

VICENTE TAN, PETITIONER AND APPELLEE, VS. BELEN DE LEON, ETC., ET AL. F. A. FUENTES, AS REGIONAL ADMINISTRATOR OF REGIONAL OFFICE NO. 3, DEPARTMENT OF LABOR, RESPONDENTS AND APP...*G.R. No. L-15254. September 16, 1961*

Ponente: NATIVIDAD, J.

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This action for certiorari with preliminary injunction is now before this Court on the appeal interposed by the respondents against the judgment therein rendered by the Court of First Instance of Manila, granting the writ of certiorari therein prayed for and vacating and setting aside the decision of the Regional Office No. 3 of the Department of Labor, which ordered the payment to respondents Belen de Leon, Edilberto de Leon, Estela de Leon and Paz Topaya, of their claims for differential pay, terminal pay and attorney's fee, on the ground that said regional office has no jurisdiction to hear and determine said claims.

The record discloses that on October 2, 1958, respondents Belen de Leon, Edilberto de Leon, Estela de Leon and Paz Topaya filed with the Regional Office No. 3 of the Department of Labor against the petitioner Vicente Tan and the Beauty Novelties and Toys Factory a complaint for the payment of differential pay and terminal pay allegedly due them and attorney's fees. Vicente Tan and the Beauty Novelties and Toys Factory resisted the claim. After trial, said regional office, on December 26, 1958, rendered a decision ordering Vicente Tan and the Beauty Novelties and Toys Factory to pay the said respondents the total sum of P6,718.80 as unpaid overtime pay, differential pay and separation pay due them, plus P671.88 as attorney's fees. Notice of this decision was duly served on Vicente Tan and the Beauty Novelties and Toys Factory. They did not however appeal therefrom, and the said decision having become final, on January 8, 1959, said regional office issued the corresponding writ of execution and delivered the same to the Sheriff of the City of Manila for enforcement. The latter executed the writ and levied thereunder upon four sewing machines belonging to the wife of Vicente Tan.

On February 2, 1959, Vicente Tan filed in the Court of First Instance of Manila against Belen de Leon, et al. the petition for certiorari by which this action was initiated to review, vacate and set aside the judgment of the Regional Office No. 3 of the Department of Labor of December 26, 1958, as well as the writ of execution issued thereunder. The respondents opposed this petition. After trial, that Court, on March 6, 1959, rendered judgment granting the writ of certiorari prayed for, and vacated and set aside the decision of the Regional Office No. 3 of the Department of Labor of December 26, 1958, as well as the writ of execution issued thereunder, on the ground that said regional office was without jurisdiction to hear and decide the claims of respondents Belen de Leon, et al. From this judgment, the respondents appealed to this Court.

The appellants contend that the trial court erred in granting the writ applied for in this case. It is claimed that the ground invoked therefor, i. e., that said Regional Office No. 3 of the Department of Labor was without authority to hear and decide the claims in question, is without foundation, for said regional office was created under the

Reorganization Plan No. 20-A, which was undertaken pursuant to the provisions of Republic Act No. 997, as amended by Republic Act No. 1241, and it was expressly vested by said reorganization plan with jurisdiction to hear and determine money claims of laborers.

The law on the matter, as enunciated by this Court, in previous decisions, is that the provisions of Reorganization Plan No. 20-A, undertaken under the provisions of Republic Act No. 997, as amended, insofar as they confer judicial power upon the regional offices thereby created and give said offices original and exclusive jurisdiction over money claims of laborers other than those falling under the Workmen's Compensation Law, are null and void and of no effect. *Corominas, et al. vs. Labor Standards Commission*, 112 Phil., 551; 59 Off. Gaz., [43] 7432, and companion cases, *Miller vs. Mardo*, 112 Phil., 792; 59 Off. Gaz., [14] 2307; *Caltex (Phil.) Inc. vs. Villanueva, et al.*, 112 Phil., 890; 59 Off. Gaz., [47] 8071. In the *Corominas* case, *supra*, this Court said:

"The provisions of Reorganization Plan No. 20-A, particularly Section 25, which grants to the regional offices original and exclusive jurisdiction over money claims of laborers, is null and void, said grant having been made without authority by Republic Act No. 997."

In that of *Miller vs. Mardo*, *supra*, this Court held:

"On the basis of the foregoing considerations, we hold and declare that Reorganization Plan No. 20-A, insofar as it confers judicial power to the Regional Offices over cases other than those falling under the Workmen's Compensation Law, is invalid and of no effect."

And in the *Caltex* case, *supra*, this Court said:

"From the foregoing provisions of Law and rules, it may be gathered that a regional office of the Department of Labor has original jurisdiction to hear and determine claims for compensation under the Workmen's Compensation Act. If a claim is controverted, it shall be heard and decided only by a regularly appointed hearing officers or any other employee duly designated by the Regional Administrator to act as hearing office. But when the claim is uncontroverted and there is no necessity of requiring the claimant to present further evidence, the Regional Administrator may enter an award or deny the claim."

Analyzing the facts of this case in the light of the above rule, it is clear that Regional Office No. 3 of the Department of Labor had no authority to hear and determine the claims at bar. As above stated, the claims of appellants *Belen de Leon, et al.* are for overtime pay, differential pay, terminal pay and attorney's fees. It is true that it is not disputed that said appellants were workers in the novelties and toys factory of the petitioner *Vicente Tan*. But their claim is not for compensation falling under the Workmen's Compensation Act. (Act No. 3428, as amended by Act No. 3812, Commonwealth Act No. 210 and Republic Acts Nos. 772 and 889.) Under the law, their claims are merely money claims falling under the jurisdiction of the regular courts. They do not fall under the jurisdiction of the Court of Industrial Relations, for, although they were workers in the novelties and toys factory of the petitioner, there is no showing that they were still in the service of said petitioner, or that they seek reinstatement in his service, or that there was a labor dispute between them affecting their relationship as employer and employees, or that the controversy refers to minimum wages under the Minimum Wage Law, or that it involved unfair labor practice or hours of employment under the Eight Hour Labor Law. *Price Stabilization Corporation vs. Court of Industrial Relations*, 108 Phil., 134; *Philippine Wood Products vs. Court of Industrial Relations*, 112 Phil., 640; 61 Off. Gaz., [10] 1345; *Sy Huan vs. Bautista, et al.*, 112 Phil., 941; 61 Off. Gaz., [20] 2942. It is, therefore, clear that the decision of Regional Office No. 3 in question is null and void *ab initio* as rendered by a body which was not vested with jurisdiction to hear and determine the case, and that it is of no effect and cannot be enforced.

Wherefore, we find the judgment appealed from in accordance with law. The same, consequently, is hereby

affirmed, without pronouncement as to costs. It is so ordered.

Bengzon, C. J., Padilla, Labrador, Concepcion, Reyes, J. B. L., Barrera, Paredes, Dizon, and De Leon, JJ., concur.

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