

**\*\*Title:\*\*** Eastern Mediterranean Maritime Ltd. and Agemar Manning Agency, Inc. vs. Estanislao Surio et al.

**\*\*Facts:\*\***

Respondents were former crewmembers of MT Seadance, owned by Eastern Mediterranean Maritime Ltd. and operated by Agemar Manning Agency, Inc. During their service, respondents experienced delays in wage payments and the remittance of allotments, and were unpaid for extra work. Dissatisfaction with their working conditions led to complaints. On December 19, 1993, while the ship was docked in Brofjorden, Sweden, International Transport Federation (ITF) officials discovered their wages were below the prevailing rate. Negotiations led to wage differentials being paid and respondents' repatriation on December 23, 1993.

Subsequently, petitioners filed a disciplinary complaint demanding reimbursement of the wage increases before the Workers Assistance and Adjudication Office of the Philippine Overseas Employment Administration (POEA). During the pendency of this complaint, Republic Act No. 8042 (Migrant Workers and Overseas Filipinos Act of 1995) took effect on July 15, 1995. Section 10 of RA 8042 transferred jurisdiction over money claims from the POEA to Labor Arbiters. On May 23, 1996, the POEA dismissed the disciplinary complaint. Petitioners received this order on July 24, 1996.

Petitioners filed a partial appeal with the National Labor Relations Commission (NLRC) on August 2, 1996, which was dismissed on March 21, 1997, for lack of jurisdiction. Petitioners moved for reconsideration, which the NLRC denied. They then filed for certiorari and mandamus in the Supreme Court, which referred the petition to the Court of Appeals (CA). On December 21, 2001, the CA agreed with the NLRC's lack of jurisdiction and dismissed the petition.

**\*\*Issues:\*\***

1. Whether the NLRC has jurisdiction to review, on appeal, cases decided by the POEA concerning disciplinary actions against private respondents.
2. Whether Republic Act No. 8042 should be applied retroactively.

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

1. **\*\*Jurisdiction of the NLRC:\*\***

- The Supreme Court held that the NLRC did not have jurisdiction to review the decision of the POEA concerning disciplinary actions involving overseas contract workers. Republic Act

No. 8042 vested jurisdiction over money claims involving overseas Filipino workers with Labor Arbiters but retained administrative and disciplinary jurisdiction with the POEA.

2. **Retroactive Application of Republic Act No. 8042:**

- The Court decided that Republic Act No. 8042, particularly procedural provisions regarding jurisdiction, applied retroactively to the case. The statute affected procedural aspects, not vested rights, and thus governed all pending cases at the time of its enactment. Petitioners' appeal should have been directed to the Secretary of Labor due to the supervisory and appellate authority conferred by Republic Act No. 8042.

**Doctrine:**

Republic Act No. 8042 is procedural regarding jurisdiction and applies retroactively to cases pending at the time of its enactment. Disciplinary actions against overseas Filipino workers remain under the POEA's original and exclusive jurisdiction, and appeals from POEA decisions in disciplinary cases should be directed to the Secretary of Labor.

**Class Notes:**

- **Key Concepts:**

- Jurisdiction: Labor Arbiters have jurisdiction over monetary claims; POEA retains jurisdiction over administrative and disciplinary actions.

- Retroactivity of Procedural Laws: Procedural laws apply to pending cases and do not create or remove vested rights.

- **Statutory Provisions:**

- Republic Act No. 8042 (Migrant Workers and Overseas Filipinos Act of 1995), Sections 10, 28, and 29.

- Revised Administrative Code of 1987, Section 38(1), Chapter 7, Title II, Book III.

- **Application:**

- Procedural changes in jurisdiction apply to pending appeals.

- Appeals in disciplinary cases under the POEA must be directed to the Secretary of Labor.

**Historical Background:**

The case exemplified jurisdictional shifts post-enactment of Republic Act No. 8042, emphasizing the distinction between administrative and monetary claims in the context of overseas employment. The enactment was intended to streamline efficiency and clarify the roles of the different bodies involved in the adjudication of labor disputes, especially in the context of Filipino migrant workers. The decision reinforces a procedural shift aimed at promoting better access to justice for overseas Filipino workers.