

CHANROBLES PUBLISHING COMPANY

**SUPREME COURT
SECOND DIVISION**

**GOODRICH EMPLOYEES ASSOCIATION,
*Petitioner,***

-versus-

**G.R. No. L-30211
October 5, 1976**

**THE HONORABLE DELFIN B. FLORES,
JUDGE OF THE COURT OF FIRST
INSTANCE OF RIZAL, PASIG BRANCH
XI and B. F. GOODRICH PHILIPPINES,
INC.,**

Respondents.

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DECISION

FERNANDO, J.:

The crucial question raised by petitioner B. F. Goodrich Employees Association in this certiorari and prohibition proceeding is whether respondent Judge Delfin B. Flores, since deceased, could entertain a suit for damages filed by private respondent B. F. Goodrich Philippines, Inc., the employer, because of a strike by such union characterized by management as an unfair labor practice. Previously there was instituted by it the very same unfair labor practice charge with now defunct Court of Industrial Relations. The answer supplied in categorical language both by Associated Labor Union vs. Gomez^[1]

and Progressive Labor Association vs. Atlas Consolidated Mining and Development Corporation,^[2] is that a court of first instance is devoid of jurisdiction, the matter being appropriately for the Court of Industrial Relations. It is true that the Gomez decision was not promulgated until February 9, 1967, while the suit for damages by private respondent based on an unfair labor practice was filed with respondent Judge as early as October 12, 1965, as noted during the pendency of an unfair labor practice complaint based on the same strike in the Court of Industrial Relations.^[3] It could be said that respondent Judge, when he assumed jurisdiction in 1965, could not have known any better. No such excuse could be relied upon, however, as of June 5, 1967 when the motion to dismiss precisely on the ground of lack of jurisdiction was presented to him. For the Gomez ruling had in the meanwhile, on February 9, 1967, to be exact, made its appearance. That circumstance ought to have prompted him to grant such motion and thus terminate the civil suit for damages allegedly arising from the unfair labor practice. Instead, he denied it.^[4]

That was to act not in accordance with but contrary to our controlling decisions. It ought not to have been the case. Since jurisdiction was lacking, a case for certiorari and prohibition has been made out.

1. This is the doctrine announced by this Court through Justice Sanchez with such clarity in Gomez: “Nor will Sugeco’s averment below that it suffers damages by reason of the strike, work to defeat the CIR’s jurisdiction to hear the unfair labor practice charge. Reason for this is that the right to damages ‘would still to depend on the evidence in the unfair labor practice case’ — in the CIR. To hold otherwise is to sanction split jurisdiction — which is obnoxious to the orderly administration of justice.^[5] Justice J.B.L. Reyes in Progressive Labor Association decision was equally explicit: “In its effort to sustain the jurisdiction of the lower court over the present case, appellants also advance the argument that their demand for damages anyway cannot be entertained by the Industrial Court. This does not improve the situation at all. As already held by this Court, mere allegation that the plaintiff suffered damages because of the complained acts does not work to divest the

Court of Industrial Relations of jurisdiction to hear the unfair labor practice charge. For it must be realized that the right to damages would still have to depend on the evidence to be presented in the unfair labor case. To hold that the demand for damages is to be passed upon by the regular courts independently or separately from the unfair labor practice accusation would be to sanction split jurisdiction, which is prejudicial to the orderly administration of justice.”^[6] Thereafter the same jurist had occasion to reiterate the doctrine in the two subsequent decisions of *Leoquenio vs. Dry Bottling Co.*^[7] and *Associated Labor Union vs. Cruz.*^[8]

2. *Associated Labor Union vs. Gomez*^[9] is also notable for this categorical pronouncement concerning the exclusive jurisdiction of the Court of Industrial Relations over unfair labor practice controversies. To quote from Justice Sanchez anew: A rule buttressed upon statute and reason that is frequently reiterated in jurisprudence is that labor cases involving unfair labor practice are within the exclusive jurisdiction of the CIR. By now, this rule has ripened into dogma. It thus commands adherence, not breach.”^[10] This excerpt was referred to with approval by Justice Teehankee, speaking for this Court in *Veteran Security Free Workers Union vs. Cloribel*,^[11] thus: “It has long been accepted as dogma that cases involving unfair labor practice fall within the exclusive jurisdiction of the Court of Industrial Relations, by virtue of the explicit provision of Section 5(a) of the Industrial Peace Act,”^[12] As was further clarified by the ponencia of Justice Dizon in *Meralco Workers Union vs. Gaerlan*,^[13] where the subject matter is within the competence of the CIR, it “must be deemed to have jurisdiction of all incidental matters connected with the main issue.”^[14] So it was repeated in *Lakas ng Manggagawang Makabayan vs. Abiera*.^[15] There has been since then no deviation from such a controlling doctrine in accordance with the express terms of the Industrial Peace Act.^[16]

3. Rightfully, the able counsel for petitioner, Attorney J. C. Espinas, concentrated on the crucial and decisive aspect of lack of jurisdiction. Understandably, the knowledgeable Attorney Manuel Chan for private respondent sought refuge in the minute resolution of this Court of October 28, 1968 dismissing a case of similar nature by the same parties “without prejudice to asking suspension of proceedings in the Court of First Instance.”^[17] That is hardly relevant to the disposition of this present petition. There is no *res judicata*. The principle underlying, *Social Security System vs. Court of Appeals*^[18] cautions against such an approach. The very resolution, in the traditional language of the law, can rightfully be interpreted as evincing respect for the well-settled doctrine of ripeness for appellate review. With respondent Judge apparently unable to perceive the clear and manifest import of authoritative decisions, this Court, in its resolution of March 4, 1969, left no doubt that the question raised in this petition was of such moment, indicative as it was of the failure of the lower court to abide by the controlling doctrines, that it forthwith required respondents “to file an answer to the petition for certiorari and prohibition.”^[19] This it did notwithstanding the averment in the petition that there was a previous proceeding filed by the same union against the same judge, and the same employer which resulted in the aforesaid resolution of October 25, 1968.^[20] It cannot be doubted, therefore, that this Court took into consideration that particular defense raised and found it lacking in merit.
4. The conclusion reached by this Court to nullify on jurisdictional ground the challenged order gains added reinforcement from their draconian character. On August 31, 1968, the dispositive portion of the decision reached by respondent Judge was amended to read as follows: “[Wherefore], judgment is hereby rendered in favor of the plaintiff B. F. Goodrich Philippines, Incorporated, and against the defendants Goodrich Employees Association (PLUM) Celedonio Francisco, Melencio Bautista, Luis V. Mendez, Loreto R. Sotto, Gabino Magdamit, Jose Porcuna, Igmidio Tayag, Teofilo Malicdem, Leonardo Pilande,

Leonardo Calimotan, Eleuterio Alvarez, August Lopez, and L. de los Reyes, directing the said defendants to pay the plaintiff the amount of Six Hundred Eighty-Six Thousand Seven Hundred (P686,700.00) Pesos plus interest at the rate of 1% per month from January 1, 1966 until the said amount is fully paid; P25,000.00 as moral damages; P25,000.00 as exemplary damages; P50,000.00 as attorney's fees and to pay the costs of this suit."^[21] Then came on January 20, 1969 an order that could deal a death-blow to petitioner-union "Let a writ of execution issue in favor of the plaintiff B. F. Goodrich Philippines, Inc., and against the defendants Goodrich Employees Association (PLUM), Celedonio Francisco, Melencio Bautista, Luis V. Mendez, Loreto R. Sotto, Gabino Magdamit, Jose Porcuna, Igmidio Tayag, Teofilo Malicdem, Leonardo Pilande, Leonardo Calimotan, Eleuterio Alvarez, August Lopez, and L. de los Reyes for the full satisfaction of its claims."^[22] Thus there is the sad spectacle of a court acting without jurisdiction, guided solely by its own unaided appraisal of a matter clearly beyond its competence, inflicting what in the apt phrase of Justice Laurel could very well be a "mortal wound" to the labor movement. There is no better illustration of the wisdom of the view of Justice J.B.L. Reyes that labor controversies should be left for disposition not to an ordinary court but to an agency better equipped by training, experience and background to handle them. This observation was made by him as far back as 1957.^[23] The regular courts, as he pointed out, "have not intervened in labor cases [since 1936] and are therefore ill-prepared to apply labor laws and policies. And the frequency with which this Court has had to upset their labor injunctions attest to the fact."^[24] What is more, that is not protect labor as required by the 1935 Constitution that was in force when this litigation arose.^[25] That is to make a mockery of the fundamental principle of social justice, again as therein enshrined.^[26] If there is one case then where the vivid rhetoric of Justice Street in *Banco Espanol-Filipino vs. Palanca*^[27] finds application, this is it: "Where a judgment or judicial order is void in this sense it may be said to be a lawless thing, which can be treated as an outlaw and slain

at sight or ignored wherever and whenever it exhibits its head.”^[28] Only thus may there be fidelity to the even greater concern shown by the present Constitution for the workers as evidenced by the expanded and more generous scope to both concepts of protection to labor^[29] and social justice.^[30] Thereby the goal of what in the inspired language of the First Lady is, “a compassionate society”^[31] may be truly achieved.

WHEREFORE, the writ of prohibition is granted and the successor of respondent Judge Delfin B. Flores in Branch XI of the Court of First Instance of Rizal is hereby perpetually restrained from taking any further action in Civil Case No. 8962 entitled B. F. Goodrich Philippines, Inc. vs. Philippine Labor Unity Movement, Goodrich Employees Association, et al., except for the purpose of dismissing the same. The writ of certiorari is likewise granted setting aside, nullifying and declaring without any force or effect respondent Judge’s decision of August 31, 1968 and his order of January 20, 1969, for having been issued without jurisdiction. No costs.

Barredo, Antonio, Aquino, and Concepcion, Jr., JJ., concur.

[1] L-25999, February 9, 1967, 19 SCRA 304.

[2] L-27585, May 29, 1970, 33 SCRA 349.

[3] Petition, pars. 3-5.

[4] Ibid, pars. 6-7.

[5] Associated Labor Union vs. Gomez, L-25999, February 9, 1967, 19 SCRA 304, 309.

[6] Progressive Labor Association vs. Atlas Consolidated Mining and Development Corporation, L-27585, May 29, 1970, 33 SCRA, 355.

[7] L-28621, February 22, 1971, 37 SCRA 535.

[8] L-28978, September 22, 1971, 41 SCRA 12.

[9] L-25999, February 9, 1967, 19 SCRA 304.

[10] Ibid, 309. The opinion cited the following cases: Pambujan Sur United Mine Workers vs. Samar Mining Co., 94 Phil. 932 (1954); Paflu vs. Tan, 99 Phil. 854 (1956); Reyes vs. Tan, 99 Phil. 880 (1956); National Garments and Textile Workers Union vs. Caluag, 99 Phil. 1067 (1956); SMB Box Factory Workers Union vs. Victoriano, 102 Phil. 646 (1957); Consolidated Labor Association vs. Caluag, 103 Phil. 1032 (1958); Erlanger and Galinger vs. Erlanger and Galinger Employees Association, 104 Phil. 17 (1958); Naric Workers Union vs. Alvendia, 107 Phil. 404 (1960); Jornales vs. Central

- Azucarera de Bais, L-15287, Sept. 30, 1963, 9 SCRA 67; Malayang Manggagawa vs. Esso, L-24224, July 30, 1965, 14 SCRA 801.
- [11] L-26439, January 36, 1970, 31 SCRA 297.
- [12] Ibid, 300-301. The following cases were cited: Philippine Communications Electronics and Electricity Workers Federation vs. Nolasco, L-24Y84, July 29, 1968, 24 SCRA 321; Regal Manufacturing Employees Asso. vs. Reyes, L-24388, July 29, 1968, 24 SCRA 352; Federacion Obrera vs. Mojica, L-25059, Aug. 30, 1968, 24 SCRA 936.
- [13] L-24505, April 30, 1970, 32 SCRA 419.
- [14] Ibid, 430.
- [15] L-29474, December 19, 1970, 36 SCRA 437.
- [16] Cf. Leoquinco vs. Dry Bottling Co. of the Phil., L-28621, Feb. 22, 1971, 37 SCRA 535; Espanilla vs. La Carlota Sugar Central, L-23722, March 31, 1971, 38 SCRA 186; Rustan Supervisory Union vs. Dalisay, L-32891, April 29, 1971, 38 SCRA 500; H. Anonson & Co. vs. Associated Labor Union, L-23010, July 9, 1971, 40 SCRA 7; Associated Labor Union vs. Cruz, L-28978, Sept. 22, 1971, 41 SCRA 12; Phil. Engineering Corporation vs. CIR, L-27880, Sept. 30, 1971, 41 SCRA 89; Mindanao Rapid Co. vs. Omandan, L-23058, Nov. 27, 1971, 42 SCRA 250; United Central and Cellulose Labor Association vs. Santos, L-21094, May 30, 1972, 45 SCRA 147; Phil. Asso. of Free Labor Unions vs. Quicho, L-30153, Sept. 13, 1972, 47 SCRA 11; New Frontier Supermarket Labor Union vs. Ericta L-30826, April 30, 1974, 56 SCRA 785; Litton Mills Workers Union-NATU vs. Reyes, L-23745, Jan. 22, 1975, 62 SCRA 98.
- [17] L-29690, Goodrich Employees Association vs. Flores.
- [18] L-25406, December 24, 1968, 26 SCRA 458.
- [19] Resolution of March 4, 1969.
- [20] Petition, par. 11.
- [21] Ibid, Annex F.
- [22] Ibid, Annex M.
- [23] Allied Free Workers' Union vs. Apostol, 102 Phil. 292.
- [24] Ibid, 299.
- [25] According to Article XIV, Section 6 of the 1935 Constitution: "The State afford protection to labor, especially to working women and minors, and shall regulate the relations between landowner and tenant, and between labor and capital in industry and in agriculture. The State may provide for compulsory arbitration."
- [26] According to Article II, Section 5 of the 1935 Constitution: "The promotion of social justice to insure the well-being and economic security of all the people should be the concern of the State."
- [27] 37 Phil. 921 (1918).
- [28] Ibid, 949.
- [29] According to Article II, Section 9 of the present Constitution "The State shall afford protection to labor, promote full employment and equality in employment, ensure equal work opportunities regardless of sex, race, or creed, and regulate the relations between workers and employers. The State shall assure the rights of workers to self-organization, collective bargaining,

security of tenure, and just and humane conditions of work. The State may provide for compulsory arbitration.”

[30] So it is provided in Article II, Sections 6 and 7 of the present Constitution. According to the former: “The State shall promote social justice to ensure the dignity, welfare, and security of all the people. Towards this end, the State shall regulate the acquisition, ownership, use, enjoyment, and disposition of private property, and equitably diffuse property ownership and profits.” According to Section 7: “The State shall establish, maintain, and ensure adequate social services in the field of education, health, housing employment, welfare and social security to guarantee the enjoyment by the people of a decent standard of living.”

[31] Cf. Philippine Air Lines, Inc. vs. Philippine Air Lines Supervisors Association, L-24624, June 28, 1974, 57 SCRA 489 and Almira vs. B. F. Goodrich Philippines, Inc., L-34974, July 25, 1974, 58 SCRA 120.