduct, indicating a pattern of unprofessional behavior that justified his dismissal.

The Court also refuted Delos Reyes' claims of unfair labor practice, stating that his dismissal was due to personal acts of misconduct unrelated to union activities, and provided adequate procedural due process was observed.

**\*\*Doctrine:\*\***

The case reiterates the doctrine that serious misconduct necessitating employee dismissal must be of such a grave nature that it reflects a wrongful intent. Furthermore, it underscores that an employee's past behavior may be taken into account under the principle of totality of infractions, particularly when such conduct is recurrent and reflective of character inimical to the employer's interests.

**\*\*Class Notes:\*\***

- **\*\*Serious Misconduct:\*\*** An act must be of grave nature with a clear wrongful intent to qualify as serious misconduct under Article 297 (a) of the Labor Code.
- **\*\*Due Process in Administrative Proceedings:\*\*** The requirement for due process is satisfied when the employee is given an opportunity to be heard and to defend themselves.
- **\*\*Totality of Infractions:\*\*** An employer may consider the entirety of an employee's infractions in determining the appropriate disciplinary action, reflecting on their overall conduct and character.
- **\*\*Unfair Labor Practice:\*\*** Actions taken against an employee for reasons of personal misconduct, which do not encroach upon the collective rights of labor or the right to self-organize, do not constitute unfair labor practice.

**\*\*Historical Background:\*\***

This case provides keen insight into the legal boundaries of disciplinary actions within educational institutions, particularly in handling allegations of misconduct against faculty members who also hold positions in labor unions. It underscores the balance between

protecting the welfare and rights of students and faculty while ensuring that the due process rights of the accused are fully observed. The case serves as a guiding post for how verbal outbursts or misconduct in educational settings are to be legally interpreted and addressed within the Philippine legal framework.