



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **10 February 2020** which reads as follows:*

“G.R. No. 250349 (Coca-Cola Workers Union-Bicol Region, Joseph C. Velarde, Pablo C. Porcalla, Jr., Rodel R. Garcia, Elmer Verdejo, *et al.* v. Coca-Cola Beverages Philippines, Inc. [CCBPI], formerly known as Coca-Cola FEMSA Philippines, Inc. [CCFPI]). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the March 26, 2019 Decision² and the November 5, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. SP No. 151728 for failure of Coca-Cola Workers Union-Bicol Region, Joseph C. Velarde, Pablo C. Porcalla, Jr., Rodel R. Garcia, Elmer Verdejo, *et al.* (petitioners) to sufficiently show that the CA committed any reversible error in affirming the February 27, 2017 Decision⁴ and May 15, 2017 Resolution⁵ of the National Labor Relations Commission (NLRC) in NLRC LAC No. 11-003141-16(4), NLRC CN. SRABV-05-00036-16, 05-00037-16, 05-00038-16, 0500-00040-16, and 05-00041-16, which dismissed their complaints on the ground of *res judicata*.

As correctly ruled by the CA, the issue of whether or not the bonuses previously given by respondent Coca-Cola Bottlers Philippines, Inc., formerly Coca-Cola FEMSA Philippines, Inc., to the rank-and-file employees ripened into a demandable company practice creating a legal obligation has already been finally and conclusively settled in *Coca-Cola Workers Union-Bicol Region v. Coca-Cola Bottlers Philippines, Inc.* This is the very same issue that underlies petitioners’ claim for bonuses in the present case. Moreover, said case and the complaints subject of the present petition are grounded on the same set of facts, require the same quantum and kind of evidence, and related interests. Thus, petitioners are barred by *res judicata* in re-litigating the same issue. As case law provides, *res*

¹ *Rollo* (Vol. I), pp. 12-48.

² *Id.* at 60-71. Penned by Associate Justice Pablito A. Perez with Associate Justices Celia C. Librea-Leagogo and Samuel H. Gaerlan (now a member of this Court), concurring.

³ *Id.* at 57-59.

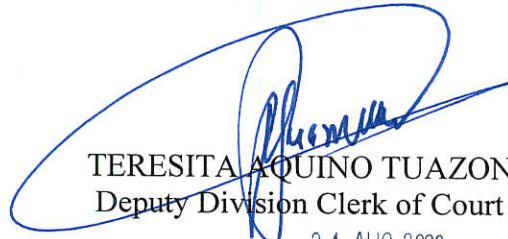
⁴ *Id.* at 78-99. Penned by Presiding Commissioner Gregorio O. Bilog III with Commissioners Erlinda T. Agus and Dominador B. Medroso, Jr., concurring.

⁵ *Id.* at 72-76.

judicata refers to the rule that a final judgment or decree on the merits by a court of competent jurisdiction is conclusive on the rights of the parties or their privies in all later suits on all points and matters determined in the former suit. Its elements are: (1) the former judgment or order is final; (2) the judgment or order is on the merits; (3) the judgment or order is rendered by a court having jurisdiction over the subject matter and the parties; and (4) there must be, between the first and the second actions, an identity of parties, of subject matter and cause of action. All of these elements are present in this case, hence, petitioners' complaints, subject of the present petition, are barred by *res judicata*.⁶

SO ORDERED.”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court *Uth: 8/24*
24 AUG 2020

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05-00037-16; 05-00038-16; 05-00040-16;
and 05-00041-16)

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Please notify the Court of any change in your address.
GR250349. 02/10/2020(255)URES

⁶ See *Goking v. Cagayan De Oro Coliseum, Inc.*, G.R. No. 230269, March 21, 2018. See also *Bonayon v. Villegas*, G.R. No. 226195, November 7, 2016; and *Ramos v. Ramos-Viloria*, G.R. No. 230257, July 17, 2019.