

****Title:**** *Almeda et al. v. The Court of Industrial Relations and Pepsi-Cola Bottling Company of the Philippines*

****Facts:****

The case revolves around a dispute between the Pepsi-Cola Labor Organization and the Pepsi-Cola Bottling Company, Inc., originating from the labor organization's demands presented to Pepsi-Cola's president in March 1952, which escalated to a strike on May 8, 1952. The demands remained unaddressed as the company's president was abroad, and discussions with the company's treasurer did not lead to any agreement. Despite assurances made to the Court of Industrial Relations (CIR) that a strike would not be undertaken before May 15, the labor organization proceeded with the strike, leading to substantial operational disruptions and financial losses for the company.

Subsequent to the strike, Pepsi-Cola filed a petition with the CIR to declare the strike illegal. The CIR found the strike unjustified and illegal, ordered the dissolution of the picket line, and this decision was indirectly sanctioned by the Supreme Court by refusing to give due course to an appeal. Post-strike negotiations led to partial reemployment of the strikers on a temporary basis; however, disputes arose regarding the conditions of reinstatement for those who did not return to work immediately post-strike and for those dismissed after being rehired temporarily.

****Issues:****

1. Whether the strike staged by the Pepsi-Cola Labor Organization was unjustified and illegal.
2. The effect of an unjustified and illegal strike on the employment status of the striking employees.
3. The legality and implications of temporarily rehiring strikers post-strike.
4. The right to reinstatement of strikers refusing to work under a temporary arrangement and of those dismissed after being rehired temporarily.

****Court's Decision:****

The Philippine Supreme Court agreed with the CIR's finding that the strike was unjustified and illegal, affirming that the labor organization initiated the strike without allowing the company's president, who was then abroad, an opportunity to address their demands. This action was especially criticized given the organization's commitments to the CIR not to

strike before a specified date. The court affirmed earlier doctrines stating that unjustified strikes result in the strikers forfeiting their status as employees. Consequently, the company could not be compelled to reinstate those who participated in the strike.

For those who were temporarily reemployed and then dismissed, the court held that since they accepted the conditions of temporary employment, the company was within its rights to terminate their employment within those agreed terms, and there was no ground for their reinstatement. However, for the 32 strikers who refused temporary reemployment, the court diverged from the CIR's decision, backing the notion that participation in an unjustified strike severs the employment relationship, thus negating a right to reinstatement.

****Doctrine:****

The case reiterates the doctrine that employees who participate in an unjustified or illegal strike forfeit their employment status and cannot compel their employer to reinstate them. It underscores the consequence of strikes deemed unnecessary or conducted in bad faith, highlighting that labor actions must be grounded in reasonableness and within the bounds of the law.

****Class Notes:****

- ****Unjustified Strike:**** A strike conducted without giving the employer a reasonable opportunity to address legitimate labor demands or based on unreasonable demands.
- ****Illegal Strike:**** A strike that violates specific procedural or substantive legal requirements, including misrepresentation or non-compliance with strike vote procedures.
- ****Employment Status Post-Strike:**** Participation in an unjustified or illegal strike can sever the employment relationship, eliminating the right to reinstatement.
- ****Temporary Reemployment:**** Acceptance of temporary reemployment terms can limit strikers' claims to reinstatement on previously held terms.

****Historical Background:****

This case illustrates the labor tensions and legal challenges surrounding industrial strikes in the Philippines during the early 1950s, a period characterized by significant labor movement activities and evolving labor laws. The decision reflects the judiciary's approach to balancing the right to strike against the need for industrial peace and the protection of company rights against unjustified labor actions.