

FILIPINAS LIFE ASSURANCE COMPANY, INC., AND ROMEO MANOLOTO, PETITIONERS, VS. HON. ILDEFONSO M. BLEZA, PRESIDING JUDGE OF THE COURT OF FIRST INSTANCE OF ORIENTAL MINDORO, BRANCH ...

G.R. No. L-47089. November 11, 1985

Ponente: MELENCIO-HERRERA, J.

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MELENCIO-HERRERA, J.:

Filipinas Life Assurance Company (the Company) assails in this Petition for Certiorari and Prohibition with Preliminary Injunction the Order, dated October 3, 1977, of respondent Judge, enjoining the petitioners from dismissing or terminating private respondents from their employment.

This Court issued a Temporary Restraining Order on October 19, 1977 enjoining the enforcement of said Order.

There is no question that private respondents were employees in the Company's District Office in Calapan, Oriental Mindoro. On March 24, 1977, they addressed a letter to the Company demanding the recognition of District Managers and Supervisors as permanent employees with security of tenure and the extension to them of benefits and privileges enjoyed by the Home Office employees.[1] In June, 1977, private respondents received notices from the Company terminating their employment for loss of confidence, among others.[2]

Private respondents then filed complaints for reinstatement with backwages and damages before Regional Office No. IV-A of the Department of Labor at San Pablo City against the Company for illegal and unjust termination of their employment, without any clearance, and in retaliation for their demands.

Subsequently, during the pendency of the labor case, private respondents filed a Petition for Injunction with the then Court of First Instance of Oriental Mindoro, alleging that the Company was recruiting replacements for them, and praying that the Company be restrained from doing so until such time as the labor case had finally been acted upon. The Company filed a Motion to Dismiss questioning respondent Court's jurisdiction over the labor dispute.

Respondent Judge upheld his jurisdiction in the questioned Order, the dispositive portion of which states:

"WHEREFORE, in view of all the foregoing considerations, the respondents, their attorneys, their agents and any person acting for and in their behalves are hereby enjoined from dismissing or terminating their services without prior authority of this Court, that is, they should be first reinstated immediately and it will be the Court to decide whether or not their services will be terminated." [3]

Hence, this petition.

Obviously, respondent Court had no jurisdiction over the subject matter of the suit. The doctrine of sole and exclusive competence of the labor tribunal in cases involving or originating from labor disputes has been constantly upheld by this Court. At the time the action was filed below, Article 217 of the Labor Code[4] already provided:

"The Labor Arbiters shall have exclusive jurisdiction to hear and decide the following cases involving all workers, whether agricultural or non-agricultural:

- (1) Unfair labor practice cases;
 - (2) Unresolved issues in collective bargaining including those which involve wages, hours of work, and other terms and conditions of employment duly indorsed by the Bureau in accordance with the provisions of this Code;
 - (3) All money claims of workers involving non-payment or underpayment of wages, overtime or premium compensation, maternity or service incentive leave, separation pay and other money claims arising from employer-employee relation, except claims for employee's compensation, social security and medicare benefits and as otherwise provided in Article 128 of this Code;
 - (4) Cases involving household service; and
 - (5) All other cases arising from employer-employee relation unless expressly excluded by this Code."
- (Under-scoring supplied).

The conclusion is thus inevitable that respondent Court's assumption and exercise of jurisdiction is a nullity. To rule otherwise would be to sanction split jurisdiction, which is prejudicial to the orderly administration of justice. The ruling in *Kaisahan ng mga Manggagawa sa La Campana vs. Sarmiento*, 133 SCRA 220 at 233 (1984) is apt:

"The complaint before the Court of First Instance made particular reference to the fact that there was an existing labor dispute between plaintiff company and the labor union. The Court of First Instance should have exercised caution in issuing the restraining order prayed for, since the very face of the complaint clearly indicate that CIR Case No. 584-V(7) principally involved an employer-employee relationship. The criterion to determine which court has the jurisdiction to issue injunction in labor dispute is whether the acts complained of arose out of, or are connected or interwoven with the cases which fall within the exclusive jurisdiction of the CIR (now vested with the National Labor Relations Commission). To allow the Court of First instance to pass upon the issue of damages 'would be to sanction split jurisdiction which is prejudicial to the orderly administration of justice.' Furthermore, there was an utter disregard of repeated pronouncement by this Court against grant of ex-parte injunctions and restraining orders. Injunctions in Labor disputes are not favored and may issue only after strict compliance with statutory requirements. Under the circumstances, the Court of First Instance should have dismissed the complaint or at least, should have suspended action thereon until after the labor dispute had been finally settled. It must be recalled that the complaint was filed by the company during the pendency of the labor case before the Office of the President. Respondent court acted with grave abuse of discretion amounting to lack of jurisdiction in taking action over the complaint and in issuing a restraining order."

WHEREFORE, the Writ is granted, the challenged Restraining Order of respondent Judge is set aside, and the Temporary Restraining Order heretofore issued by this Court is hereby made permanent. No costs.

SO ORDERED.

Teehankee, (Chairman), Plana, Gutierrez, Jr., De la Fuente, and Patajo, JJ., concur.

Relova, J., on official leave.

[1] Rollo, p. 77.

[2] *ibid.*, p. 81.

[3] *ibid.*, p. 38.

[4] P.D. No. 442, as of 1977 amendments.

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