

NOTICE OF TERMINATION

Date: December 24, 2025

To: **Kimberly Pone Escarda Aguilar**

Employee ID: **5403**

Last Known Address: **P. Remedio Street, Banilad, Mandaue City, Cebu 6014**

Dear **Ms. Aguilar**,

After careful review and evaluation of your case, this letter serves as formal **Notice of Termination of Employment**, effective **December 24, 2025**, on the grounds of **abandonment of employment** and **gross and habitual neglect of duty** in violation of company policies and standards of conduct.

Basis for Termination:

1. On November 1, 2025, you were issued a Reinstatement/Return-to-Work Order, instructing you to report on November 5, 2025. Despite multiple attempts to contact you via phone and email, you neither reported to work nor responded to communications.
2. On November 6, 2025, you emailed stating your intention to report that day. Although acknowledged by the company, you again failed to report and did not provide further communication or justification. You also did not submit a signed acknowledgment of the reinstatement order.
3. On November 10, 2025, you requested a deferral to November 17, 2025, citing childcare responsibilities. Your request was acknowledged on November 13, 2025. However, you failed to report on November 17, 2025. A Return-to-Work Order was served on November 18, 2025, followed by repeated calls and emails which went unanswered.
4. On November 21, 2025, you requested another deferral to December 1, 2025, citing childcare limitations. This request was acknowledged on November 22, 2025, and the date was considered a final adjustment. Despite this, no signed acknowledgment or further correspondence was received.
5. On December 2, 2025, you proposed a further deferral to December 3, 2025, which was also conditionally approved; you nonetheless failed to report, prompting a second Return-to-Work Order on December 4, 2025, followed by additional unheeded follow-ups.
6. On December 8, 2025, you emailed requesting to report on January 1, 2026, citing a family bereavement. As of today, you remain absent and have not reported to work.
7. A Notice to Explain was issued on December 9, 2025, giving you the opportunity to submit a written explanation and attend a hearing scheduled for December 17, 2025. Your written explanation was received, but you failed to attend the scheduled administrative hearing where you could have personally clarified your situation, presented evidence, or called witnesses.

Your repeated failure to report to work despite **valid recall and return-to-work orders** constitutes:

- **Gross and habitual neglect of duty / non-performance after reinstatement/recall**, a just cause for termination under Article 297 of the Labor Code of the Philippines. The repeated failure to report after multiple valid recall/return orders, multiple deferment requests without supporting evidence, and non-attendance at the scheduled administrative hearing collectively demonstrate neglect of duty, disregard for company directives, and a sustained inability to fulfill your essential job responsibilities.
- **Abandonment of employment**, as recognized in established Philippine jurisprudence. Abandonment has been construed to involve not only failure to report for work without valid or justifiable reason but also a clear intention to sever the employer-employee relationship, manifested through overt acts indicating an intention not to return. Your repeated non-compliance with valid orders and lack of commitment to resume work supports this characterization.


The company has strictly observed due process by:

1. Issuing a **Notice to Explain** detailing the specific allegations, facts, and grounds for disciplinary action.
2. You were given a reasonable opportunity to submit a **written explanation**, which was duly received and evaluated.
3. An **administrative hearing** was scheduled where you could present your defense, evidence, and witnesses. Your failure to attend the hearing does not negate due process, as the company has provided multiple opportunities for you to be heard and for your explanation to be considered.

Your final pay, including any pro-rata benefits, will be processed following our standard separation procedures.


We regret that this step became necessary and wish you success in your future endeavors.

Sincerely yours,



Marishka Iris A. Arcilla
HR Manager

Noted by:



Niño Angelo Manal
Operations Manager



Alfred Camarillo Jr.
Director of Operations