

****Title:****

The Secretary of Education, Culture and Sports vs. The Court of Appeals and Public School Teachers

****Facts:****

In September 1990, public school teachers from various schools in the National Capital Region participated in mass actions, which involved unauthorized absences from their duties. These actions were intended to express grievances against issues such as the implementation of the Salary Standardization Law, delays in the payment of benefits, and increased workloads. In response, then Secretary of the Department of Education, Culture, and Sports (DECS) Isidro Cariño issued a memorandum ordering the teachers to return to work under threat of dismissal. The teachers ignored the memorandum, leading Cariño to file administrative complaints against them for various infractions including grave misconduct, gross neglect of duty, and absence without leave.

The teachers were given five days to respond to the charges but failed to do so, leading to an investigation by DECS. The investigation concluded with the dismissal of the teachers from their positions, a decision later affirmed by the Merit and System Protection Board (MSPB). However, upon appeal to the Civil Service Commission (CSC), the teachers' punishment was modified to a six-month suspension without pay. Dissatisfied, the teachers petitioned the Court of Appeals (CA), which affirmed the CSC's resolution but additionally granted the teachers back salaries for the period they were not allowed to teach, except for the six-month suspension period.

DECS Secretary Cariño and the Civil Service Commission, along with the teachers, filed separate petitions for review on certiorari before the Supreme Court (SC) challenging the CA's decision.

****Issues:****

1. Whether the mass actions conducted by the public school teachers constituted a "strike" or were protected by their constitutional rights to peaceably assemble and petition the government for redress of grievances.
2. Whether the teachers are entitled to back salaries for the period they were dismissed until their suspension was modified by the CSC.

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

1. ****Mass Actions as Strike:****

The Supreme Court held that the mass actions participated in by the public school teachers were indeed strikes. The Court cited earlier rulings (e.g., *Alipat vs. Court of Appeals* and *De la Cruz vs. Court of Appeals*) which established that such mass actions amounted to a concerted and unauthorized stoppage of work for economic reasons. The actions did not constitute a mere exercise of constitutional rights because they were not done within reasonable limits and significantly disrupted public school operations. Therefore, the Court affirmed the finding that the teachers committed conduct prejudicial to the best interest of the service.

2. ****Back Salaries Entitlement:****

The Supreme Court ruled that the teachers were not entitled to back salaries for the period they were not allowed to teach, except for the six months of their suspension. Relying on precedents like *Bangalisan vs. Court of Appeals*, the Court noted that since the teachers were neither exonerated nor unjustifiably suspended, awarding back pay would be inappropriate. The Court concluded that the public school teachers were adjudged guilty of acts prejudicial to the service, and being held liable for a lesser offense did not equate to exoneration.

****Doctrine:****

The Court reiterated the principle that public servants, including teachers, must exercise their constitutional rights within reasonable limits so as not to prejudice public welfare. Strikes or unauthorized mass leaves are prohibited under civil service laws. Moreover, when public officers are found liable for offenses less than those initially charged but not completely exonerated, they are not entitled to back salaries for the period they were suspended or dismissed.

****Class Notes:****

1. ****Public Sector Labor Actions:**** Unauthorized mass leaves or strikes by public servants, including teachers, are unlawful and constitute misconduct.
2. ****Constitutional Rights vs. Public Welfare:**** While public servants have the right to assemble and petition for grievances, these acts must not disrupt essential public services.

3. **Back Salary Doctrine:** Public servants suspended or dismissed and later reinstated are not entitled to back wages if not fully exonerated.

- **Key Case References:**

- Alipat vs. Court of Appeals
- De la Cruz vs. Court of Appeals
- Bangalisan vs. Court of Appeals

Historical Background:

During the early 1990s, disputes over the implementation of the Salary Standardization Law and various other employment issues led to significant unrest among public sector employees in the Philippines. The 1990 mass actions by public school teachers were part of a broader pattern of public sector strike actions. This case reflects the judiciary's efforts to balance public sector employees' rights with the need to maintain continuous and effective public services.