

****Son, Antiola, and Pollarco vs. University of Santo Tomas et al.****

****Facts:**** The case involves Raymond A. Son, Raymond S. Antiola, and Wilfredo E. Pollarco, full-time professors at the University of Santo Tomas (UST), who were terminated for not possessing the required Master's degree, contrary to CHED Memorandum Order No. 40-08. Despite their probationary employment conditioned on obtaining such degrees, UST, upon receipt of a 2010 CHED Memorandum enforcing strict compliance with faculty qualifications, decided not to reappoint faculty members lacking a Master's degree. Petitioners, believing they had acquired tenure under the UST Faculty Union CBA despite their educational shortfall, were terminated and subsequently filed a labor case for unfair labor practice, illegal dismissal, and recovery of money claims. The Labor Arbiter ruled in their favor, which the NLRC initially affirmed, then reversed by a Special Division, and finally reinstated the Labor Arbiter's decision upon reconsideration by a subsequent NLRC panel. The Court of Appeals, however, reversed the NLRC's ruling, reinstating the decision that dismissed the complaints based on the supremacy of the CHED requirements over the CBA provisions.

****Issues:**** The case revolved around whether the CBA provision allowing tenure by default for faculty members without a Master's degree could override CHED Memorandum Order No. 40-08's stricter requirements, and whether petitioners were illegally dismissed.

****Court's Decision:**** The Supreme Court denied the petition, aligning with the March 26, 2012 NLRC decision reinstated by the CA. It underscored the education sector's public interest, necessitating strict compliance with quality standards such as the CHED's Master's degree requirement. The decision emphasized that the CHED Memorandum Order took precedence over the CBA provisions, rendering the tenure by default clause void for being against public policy. Thus, petitioners' dismissal for failing to meet the minimum educational qualifications was deemed lawful.

****Doctrine:**** The ruling reiterates the principle that statutory and administrative regulations governing faculty qualifications in educational institutions take precedence over conflicting provisions in a Collective Bargaining Agreement. It affirms that the requirements for faculty qualifications as mandated by government educational authorities cannot be negated or modified by agreements between universities and their faculty staff.

****Class Notes:****

- Statutory and administrative regulations take precedence over collective bargaining

agreements in matters of public interest, such as faculty qualifications in educational institutions.

- A provision in a collective bargaining agreement that conflicts with a higher legal requirement is null and void.
- The public interest nature of educational institutions necessitates the guarantee that only qualified individuals are allowed to teach, as mandated by appropriate government regulations.
- CHED Memorandum Order No. 40-08 stating the requirement of a Master's degree for faculty members in higher education institutions is considered equivalent to law and overrides conflicting CBA provisions.

****Historical Background:**** The case underscores the continuing tension between labor rights, as negotiated through collective bargaining agreements (CBAs), and regulatory standards set by educational authorities to ensure the quality of education. It highlights the evolving expectations of faculty qualifications in the Philippines, reflecting a broader push for enhancing educational standards in response to global academic benchmarks and local educational reforms.