



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **December 9, 2020** which reads as follows:*

**“G.R. No. 251689 – TAYLOR NELSON SOFRES PHILIPPINES, INC. and GARY DE OCAMPO, petitioners, versus RAQUEL M. BAYUGO, MARY JANE R. QUIMQUE, JENELYN F. PILARES, AURELIA P. BALLA, MELIJANE D. BEGUIRAS, LOLITA D. ANDO, and CATALINA N. BERINGUELA, respondents.**

After a judicious review of the Petition and its annexes, the Court finds that the Petition lacks merit.

The Court of Appeals (CA) did not commit reversible error when it found that respondents were regular employees and entitled to reinstatement and backwages, and attorney’s fees. The findings of the CA that respondents were engaged continuously for tasks that were necessary and vital in petitioners’ business and that these projects were not clearly delineated are supported by substantial evidence and shall not be disturbed.

The Court, however, finds that the monetary awards that the CA granted should earn interest at six percent (6%) *per annum* from finality of this Resolution until full payment.

Further, the Court finds that petitioner Gary De Ocampo (De Ocampo) should not be solidarily liable. “To hold a director or officer personally liable for corporate obligations, two requisites must concur: (1) it must be alleged in the complaint that the director or officer assented to patently unlawful acts of the corporation or that the

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officer was guilty of gross negligence or bad faith; and (2) there must be proof that the officer acted in bad faith.”<sup>1</sup>

Here, there is nothing in the CA Decision<sup>2</sup> that would support making De Ocampo solidarily liable as there is no finding that he assented to a patently unlawful act or that he acted in bad faith.

**WHEREFORE**, premises considered, the Court resolves to **DENY** the Petition and **AFFIRM** the Decision dated June 25, 2019 and Resolution<sup>3</sup> dated January 30, 2020 of the Court of Appeals in CA-G.R. SP No. 150074 with **MODIFICATION** that the monetary awards shall earn interest at six percent (6%) *per annum* from finality of this Resolution until full payment and that petitioner Gary De Ocampo is **ABSOLVED** from solidary liability.

**SO ORDERED.”**

**By authority of the Court:**

**LIBRADA C. BUENA**

Division Clerk of Court *of 3/24*

by:

*Maria Teresa B. Sibulo*

**MARIA TERESA B. SIBULO**

Deputy Division Clerk of Court

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Court of Appeals (x)  
Manila  
(CA-G.R. SP No. 150074)

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NATIONAL LABOR RELATIONS  
COMMISSION  
PPSTA Building, Banawe Street  
1100 Quezon City  
(NLRC LAC No. 11-003229-16)  
(NLRC NCR Case No. 11-13527-15)

Judgment Division (x)  
Supreme Court

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<sup>1</sup> *Symex Security Services, Inc. v. Rivera, Jr.*, G.R. No. 202613, November 8, 2017, 844 SCRA 417, 442.

<sup>2</sup> *Rollo*, Vol. I, pp. 122-132. Decision dated June 25, 2019 in CA-G.R. SP No. 150074, penned by Associate Justice Marie Christine Azcarraga-Jacob and concurred in by Associate Justices Remedios A. Salazar-Fernando and Gabriel T. Robeniol.

<sup>3</sup> *Id.* at 134-136.

*MSF*

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