

CENTRO ESCOLAR UNIVERSITY, PETITIONER, VS. CALIXTO WANDAGA, SEGUNDO CRUZ, FRANCIS DAO-AS, EMI-LIANO PISEW, MARIA NAVARRO, VICTOR MARTINEZ, ELPIDIO RIVERA, DANIEL ORTIGUERO, CESA...

G.R. No. L-25826. April 03, 1968

Ponente: BENGZON, J.P., J.

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BENGZON, J.P., J.:

On May 17, 1965, eight janitors and one janitress filed a petition in the Court of Industrial Relations against Centro Escolar University for recovery of over-time compensation, illegal deduction and underpayment, with reinstatement.[1]

Alleged in their complaint, among others, were the following:

They were employed by Centro Escolar University as janitors and janitress as far back as 1962,[2] until February 27, 1965, when the University discriminatorily dismissed them without notice and cause. As they refused to accept their separation pay or sign a separation agreement, their pay was sent to them by registered mail, which amounts they are willing to return to the University.

They also averred that they worked 13 hours from Monday to Saturday, 7 hours during Sundays and holidays, without extra compensation; that illegal deductions of P12.00 were made against three of them;[3] that they were paid below the minimum wage fixed by law[4] and that the University refused payment of their claims.

Moving to dismiss, Centro Escolar University claimed that the Court of Industrial Relations had no jurisdiction over claims under the Eight-Hour Labor Law, the Minimum Wage Law and refund of illegal deductions for the reason that though reinstatement was being asked, the same was not sufficient in the absence of any allegation of unfair labor practice or proof of the existence of a labor dispute. Also, it was alleged that a claim was earlier filed by the petitioners before Regional Office No. 4 of the Department of Labor for the same amounts,[5] thereby warranting the dismissal of the present case on the ground of pendency of another action.

On August 26, 1965, the Court of Industrial Relations declared that it had jurisdiction in claims of this nature where the employer-employee relationship is still existing or is sought to be reestablished (as when there is a prayer for reinstatement) as well as over cases involving money claims which otherwise would not fall within its authority, when it appears that the principal causes of action fall squarely under its jurisdiction or where such other claims are mere incidents to a principal cause of action falling under its jurisdiction. As regards the alleged pendency of another action, the court noted that since the complaint before the Department of Labor did not ask for reinstatement the rule of pendency of another action for the same cause, does not apply.

After denial of its motion for reconsideration by the Court of Industrial Relations en banc, the University filed with Us this special civil action for certiorari with preliminary injunction, contending that appeal in due time is not an adequate remedy, and seeking to enjoin the Court of Industrial Relations from further proceeding with the

case.

This case revolves on two issues: First, whether the Court of Industrial Relations has jurisdiction over claims for overtime work (Eight-Hour Labor Law), and for under-payment and refund for illegal deductions (Minimum Wage Law), there being a claim for reinstatement; and second, whether the case should be dismissed due to the pendency of another action for the same cause.

As to the first point, the jurisdiction of the Court of Industrial Relations under statutes and in the light of jurisprudence extends only to cases involving: (a) labor disputes affecting an industry which is indispensable to the national interest and so certified by the President to the Court (Section 10, Republic Act 875); (b) controversies about the minimum wage under the Minimum Wage Law (Republic Act 602); (c) controversies regarding hours of employment under the Eight-Hour Labor Law (Commonwealth Act 444) and (d) cases involving unfair labor practice (Sec. 5/a7, Republic Act 875). And in order that such disputes and controversies may fall under the jurisdiction of the Court of Industrial Relations, the employer-employee relationship between the parties must exist or, if it had been terminated, the employee must seek reinstatement. When such relationship has ceased and the employee does not seek reinstatement, all such claims become merely money claims that fall within the jurisdiction of the regular courts.[6]

The foregoing has been the rule as far back as 1959.[7] Aware that there have been some cases whose import could lead to a contrary interpretation, along petitioner's line of reasoning, this Court, through Mr. Justice Sanchez[8] expressly declared the above to be the prevailing rule, leaving no doubt as to the proper interpretation of the laws concerned.

Applying this norm to the present case, the principal claims being pressed here fall under the Minimum Wage Law and the Eight-Hour Labor Law, and are coupled with the prayer for reinstatement. They therefore fall squarely within the Industrial Court's jurisdiction. And, in line with the rule against splitting a cause of action, the other claims arising out of or incidental to the principal ones are also properly cognizable by the same court.[9]

With regard to petitioner's arguments on pendency of another 'action' in Regional Office No. 4 of the Department of Labor, let it be restated that such regional offices do not have jurisdiction over such money claims of laborers under the Minimum Wage Law and Eight-Hour Labor Law, because Reorganization Plan No. 20-A, particularly Section 25, which purported to grant it such jurisdiction, is null and void.[10] The Department of Labor through its regional offices has jurisdiction only over money claims under the Workmen's Compensation Act.[11] There can therefore be no bar due to the pendency of another action.

WHEREFORE, the petition herein is hereby denied and respondent Court is declared with jurisdiction over its Case No. 2084-V and the parties are hereby enjoined to proceed further in said case. Costs against petitioner.

SO ORDERED.

Reyes, J.B.L., (Acting C.J.), Dizon, Makalintal, Zaldivar, Sanchez, Ruiz Castro, Angeles, and Fernando, JJ., concur.

[1] Case No. 2084-V.

[2] Six starting in February 1962, one in June 1962, one in June 1963, and another in August 1963.

[3] Two for 36 months and one for 8 months.

[4] The difference claimed by each was alleged in the complaint, with a total claim of about P1,159.00.

[5] RO4 Case No. 05874.

[6] Sy Huan v. Bautista, L-16115, Aug. 29, 1961; Campos v. MRR, L-17905, May 25, 1962; Gracela v. El Colegio del Hospicio de San Jose, L-15152, Jan. 31, 1963.

[7] Monares v. CNS Enterprises, L-11749, May 29, 1959.

[8] Bay View Hotel, Inc. v. Manila Hotels' Union, L-21803, Dec. 17, 1966.

[9] Serrano v. CIR, L-19562, May 23, 1963; Bay View Hotel, Inc. v. Manila Hotels' Union, *supra*.

[10] Gomez v. Fookien Times, L-17916, Apr. 30, 1963; Villa-fuerte v. Marfil, L-17775, Feb. 28, 1963; Andan v. Secretary of Labor, L-18556, Mar. 29, 1963, Halili v. Huganas, L-17776, Apr. 30, 1964.

[11] Chung v. Abaday, L-20315, June 30, 1964.

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