

G.R. No. L-9975

[G.R. No. L-9975. May 23, 1958]

EUFROSINA O. QUERUBIN, PETITIONER, VS. PHILIPPINE AMERICAN LIFE INSURANCE COMPANY, INC., ET AL., RESPONDENTS.

D E C I S I O N

PARAS, C.J.:

On September 12, 1952, and pursuant to an agreement reached by the parties in Case No. 694-V, the respondent Court of Industrial Relations issued the following order:

“On September 9, 1952, the parties in the above entitled case filed with this Court an AGREEMENT dated September 9, 1952, duly signed and acknowledged by Messrs. EARL CARROLL, EUSEBIO C. MATEO and T. DE CASTRO, assisted by their respective counsel.

” The Court, finding said AGREEMENT not contrary to law, morals or public policy, hereby approves same and decrees the terms and condition thereof as an award of this Court in this case. As a consequence, this case is hereby declared closed and terminated.”

On October 20, 1954, the petitioner and fourteen co-employees she represented filed an urgent petition with the respondent court, alleging that they were registered members of the respondents union, EUOPL, in Case No. 694-V and praying that the terms and conditions of the AGREEMENT approved in the order of September 12, 1952, more particularly the stipulation in paragraph (scale of minimum salary and salary increase) he interpreted, implemented and enforced in their favor. The petition also included a charge of unfair labor practice against the herein respondent, Philippine American Life Insurance Co., Inc. After hearing, the respondent court denied the petition in so far as it seeks the interpretation, implementation and enforcement of the AGREEMENT, but directed the Chief

of its Prosecution Division to make the necessary investigation and file the corresponding charge of unfair practice, if warranted. The petitioner has filed the present petition for review on certiorari.

It is contended that it was error for the respondent court to consider Case No. 694-V terminated upon approval on September 12, 1952 of the AGREEMENT, firstly, because under Section 17 of C.A. No. 103, as amended, the award of said court was still valid and effective within the three year limit from the date of its promulgation; secondly, because under section 18 of the same Act, said court, upon application of any interested party, has jurisdiction and power to interpret its award, order or decision in case of doubt as to the meaning of construction thereof; thirdly, because labor cases filed with and decided by the respondent court are different from ordinary civil cases which are ipso facto terminated upon finality of the decisions therein. In addition to section 17 and 18, the petitioner has cited section 13 and 23 of C.A. No. 103, as amended, and section 27 of the Industrial Peace Act, or Republic Act No. 875.

We are of the opinion that the respondent court correctly ruled that the urgent petition in question, filed on October 20, 1954, could no longer be considered an incident to the main case (CIR Case No. 094-V) after the approval on June 17, 1953 of Republic Act No. 875 which provides for the procedure whereby the parties can attain industrial peace. As pointed out by said court in its order dated August 3, 1955, relief in the matter urged by the petitioner, namely, that the respondent company had refused to extend to her and her fourteen co-employees the benefits of the AGREEMENT approved in the order of September 12, 1952, may be obtained under Section 4(a)4 of R.A. No. 875 which provides as follows:

“(a) It shall be unfair labor practice for an employer:

“(4) To discriminate in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: x x x.”

In view of the directive in the appealed order for the investigation of the charge of unfair labor practice against the respondent company, it is believed that any wrong or prejudice suffered by the lingayen employees, if any, can ultimately and adequately be remedied.

Wherefore, the order appealed from is hereby affirmed without pronouncement as to costs.

So ordered.

Bengzon, Montemayor, Reyes, A., Bautista Angelo, Labrador, Concepcion Reyes, J.B.L., Endencia, and Felix, JJ., concur.

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