



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **26 April 2021** which reads as follows:*

“G.R. No. 255226 (Gemma G. Bilbao v. Meccaj Manpower International Agency, Abdulelah Hamdan Zaid Alhijarval Sharif Office, Fahad Ali Fahad Almuhaisen, Mohammad, and/or Cynthia L. Hamlig). – After a judicious study of this case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the Decision² dated September 2, 2020 and the Resolution³ dated January 5, 2021 of the Court of Appeals (CA) in CA-G.R. SP No. 155957, for failure of petitioner Gemma G. Bilbao (petitioner) to sufficiently show that the CA committed any reversible error in finding no grave abuse of discretion on the part of the National Labor Relations Commission (NLRC) in holding that petitioner was not illegally dismissed, and is therefore not entitled to her monetary claims.⁴

Notably, the instant petition essentially raises questions of facts. The Court is not a trier of facts, and this rule applies with greater force in labor cases. The Court will not substitute its own judgment for that of the tribunal in determining where the weight of evidence lies or what evidence is credible. Generally, the Court may only look into factual issues in labor cases when the factual findings of the Labor Arbiter, the NLRC, and the CA are conflicting,⁵ which is not the case here. This notwithstanding, a scrutiny of the records reveals that indeed, the NLRC thoroughly passed upon the issues and correctly ruled that the claim of illegal dismissal due to maltreatment, as well as non-payment/underpayment of salaries, was not sufficiently proven.⁶ Hence, no grave abuse of discretion may be attributed to it in holding that petitioner was not illegally dismissed, and is therefore not entitled to her monetary claims.

¹ See Petition for Review on *Certiorari* dated March 3, 2021; *rollo*, pp. 12-27.

² *Id.* at 31-38. Penned by Associate Justice Ricardo R. Rosario (now a Member of the Court) with Associate Justices Maria Filomena D. Singh and Florencio Mallanao Mamauag, Jr., concurring.

³ *Id.* at 40-43. Penned by Associate Justice Maria Filomena D. Singh with Associate Justices Edwin D. Sorongon and Florencio M. Mamauag, Jr., concurring.

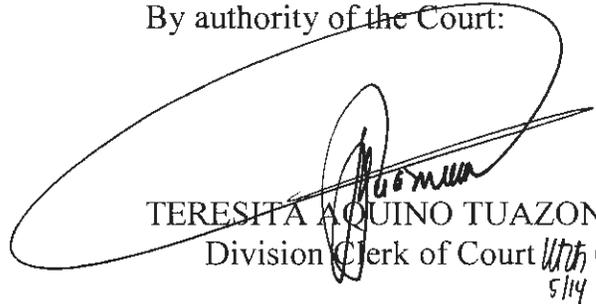
⁴ *Id.* at 34-36.

⁵ Unsigned Resolution in *Talento v. R.E.U. Marketing*, G.R. No. 250023, March 11, 2020, citing *HSY Marketing Ltd., Co. v. Villastique*, 793 Phil. 560, 568 (2016).

⁶ *Rollo*, p. 34.

SO ORDERED. (Rosario, J., no part due to prior action in the CA; Zalameda, J., designated additional member per Raffle dated March 15, 2021).”

By authority of the Court:



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GR255226. 04/26/2021A(129)URES