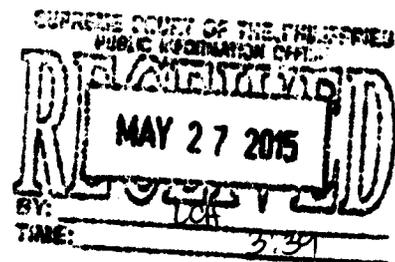




Republic of the Philippines
Supreme Court
Baguio City
FIRST DIVISION



NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated April 20, 2015 which reads as follows:

“G.R. No. 215956 (Linda M. Agustin v. Centech Labels Philippines, Inc. and James Yeo). – The petitioner’s motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period; and the petitioner is hereby directed to **SUBMIT** within five (5) days from notice hereof a verified declaration of the motion for extension pursuant to A.M. Nos. 10-3-7-SC and 11-9-4-SC.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the August 11, 2014 Decision¹ and January 5, 2015 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 128272 for failure of Linda M. Agustin (petitioner) to show that the CA committed any reversible error in holding that she was not terminated from work by respondents Centech Labels Philippines, Inc. and James Yeo.

As correctly ruled by the CA, petitioner was not terminated from work, but was merely placed under preventive suspension for one week on account of her unruly and belligerent conduct as gleaned in the Notice of Preventive Suspension issued to her. Said notice did not contain words that infer actual or constructive dismissal. Instead, she was given a new work

- over - two (2) pages

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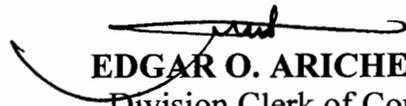
¹ *Rollo*, pp. 42-51. Penned by Associate Justice Manuel M. Barrios with Associate Justices Normandie B. Pizarro and Samuel H. Gaerlan, concurring.

² *Id.* at 53-55.

assignment effectively after her period of suspension was served, which she did not heed. It is settled that in illegal dismissal cases, while the employer bears the burden to prove that the termination was for a valid or authorized cause, the employee must first establish by substantial evidence that fact of dismissal from service³ – which petitioner failed to do in this case.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court _{MSH}
311-A

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NLRC RAB IV Case No. 07-01138-11-C)

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³ *Cañedo v. Kampilan Security and Detective Agency, Inc.*, G.R. No. 179326, July 31, 2013, 702 SCRA 647, 658; citation omitted.



