

REYNALDO MADRIGALEJOS, PETITIONER, VS. GEMINILOU TRUCKING SERVICE, LIBERTY GALOTERA, EDMUNDO GALOTERA, AND MATTHEW GALOTERA, RESPONDENTS.

G.R. No. 179174. December 24, 2008

Ponente: CARPIO MORALES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-179174/>

CARPIO MORALES, J.:

Assailed via Petition for Review on Certiorari is the Court of Appeals Resolution of April 25, 2007[1] denying the appeal of Reynaldo Madrigalejos (petitioner) from the decision of the National Labor Relations Commission (NLRC) ruling, among other things, that petitioner had not been constructively dismissed by respondent Geminilou Trucking Service of which its co-respondents Liberty S. Galotera, Edmundo S. Galotera, and Matthew S. Galotera are owners.

Petitioner was hired by respondents as a truck driver to haul and deliver products of San Miguel Pure Foods Company, Inc.[2] He was paid P400.00 per trip and made four trips a day.[3]

Petitioner claimed that on November 18, 2004, he was requested by respondents to sign a contract entitled "Kasunduan Sa Pag-Upa ng Serbisyo" (Kasunduan)[4] which he refused as he found it to alter his status as a regular employee to merely contractual,[5] and it contained a waiver of benefits that had accrued since he started working for respondents.[6]

Petitioner, averring that on account of his refusal to sign the Kasunduan, his services were terminated effective November 28, 2004,[7] filed with the NLRC a complaint for constructive dismissal against respondents, and for overtime pay, holiday pay, premium for holiday pay and rest day, service incentive leave, 13th month pay, moral and exemplary damages, and attorney's fees.[8]

Respondents denied dismissing petitioner from his employment, explaining that he unilaterally decided to stop reporting for work,[9] following the filing by a fellow driver, Crisostomo G. Casulla (Casulla), of a complaint against him with the Sangguniang Barangay of San Roque, Marikina City[10] for allegedly attacking Casulla with a knife.

By Decision of November 29, 2005,[11] the Labor Arbiter declared that petitioner had been illegally dismissed and accordingly ordered respondents to reinstate him and pay him full backwages in the amount of P139,256.00.

On appeal by respondents, the NLRC reversed the Decision of the Labor Arbiter by Resolution dated May 25, 2006,[12] ruling that there was no termination of employment. It accordingly directed petitioner to report back to work.

In finding for respondents, the NLRC held that, among other things, there is substantial evidence that petitioner was not dismissed. It gave probative weight to respondents' claim that petitioner suddenly stopped reporting for work after the incident with his fellow driver, respondents having presented in evidence the pertinent Sangguniang Barangay records.

Petitioner's Motion for Reconsideration[13] having been denied by Resolution of July 31, 2006 by the NLRC,[14] he appealed to the appellate court via Certiorari.[15]

By Decision dated April 25, 2007,[16] the appellate court denied petitioner's appeal. It found, among other things, that even assuming that petitioner was required but refused to sign the Kasunduan, his refusal does not per se adequately support the charge of dismissal. The appellate court added that while technical rules on evidence are not strictly followed in the NLRC, a charge of dismissal must still be supported by substantial evidence at the very least, or such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.

Petitioner's Motion for Reconsideration having been denied by Resolution of August 2, 2007,[17] he seeks relief from this Court.

Petitioner contends, among other things, that the appellate court misappreciated the evidence adduced when it ruled that petitioner was not constructively dismissed; and that the employer bears the burden of proof to show that there was unjustified refusal to report for work.[18]

Respondents, in their Comment, maintain that findings of fact of the appellate court are conclusive, they being supported by substantial evidence.[19]

The petition fails.

Considering that the NLRC reversed the findings of the Labor Arbiter, it behooves the Court to re-examine the records and resolve the conflicting rulings between the Labor Arbiter, on the one hand, and those of the NLRC and the appellate court, on the other.[20]

The Court's examination of the records reveals that the factual findings of the NLRC, as affirmed by the appellate court, are supported by substantial evidence, hence, there is no cogent reason for the Court to modify or reverse the same.[21]

Constructive dismissal is a cessation of work because continued employment is rendered impossible, unreasonable or unlikely; when there is a demotion in rank or diminution in pay or both; or when a clear discrimination, insensibility, or disdain by an employer becomes unbearable to the employee.[22] The test of constructive dismissal is whether a reasonable person in the employee's position would have felt compelled to give up his job under the circumstances.[23]

In the present case, the records on hand show that the lone piece of evidence submitted by petitioner to substantiate his claim of constructive dismissal is an unsigned copy of the Kasunduan. This falls way short of the required quantum of proof which, as the appellate court pointed out, is substantial evidence,[24] or such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.[25]

Under the circumstances, the Court finds that the appellate court did not err in sustaining respondents' claim that petitioner was not dismissed, but that he simply failed to report for work after an altercation with a fellow driver, which incident was the subject of conciliation proceedings before the Sangguniang Barangay.

All told, petitioner's bare allegations of constructive dismissal must fail.[26]

WHEREFORE, the petition is DENIED.

SO ORDERED.

Quisumbing, (Chairperson), Tinga, Velasco, Jr., and Brion, JJ., concur.

-
- [1] Rollo, pp. 17-23.
- [2] NLRC records, pp. 21-22.
- [3] Ibid.
- [4] Ibid.
- [5] Ibid; rollo, p. 7.
- [6] Ibid.
- [7] Ibid.
- [8] NLRC records, p. 2.
- [9] Id. at 10.
- [10] Id. at 10, 15.
- [11] Id. at 49-54.
- [12] Id. at 168-171.
- [13] Id. at 181-189.
- [14] Id. at 206-208.
- [15] CA rollo, pp. 2-13.
- [16] Id. at 101-107.
- [17] Id. at 123.
- [18] Rollo, pp. 9-11.
- [19] Id. at 81.
- [20] Cabalen Management Co., Inc. v. Quiambao, G.R. No. 169494, 14 March 2007, 518 SCRA 342.
- [21] Vide Solas v. Power & Telephone Supply Phils., Inc., G.R. No. 162332, 28 August 2008.
- [22] Chiang Kai Shek College v. Court of Appeals, G.R. No. 152988, 24 August 2004, 437 SCRA 171; Globe Telecom, Inc. v. Florendo-Flores, 438 Phil. 757 (2002); Blue Dairy Corporation v. National Labor Relations Commission, 373 Phil. 179 (1999).
- [23] Aguilar v. Burger Machine Holdings Corporation, G.R. No. 172062, 30 October 2006, 506 SCRA 266.
- [24] Vide Portuguese v. GSIS Family Bank (Comsavings Bank), G.R. No. 169570, 2 March 2007, 517 SCRA 309.
- [25] Gelmart Industries (Phils.), Inc. v. Leogardo, Jr., G.R. No. 70544, 5 November 1987, 155 SCRA 403.
- [26] Vide Uniwide Sales Warehouse Club v. NLRC, G.R. No. 154503, 29 February 2008, 547 SCRA 220; Go v. Court of Appeals, G.R. No. 158922, 28 May 2004, 430 SCRA 358.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.