

Title:

Air Philippines Corporation vs. Bureau of Labor Relations and Air Philippines Flight Attendants Association

Facts:

This case primarily revolves around the union registration of the Air Philippines Flight Attendants Association (APFLAA), which was recognized and granted a Certificate of Registration by the Department of Labor and Employment (DOLE). On 17 March 1999, APFLAA filed a petition to be the collective bargaining representative for APC's flight attendants, leading to a certification election on 5 August 1999 where the majority voted in favor of APFLAA.

On 25 November 1999, Air Philippines Corporation (APC) initiated a Petition for De-Certification and Cancellation of Union Registration against APFLAA at the DOLE, arguing that APFLAA illegally mixed supervisory (Lead Cabin Attendants) and rank-and-file flight attendants in its membership. The DOLE-NCR Regional Director dismissed the petition, stating that mixing supervisory and rank-and-file employees did not constitute a ground for cancellation under Article 239 of the Labor Code.

APC appealed the decision to the Bureau of Labor Relations (BLR), which upheld the DOLE-NCR's ruling. APC then sought recourse from the Court of Appeals through a Petition for Certiorari, which was summarily dismissed due to procedural missteps, including the failure to file a prior Motion for Reconsideration and a defective Motion for Reconsideration regarding service proofs.

Issues:

1. Whether APFLAA's union registration could be cancelled on the basis of including both supervisory and rank-and-file employees in its membership.
2. The procedural appropriateness of APC's recourse to the Court of Appeals without a prior Motion for Reconsideration and with a defective subsequent motion.

Court's Decision:

The Supreme Court denied APC's petition. It clarified that the inclusion of supervisory employees in a union predominantly composed of rank-and-file employees is not among the grounds for cancellation of union registration unless such inclusion involves misrepresentation, false statement, or fraud as specified in Article 239 of the Labor Code. The Court emphasized that APC's arguments primarily challenged the factual nature of

Lead Cabin Attendants' employment status rather than presenting a purely legal issue, which requires factual determination unsuitable for certiorari.

Furthermore, procedural rules necessitate a Motion for Reconsideration before filing for certiorari, which APC failed to correctly execute. The Court upheld the discretionary power of the Court of Appeals to dismiss the petition based on procedural defects.

Doctrine:

The case reiterates that the inclusion of supervisory employees in a rank-and-file union, without evidence of misrepresentation, false statement, or fraud as defined under Article 239 (a) and (c) of the Labor Code, does not warrant the cancellation of the union's registration.

Class Notes:

- **Article 239 Labor Code**: Enumerates grounds for cancellation of union registration, emphasizing the need for evidence of misrepresentation, false statements, or fraud regarding union documents and officer elections.
- **Procedural Path to Higher Courts**: Highlights the importance of exhaustion of administrative remedies and adherence to procedural requirements, such as filing a Motion for Reconsideration before progressing to higher judicial courts.
- **Factual vs. Legal Issues**: Distinguishes between factual determinations (unsuitable for certiorari due to the necessity of evaluating evidence) and pure questions of law.

Historical Background:

The dispute reflects ongoing tensions in labor law between the rights of employees to organize and the statutory restrictions on union membership based on employee rank. It underscores the judiciary's role in interpreting the Labor Code and enforcing procedural rules in resolving labor disputes.