

Title:

Samahan ng Mga Manggagawa sa Hanjin Shipyard v. Bureau of Labor Relations and Hanjin Heavy Industries and Construction Co., Ltd. (HHIC-PHIL.)

Facts:

On February 16, 2010, Samahan ng Mga Manggagawa sa Hanjin Shipyard (Samahan) filed an application with the Department of Labor and Employment (DOLE) for registration as a worker's association, attaching necessary documents including a list of 120 members. DOLE-Pampanga granted their registration on February 26, 2010.

Respondent Hanjin, on March 15, 2010, petitioned for cancellation of the registration on grounds that Samahan's members were defined employees and thus ineligible to form a worker's association as per Article 243 of the Labor Code. On March 18, 2010, Hanjin filed a supplemental petition alleging misrepresentation by Samahan in the list of members.

During a March 26 conference, Samahan sought to file a responsive pleading but instead submitted a motion to dismiss on April 14, 2010. On April 20, 2010, DOLE Regional Director Ernesto Bihis granted Hanjin's petition, ordering the cancellation of Samahan's registration, concluding Samahan misrepresented its members' status as Hanjin employees in their constitution and by-laws.

Samahan, aggrieved, appealed the decision to the Bureau of Labor Relations (BLR), arguing it was meant for mutual aid and protection, not collective bargaining, and that Hanjin had no right to interfere. On September 6, 2010, the BLR granted the appeal and reversed the DOLE decision. However, Hanjin's subsequent motion for reconsideration on October 14, 2010, led to the BLR's November 28, 2011 Resolution which affirmed the previous decision but directed Samahan to change its name to exclude "Hanjin Shipyard".

Dissatisfied, Samahan filed a petition for certiorari under Rule 65 with the Court of Appeals (CA), which initially dismissed the petition but reinstated it after Samahan filed a motion for reconsideration. Hanjin's subsequent motion opposed the petition. On July 4, 2013, the CA ruled against Samahan, reinstating the DOLE's order for cancellation of registration and affirmed the BLR's name change directive. Samahan then elevated the case to the Supreme Court.

Issues:

1. Whether Samahan committed misrepresentation in its application for registration as a labor organization by using the name "Hanjin Shipyard".

2. Whether the members of Samahan, being employees of Hanjin, are eligible to form a workers' association instead of a labor union.
3. Whether the removal of "Hanjin Shipyard" from Samahan's name constitutes an infringement of the right to self-organization.

Court's Decision:

The Supreme Court partially granted the petition. It disagrees with both the CA and Hanjin that Samahan's members are forbidden from forming a workers' association. The Court affirms that workers have the right to self-organization, encompassing the freedom to form a union or workers' association irrespective of whether they have definite employers.

Misrepresentation was not proven to be deliberate or malicious and did not relate to significant aspects necessary for registration cancellation. However, the removal of the name "Hanjin Shipyard" was upheld to prevent confusion and protect Hanjin's identity, with no infringement upon Samahan's right to self-organization.

Doctrine:

The right to self-organization is not limited to unionism, and workers, including those with definite employers, may form a workers' association for mutual aid and protection. Misrepresentation, as a ground for cancellation of registration, must be both deliberate and significant.

Class Notes:

- Employer-employee relationship: not mandatory for forming a workers' association.
- Misrepresentation: must be deliberate and significant to justify registration cancellation.
- Labor organization vs. labor union: a broader concept that doesn't necessarily entail collective bargaining.

Relevant rules and definitions:

- Article 243 (now 249) of the Labor Code: Every employee has the right to self-organization, including forming, joining, or assisting in labor unions or associations.
- Rules on Naming: Align with the Corporation Code (Section 18), which controls the use of names by juridical persons.

Historical Background:

The case exemplifies the evolving recognition of workers' rights to form associations beyond traditional union structures, reflecting continued dialogue on balancing employer interests with workers' associative freedoms. It showcases the Philippine judiciary's role in

interpreting labor laws concerning the right to self-organization.