

NOTICE OF TERMINATION – NEGLECT OF DUTY / ABANDONMENT-LIKE CONDUCT

Date: **January 9, 2026**

To: **Wennie Joy De La Cruz De La Cerna**

Employee ID: **5563**

Last Known Address: **Estaca Compostela Cebu City 6003**

Dear Ms. De La Cerna,

After careful review of your attendance record, your failure to comply with valid Return-to-Work Orders (RTWO), and multiple opportunities provided to explain your continued absence, this letter serves as your formal Notice of Termination of Employment, effective January 9, 2026, on the basis of gross and habitual neglect of duty under Article 297 of the Labor Code of the Philippines, and consistent with the Company's Code of Conduct and Discipline.

I. Facts and Basis for Termination

1. December 19, 2025: You incurred an unauthorized absence from work without prior approval or acceptable documentation.
2. In accordance with the Company's operations and attendance policy, an unauthorized absence immediately preceding a previously approved leave causes that leave to be cancelled. As such, your Vacation Leave for December 22–23, 2025 was cancelled and you were duly informed of this status prior to the scheduled dates.
3. December 24, 2025: Following your unauthorized absence, the Company issued a Return-to-Work Order (RTWO) requiring your immediate reporting and submission of supporting documentation or explanation for your absence.
4. December 29, 2025: You replied citing difficulty securing a return ticket due to fully booked flights, and apologized for the inconvenience, indicating circumstances were beyond your control.
5. December 31, 2025: A Second RTWO was issued extending your deadline to report to work on or before January 7, 2026, with directions to provide documentation or a sufficient explanation supporting your inability to return.
6. January 6, 2026: You submitted an itinerary that reflects travel from Cebu to Cagayan de Oro, which does not demonstrate a confirmed plan to comply with the RTWO reporting requirement for the Cebu office by the extended deadline.
7. January 7, 2026: The required reporting date per the Second RTWO passed without your attendance or confirmation of a definitive date to resume work.
8. January 8, 2026: The Company awaited your return and opportunity to comply; however, you did not report or provide documentation that clearly evidences a return plan.

II. Grounds for Termination

Under Article 297 of the Labor Code of the Philippines, the Company may terminate an employee for just causes, including:

- Gross and habitual neglect of duty, defined as repeated and willful negligent performance or non-performance of duties required by the employer. Continuous unauthorized absences, failure to comply with lawful directives, and repeated failure to adequately justify prolonged absence constitute such neglect.

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- 9th Floor, Ayala Center Cebu Tower, Bohol Avenue, Cebu City
- 16th Floor, One Montage, Archbishop Reyes, Cebu City



- Conduct that may be viewed, under existing jurisprudence, as neglect of duty akin to abandonment of employment, a concept recognized by the Supreme Court as a form of neglect of duty when an employee fails to report for work and demonstrates an intention not to return. This requires (i) absence without valid reason, and (ii) overt acts evidencing refusal or disregard for continuing employment with the Company.

Your persistent inability to report, lack of sufficient supporting documentation, and failure to comply with valid recall and reporting orders reflect repeated neglect of duty.

III. Due Process Observed

The Company provided you with opportunities to explain and respond:

1. Valid Return-to-Work Orders with specified deadlines were issued.
2. You were provided an opportunity to submit written explanations and supporting documents.
3. You were allowed reasonable extensions and deadlines for compliance.

Despite these, you did not report to work by the assigned deadlines, nor did you submit conclusive evidence showing your ability to comply with Company directives.

IV. Final Pay and Entitlements

Your final pay, including any unpaid wages up to your last working day and other statutory benefits (e.g., pro-rata 13th month pay where applicable), will be processed in accordance with Company policy and relevant Philippine labor law. Please coordinate with the Human Resources Office for clearance procedures and release of final pay.

V. Conclusion

Accordingly, your employment with the Company is hereby terminated effective January 9, 2026.

Please be guided accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read "Margarita Silva", written over a horizontal line.

Margarita Silva
HR Supervisor

Noted by:

A handwritten signature in black ink, appearing to read "Marishka Iris Arcilla", written over a horizontal line.

Marishka Iris Arcilla
HR Manager