

CHANROBLES PUBLISHING COMPANY

**SUPREME COURT
SECOND DIVISION**

**MERCEDES AGUDA, AUREA
PEDROZO, JOSEPHINE CARAANG,
LILIA DURWIN, LOURDES LARIN,
LERNÁ VILLABLANCA and BERNABE
LLARENAS, JR.,**

Petitioners,

-versus-

**G.R. No. 58133
March 26, 1982**

**JUDGE AMADOR T. VALLEJOS, as
Judge of the Court of First Instance of
Manila, Branch XXII, and ADAMSON
OZANAM EDUCATIONAL
INSTITUTION, INC., represented by its
President, Father Leandro Montañana,
and Father Maximino Temprado, Vice-
President for Financial Affairs and
Personnel,**

Respondents.

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DECISION

AQUINO, J.:

The seven petitioners were allegedly employees of Adamson Ozanam Educational Institution, Inc. in its canteen where they worked from 1974 to June 2, 1980 when they were abruptly dismissed (p. 8, Rollo). On June 27, 1980, they filed a complaint with the National Capital Region of the Ministry of Labor in Intramuros, Manila because of their alleged illegal dismissal. They claimed underpayment of compensation, overtime pay, legal holiday pay, premium pay for holidays and violations of Presidential Decree Nos. 525, 1123, 928 and 1389. The case was docketed as NCR-S11 63655'80 or No. AB-7-7490-80. It is pending decision (pp. 46 and 49, Rollo).

Aside from that administrative case, the petitioners filed on July 2, 1980 in the Court of First Instance of Manila against the same educational institution a complaint for recovery of actual, moral and exemplary damages in the sum of P300,000 (p. 37, Rollo; Civil Case No. 133008).

Upon motion to dismiss filed by Adamson Ozanam Educational Institution, Inc., respondent judge dismissed the complaint in his order of July 22, 1980 on the ground that petitioners' claim for damages falls exclusively within the jurisdiction of the Bureau of Labor Relations (p. 12, Rollo).

The petitioners filed a motion for reconsideration but because it had no notice of hearing, the lower court treated it as a mere scrap of paper in its order of September 3, reiterated in another order dated September 24, 1980 (pp. 29-30, Rollo).

As the petitioners did not take any further steps in the case, the lower court dismissed it without prejudice in its order of July 24, 1981 (p. 30, Rollo).

On September 24, 1981, the petitioners filed a certiorari petition in this Court wherein they prayed that the dismissal orders be reversed.

We hold that petitioners' claim for actual, moral and exemplary damages allegedly caused by their dismissal from employment falls within the exclusive jurisdiction of the Labor Arbiter and the National Labor Relations Commission, pursuant to Presidential Decree No. 1691 which took effect on May 1, 1980, which in effect nullified

Presidential Decree No. 1367 (effective on May 1, 1978 and amending Article 217 of the Labor Code by providing that Labor Arbiters shall not entertain claims for moral or other damages) and which amended also Article 217 to read as follows:

“ART. 217. Jurisdiction of Labor Arbiters and the Commission. — (a) The Labor Arbiters shall have the original and exclusive jurisdiction to hear and decide the following cases involving all workers, whether agricultural or non-agricultural:

- “1. Unfair labor practice cases;
- “2. Those that involve wages, hours of work and other terms and conditions of employment;
- “3. All money claims of workers, including those based on non-payment or underpayment of wages, overtime compensation, separation pay and other benefits provided by law or appropriate agreement, except claims for employees compensation, social security, medicare and maternity benefits;
- “4. Cases involving household services; and
- “5. All other claims arising from employer-employee relations, unless expressly excluded by this Code.

“(b) The Commission shall have exclusive appellate jurisdiction over all cases decided by Labor Arbiters.” (265, PD 442; 266, PD 570-A; 215, PD 626; 216, PD 850; 217, PD 1367; PD 1691; BP 130).

Thus, Presidential Decree No. 1691 restored the jurisdiction of the Labor Arbiters and the NLRC over all money claims of workers and all other claims arising from employer-employee relations, including moral and exemplary damages (Bengzon vs. Inciong, L-48706-07, June 29, 1979, 91 SCRA 248; Garcia vs. Martinez, L-47629, August 3, 1978, 84 SCRA 577).

The lawmaker in divesting the Labor Arbiters and the NLRC of jurisdiction to award moral and other forms of damages in labor cases

could have assumed that the Labor Arbiters' position-paper procedure of ascertaining the facts in dispute might not be an adequate tool for arriving at a just and accurate assessment of damages, as distinguished from backwages and separation pay, and that the trial procedure in the Court of First Instance would be a more effective means of determining such damages (See Resolution of May 28, 1979 in Garcia vs. Martinez, 90 SCRA 331; Calderon vs. Amor, et al. and Court of Appeals, G.R. No. 52235, October 28, 1980, 100 SCRA 459 and Abad vs. Philippine American General Ins. Co., Inc., G.R. No. 50563, October 30, 1981).

Evidently, the lawmaking authority had second thoughts about depriving Labor Arbiters and the NLRC of the jurisdiction to award damages in labor cases because that setup means duplicity of suits, splitting the cause of action and possible conflicting findings and conclusions by two tribunals on one and the same claim.

Respondent judge acted correctly in dismissing petitioners' complaint for lack of jurisdiction.

WHEREFORE, the petition is dismissed. No costs.

SO ORDERED.

Barredo, J., (Chairman), Concepcion Jr., De Castro, Ericta and Escolin, JJ., concur.
Abad Santos, J., is on leave.