

### Title: UST Faculty Union (USTFU) vs. Director Benedicto Ernesto R. Bitonio Jr., et al.

### Facts:

1. **Background and Initial Notice (Sept 21, 1996)**: The Secretary-General of USTFU, Norma Collantes, announces a general assembly for October 5, 1996, for conducting USTFU officer elections.
2. **Petition (Oct 1, 1996)**: Some USTFU members file a petition claiming the Committee on Elections (COMELEC) was improperly constituted, and no rules were issued for the October 5, 1996, election.
3. **General Faculty Assembly (Oct 2, 1996)**: Notices from the Secretary-General of UST allow all faculty members to hold a convocation on October 4, 1996, to discuss union affairs and elections.
4. **Election Day Actions (Oct 4, 1996)**:
  - **TRO Issued**: A Temporary Restraining Order (TRO) is issued by the med-arbiter preventing the October 5 election.
  - **General Faculty Assembly**: An assembly is held, involving both USTFU and non-USTFU members. Officers are “elected” by applause following a motion to suspend USTFU’s CBL (constitution and bylaws) made by a non-union member.
5. **Petition (Oct 11, 1996)**: The existing USTFU officers file a petition for injunctive relief, deeming the October 4 election illegitimate due to the TRO violation and non-compliance with USTFU’s CBL.
6. **TRO for Office Claim (Oct 24, 1996)**: Motion for TRO denying the new set of officers’ attempts to take over the union office.
7. **Temporary Restraining Order (Dec 11, 1996)**: Med-arbiter issues a TRO against the self-proclaimed USTFU officers.
8. **New CBA Ratification (Dec 12, 1996)**: The self-proclaimed officers and UST allegedly ratify a new Collective Bargaining Agreement (CBA).
9. **Procedural Posture**: The med-arbiter declares the October 4, 1996 election null and void. Public Respondent Bitonio affirms this decision on August 15, 1997. A motion for reconsideration is denied on October 30, 1997, leading to the petitioners’ filing for Certiorari with the Supreme Court.

### Issues:

1. **Suspension of Union's CBL**: Whether the general assembly had the right to suspend USTFU's constitution and bylaws to conduct the October 4, 1996, election.
2. **Validity Under Constitutional Rights**: Whether the suspension of USTFU's CBL was valid under the constitutional right to engage in peaceful concerted activities for union reorganization.
3. **Mootness Due to CBA Ratification**: Whether the ratification of the new CBA rendered moot the issues concerning the October 4, 1996 election.

### Court's Decision:

1. **Self-Organization and Union Membership**: The Court iterated that union operations and officer elections must strictly follow the union's constitution and bylaws. The so-called "election" on October 4, 1996, did not respect the CBL's provisions and was not conducted by members of the union alone, thereby making it invalid.
2. **Union Election vs. Certification Election**: The Court elucidated the difference between union elections (restricted to union members) and certification elections (inclusive of all employees within a bargaining unit). The October 4 gathering did not meet these criteria and could not substitute for a valid union election.
3. **Inconsistency in Union CBL Compliance**:
  - **Assembly Not Authorized**: The faculty assembly was not sanctioned by the union but by the university administration, which nullified the legitimacy of the assembly's actions.
  - **Lack of COMELEC**: The elections lacked oversight by an officially constituted COMELEC.
  - **No Secret Balloting**: The election process flouted the secrecy required by both the CBL and the Labor Code.
4. **Suspension of Union's CBL**:
  - **Invalid Suspension**: The general faculty assembly was not an appropriate forum to suspend the CBL and conduct elections, especially given the non-union personnel's involvement.
  - **Alternative Remedies Available**: The anomalies cited could have been dealt with using the impeachment, recall, or other disciplinary processes provided within the CBL.
5. **CBA Ratification Does Not Validate Election**: The Court concluded that the ratification

of a new CBA does not moot the dispute over the election's validity, as this should be settled within the correct procedural and legal framework.

**### Doctrine:**

**\*\*Respect for the Union's CBL\*\*:** The constitution and bylaws of a union represent a binding agreement among its members and should not be suspended arbitrarily. The process for elections and other union matters must adhere strictly to the provisions of the CBL to ensure the legitimacy of actions.

**### Class Notes:**

1. **\*\*Right to Self-Organization (Labor Code, Article 244)\*\*:** Entails forming/joining labor organizations free from employer intervention.
2. **\*\*Union Elections\*\*:** Must be conducted per union bylaws, ensuring all procedures, including proper notice and secret ballot voting, are followed.
3. **\*\*Certification Election vs. Union Election\*\*:** Certification involves all employees for choosing a bargaining agent, while union elections are limited to union members.
4. **\*\*ILS Convention No. 87\*\*:** Ensures labor organizations can make rules and elect representatives freely, without external interference.
5. **\*\*Grievance and Dispute Resolution\*\*:** USTFU CBL includes mechanisms like impeachment and recall available to address officer misconduct.

**### Historical Background:**

The case unfolds within the historic context of labor movements striving for independence and proper representation within organizations in the Philippines. The establishment and enforcement of clear procedural safeguards in union matters reflect evolving labor standards aimed at curbing undue interference and ensuring democratic principles within labor organizations. This case highlights the balance required between the autonomy of union members and adherence to established procedures.