

PHILIPPINE NATIONAL RAILWAYS, PETITIONER, VS. COURT OF INDUSTRIAL RELATIONS AND MRR MEDICAL, DENTAL, NURSES' ASSOCIATION, RESPONDENTS.*G.R. NO. L-30942. May 31, 1974*

Ponente: FERNANDO, J.

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This petition for the review of an order of respondent Court, sustaining the right of members of private respondent, the Manila Railroad Medical, Dental, Nurses' Association to overtime compensation, reflects the rather adamant stand of petitioner, the Philippine National Railways, to resist the payment thereof. The attitude of intransigence is, however, not enough; what it contends for must be borne out by the applicable statutory provision. As its language favors the stand of private respondent, petitioner is reduced to maintaining that such an order could be set aside as the members of respondent Union "rendered work voluntarily and without being authorized." [1] At bottom, petitioner thus raises a factual question. It ought to have known that it is again confronted with another insuperable obstacle. The settled doctrine ever since the creation of respondent Court is that its findings of facts, if supported by substantial evidence and therefore not shown to be arbitrary, is well-nigh conclusive on us. There is thus no merit to the petition.

The facts are not open to dispute. In the order of respondent Court of the then Presiding Judge, Arsenio I. Martinez, affirmed unanimously thereafter by such tribunal en banc, the nature of the case was set forth thus: "This is a petition for payment of nighttime differential and overtime pay. Petitioner association, among others, averred that while practically all other employees of the respondent MRR have been extended the benefits of nighttime differential and overtime pay, the latter refused and still refuses to pay similar benefits to the members of petitioner union, despite the favorable decision in two cases promulgated by this Court. [2] There was a specific denial of each and every averment of such petition on the part of the Philippine National Railways, which likewise relied on such grounds as there being full compliance with the decision referred to insofar as the employees covered therein were concerned and there being no such overtime services of the members of private respondent Association, which moreover if rendered did not entitle them to compensation or if so entitled, payment had been made. The parties were heard on their respective allegations. Then came the challenged order with this finding on the question of whether or not the members of private respondent Association did render overtime services: "A careful perusal of the evidence of petitioner, which were not opposed by respondent shows that members of petitioner really worked in many instances beyond eight hours a day, including work during nighttime which is reckoned with as from 6:00 p.m. to 6:00 a.m. the following morning. The evidence on this point * * * is quite detailed and voluminous * * * which were not controverted. A more detailed itemization of said overtime and nighttime work could be better made by the auditing examiner of this Court. But the finding that petitioner's members worked beyond eight hours a day and at nighttime is inevitable." [3]

The above facts, and the legal principles now to be set forth, will render clear why, as indicated at the outset, the petition must fail.

1. The conformity to the literal language of the law of the order in question, in the light of the facts found, is made patent in the appealed order in these words: "As such, for overtime services rendered or to be rendered by them, are they entitled to overtime compensation? Sec. 3 C.A. No. 444 as amended, provides: 'Work may be performed beyond eight hours a day in case of actual or impending emergencies caused by serious accidents, fire, flood, typhoon, earthquakes, epidemic or other disaster or calamity in order to prevent loss to life and property or imminent danger to public safety; as in case of urgent work to be performed on the machine. * * * or some other just cause of a similar nature;* * *' "[4] Its next paragraph reads as follows: "The afore-quoted legal provision is clear enough to embrace the case of the herein petitioner. Even without prior authority to work overtime the nature of their work sometimes required labor beyond eight hours or at nighttime. To invoke lack of authority would condition the payment for overtime services to the act of another entity especially, as in the case at bar, actual service had been rendered in which the corporation benefited. "[5] An excerpt from the recent opinion of Gonzaga vs. Court of Appeals[6] is relevant. Thus: "It has been repeated time and time again that where the statutory norm speaks unequivocally, there is nothing for the courts to do except to apply it. The law, leaving no doubt as to the scope of its operation, must be obeyed. Our decisions have consistently been to that effect."[7]

2. The realization that the language of the law unequivocally lends support to the stand of private respondent must have led petitioner to rely in his plea for the reversal of the order complained of on the alleged voluntary performance of the work done by the members of private respondent Union. In language firm and categorical, it would assert that the overtime service was voluntary [on the part of the members of private respondent], and your petitioner should therefore not be compelled to pay for the same. To do so would certainly lead to abuse."[8] A greater sense of justice on its part ought to have cautioned against such a contention, for the medical, dental and nursing personnel, precisely by the very ethics of their professions, had no choice but to stay on the job and render the service. To fail to do so would amount to being recreant to the trust imposed on them. For petitioner, however, such consideration is of minor import, its attention being centered on the financial liability to be incurred. Thus motivated, and perhaps at a loss as to what argument to present, it would ask this Tribunal to overturn a factual finding of respondent. This, we cannot do. A host of decisions impressive for their number and unanimity stands as a barrier. It was thus from the beginning. So it may be gathered from Philippine Educational Institution vs. MLQSEA Faculty Association:[9] "It was Justice Laurel who, in the first decision, promulgated in 1939, concerning the scope of the power of this Court to alter factual conclusions reached by the Court of Industrial Relations, expressed the view that we should not disturb 'the findings of facts made by the Court of Industrial Relations * * * "[10] Subsequently, this Court has maintained the consistency of its stand in several other decisions.[11]

WHEREFORE, the petition for review is dismissed and the order of respondent Court of May 28, 1969, as sustained in its resolution of July 12, 1969, which denied a motion for reconsideration is affirmed. Costs against petitioner.

Zaldivar, (Chairman), Antonio, Fernandez, and Aquino, JJ., concur.
Barredo, J., took no part.

[1] Petition for Review, Par. VIII.

[2] Order, Annex C to Petition, opening paragraph.

[3] Ibid, penultimate paragraph.

[4] Ibid 4-5.

[5] Ibid, 5.

[6] L-27455, June 28, 1973, 51 SCRA 381.

[7] Ibid, 385, Cf. *People vs. Mapa*, L-22301, Aug. 30, 1967, 20 SCRA 1164; *Pacific Oxygen & Acetylene Co. vs. Central Bank*, L-21881, March 1, 1968, 22 SCRA 917; *Dequito vs. Lopez* L-27757, March 28, 1968, 22 SCRA 1352; *Padilla vs. City of Pasay*, L-24039, June 29, 1968, 23 SCRA 1349; *Garcia vs. Vasquez*, L-26808, March 28, 1969, 27 SCRA 505; *La Perla Cigar and Cigarette Factory vs. Capapas*, L-27948 and 28001-11, July 31, 1969, 28 SCRA 1085; *Mobil Oil Phil. Inc. vs. Diocares*, L-26371, Sept. 30, 1969, 29 SCRA 656; *Luzon Surety Co., Inc. vs. De Garcia*, L-25659, Oct. 31, 1969, 30 SCRA 111; *Vda. de Macabenta vs. Davao Stevedore Terminal Co.*, L-27489, April 30, 1970, 32 SCRA 553; *Republic Flour Mills, Inc. vs. Commissioner of Customs*, L-28463, May 31, 1971, 39 SCRA 269; *Maritime Co. of the Phil. vs. Reparations Commission*, L-29203, July 26, 1971, 40 SCRA 70; *Allied Brokerage Corp. vs. Commissioner of Customs*, L-27641, Aug. 31, 1971, 40 SCRA 555.

[8] Petitioner, Arguments.

[9] L-24019, November 29, 1968, 26 SCRA 272.

[10] Ibid, 276. Twenty-seven cases were cited showing adherence to the formulation of Justice Laurel.

[11] Cf. *G-Liner vs. National Labor Union*, L-24963, Nov. 29, 1968, 26 SCRA 282; *National Waterworks and Sewerage Authority vs. NWSA Consolidated Union*, L-26894, Feb. 28, 1969, 27 SCRA 227; *Alhambra Industries, Inc. vs. Court of Industrial Relations*, L-22219, Aug. 28, 1969, 29 SCRA 138; *De Leon vs. Pampanga Sugar Development Co. Inc.*, L-26844, Sept. 30, 1969, 29 SCRA 628; *Gonzales vs. Victory Labor Union*, L-23256, Oct. 31, 1969, 30 SCRA 47; *Lakas ng Manggagawang Makabayan vs. Court of Industrial Relations*, L-32178, Dec. 28, 1970, 36 SCRA 600; *Philippine Engineering Corporation v. Court of Industrial Relations*, L-27880, Sept. 30, 1971, 41 SCRA 89; *Bulakeña Restaurant v. Court of Industrial Relations*, L-26796, May 25, 1972, 45 SCRA 87.

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