

Title: Reynaldo S. Geraldo vs. The Bill Sender Corporation/Ms. Lourdes Ner Cando

Facts:

1. **Employment and Dismissal**: On June 20, 1997, Reynaldo S. Geraldo was employed by The Bill Sender Corporation as a messenger to deliver bills for Philippine Long Distance Telephone Company (PLDT). Geraldo's pay was based on a "per-piece basis"—thus, his salary depended on the number of bills delivered. On August 7, 2011, he was informed by the company's operations manager, Nicolas Constantino, that his employment was terminated due to an alleged failure to deliver bills.
2. **Filing of Complaint**: On February 6, 2012, Geraldo filed a complaint for illegal dismissal against the company, asserting that he was terminated without just cause and due process, and sought monetary claims.
3. **Counterclaims**: The company rebutted that Geraldo was not a full-time employee, but a piece-rate worker, and claimed he had abandoned his job.
4. **Labor Arbiter's Decision**: On November 29, 2012, the Labor Arbiter favored Geraldo, ruling him a regular employee due to the necessary and desirable nature of his work and the duration of service lasting more than a year. Thus, the company was ordered to pay P352,214.13 for illegal dismissal.
5. **National Labor Relations Commission (NLRC) Appeal**: On May 9, 2013, the NLRC affirmed the Labor Arbiter's decision that Geraldo was a regular employee and the company failed to observe procedural due process.
6. **Court of Appeals (CA) Reversal**: On August 7, 2014, the CA reversed the NLRC's decision, positing that Geraldo was a piece-rate employee and hence not entitled to regular employee entitlements.
7. **Motion for Reconsideration**: On September 28, 2015, the CA denied Geraldo's motion for reconsideration, maintaining his lack of employee status.
8. **Petition to the Supreme Court**: On November 26, 2015, Geraldo petitioned the Supreme Court to review and reverse the CA decision.

Issues:

1. Whether a piece-rate worker such as Geraldo can be considered a regular employee entitled to security of tenure and due benefits.
2. Whether Geraldo's dismissal was illegal, lacking both substantial and procedural justifications.
3. Whether the officers of the respondent corporation, particularly Lourdes Ner Cando, hold personal liability for Geraldo's monetary claims.

Court's Decision:

1. **Employment Status**: The Supreme Court found that the nature of Geraldo's work was integral to the company's business, qualifying him as a regular employee. The method of payment on a piece-rate basis does not negate his regular employee status.
2. **Illegal Dismissal**: The Court acknowledged that Geraldo's termination was unlawful due to the lack of just cause and non-compliance with procedural due process, such as the twin-notice rule.
3. **Liability of Corporate Officers**: The Court absolved Lourdes Ner Cando of personal liability, due to insufficient evidence of bad faith or malice in Geraldo's dismissal.

Doctrine:

1. **Regular Employment**: Payment on a piece-rate basis does not preclude regular employment status if the work is necessary to the employer's usual business.
2. **Due Process in Dismissal**: Employers bear the burden of proving valid dismissal. Compliance with two-notice rule before termination is a requirement in labor law.

Class Notes:

- **Regular Employment**: Article 280 of the Labor Code defines regular employment as work necessary/desirable to employer's business or work performed for over a year.
- **Piece-rate Compensation**: A method of payment, not determinative of employment status.
- **Twin-Notice Requirement**: Two written notices, one detailing reasons for potential dismissal, the other confirming termination, are mandated for lawful employee termination.

- **Corporate Officer Liability**: Generally, a corporate officer isn't personally liable for corporate acts unless proven they acted with bad faith or malice.

Historical Background:

In the context of rising labor disputes in the Philippines concerning contractualization and regularization, this case serves as a pivotal reference in defining the regular employment status of piece-rate workers, emphasizing the need for strict compliance with due process in dismissal protocols under Filipino labor jurisprudence. It reflects ongoing challenges regarding worker security amid fluctuating job market conditions and corporate employment practices.