

****Title:**** Purificacion F. Ram v. National Labor Relations Commission and JRS Business Corporation, G.R. No. 114063

****Facts:****

Purificacion F. Ram began her employment with JRS Business Corporation as a counter-clerk trainee on June 11, 1991, at a daily rate of P75, which increased to P106 a week later. On August 26, 1991, she was appointed as a probationary employee for six months. On February 13, 1992, JRS, citing unsatisfactory performance, terminated her employment effective February 15, 1992. JRS based this decision on a report highlighting multiple infractions including tardiness, unauthorized absences, improper attire, and inefficiency.

Ram filed a complaint for illegal dismissal, wage payment violations, and sought reinstatement, damages, and attorney's fees. Labor Arbiter Irenarco R. Rimando ruled in her favor on July 30, 1993, ordering reinstatement with full backwages and allowances amounting to P52,815.84 plus salary differentials of P2,015. JRS appealed.

On December 20, 1993, the NLRC affirmed the reinstatement but deleted the awarded backwages and attorney's fees. Ram's motion for reconsideration was denied on February 28, 1994.

****Issues:****

1. Did the NLRC commit a grave abuse of discretion in denying Ram's payroll backwages as mandated by Article 223 of the Labor Code?
2. Did the NLRC err in deleting the awarded backwages and attorney's fees despite finding the dismissal illegal?

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

- ****On Payroll Backwages:****

The Court held that for the Labor Arbiter's reinstatement order to be enforced, an execution writ is necessary. Without writ issuance, JRS was not obligated to reinstate Ram or place her on payroll. Ram failed to move for such writ execution, resulting in her ineligibility for payroll backwages.

- ****On Deletion of Backwages and Attorney's Fees:****

The Court ruled that JRS's infractions, described by the NLRC as minor and not warranting dismissal, did not justify the deletion of backwages. Given that the infractions were not severe, the Court restored the backwages. It also reinstated the attorney's fees award, based on the illegal dismissal and partial withholding of wages as stipulated in Article 2208

(7) of the Civil Code.

****Doctrine:****

1. ****Immediate Executory Nature of Reinstatement**** - The reinstatement aspect of a Labor Arbiter's decision is immediately executory but not self-executory; a writ of execution is required.
2. ****Proportionality of Penalty**** - Minor infractions by an employee do not justify severe penalties like total withholding of backwages.
3. ****Due Process Requirement**** - Termination must comply with due process; violations may negate an employer's good faith.

****Class Notes:****

- ****Article 223 of the Labor Code:****
- Mandates immediate executory nature of reinstatement pending appeal.
- Requires "motion for execution" for enforcement.
- ****Article 2208 of the Civil Code:****
- Governs the awarding of attorney's fees, particularly in wage recovery cases.

****Historical Background:****

This case reflects the Philippines' evolving labor policies that emphasize worker protection and due process. The decision underscores the judiciary's role in ensuring fairness in labor disputes and safeguarding against arbitrary dismissals. The stipulations regarding the issuance of writ of execution for reinstatement orders highlight procedural requirements that balance immediate relief for employees with procedural fairness for employers.