

**EDUARDO BRILLANTES, PLAINTIFF AND APPELLANT, VS.
LEONARDO CASTRO, DOING BUSINESS UNDER THE NAME AND
STYLE OF “ALMACAS POLICE PROTECTIVE BUREAU”
DEFENDANT AND APPELLEE. D E C I S...**

G.R. No. L-9223. June 30, 1956

Ponente: MONTEMAYOR, J.

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MONTEMAYOR, J.:

This is an appeal from the order of the Court of First Instance of Manila presided by Judge E. Soriano dated February 12, 1955, granting the motion to dismiss filed by the defendant Leonardo Castro and dismissing the complaint of the plaintiff Eduardo Brillantes. For a statement of the facts of the case we adopt that made by the trial court which we reproduce below:

It appears that on December 1, 1953, the plaintiff filed a complaint against the defendant before the Wage Administration Service for the recovery of alleged unpaid salary and overtime pay, the said case bearing No. C-1046; that on February 15, 1954; the plaintiff and the defendant entered into an arbitration agreement whereby they agreed "1. That they submit their case to the Wage Administration Service for investigation"; and "2. That they bind themselves to abide by whatever decision this Office may render on the case and that they recognize said decision to be final and conclusive"; that in accordance with the said agreement, the parties, assisted by their respective counsel, adduced evidence before the Wage Administrative Service; that on May 31, 1954, the latter rendered a decision containing its findings and the following dispositive parts "wherefore, considering the evidence presented, the claim for overtime and underpayment is hereby dismissed but the respondent is adjudged to pay to the claimant the amount of fifty pesos and eighty-eight centavos (P50.88) corresponding to his salary for services rendered in the month of November, 1953 and to deposit the same within five (5) days from receipt thereof"; that no appeal was taken from the said decision, and that on November 10, 1954, the plaintiff filed a complaint against the defendant with this Court over the same subject-matter and cause of action litigated between them before, and decided by, the Wage Administration Service, (pp. 22-23, Record on Appeal.)

In support of its order of dismissal, the trial court made the following observation and conclusions which we quote with favor:

It is evident that the aforesaid decision rendered by the Hearing Officer of the Wage Administration Service was pursuant to" the authority granted to the Secretary of Labor to "delegate any or all of his powers in the administration or enforcement of the Minimum Wage Law to the Chief of the WAS, who may act personally or through duly authorized representative" Republic Act No. 602, The Minimum Wage Law, section 12 (e). Section 7 of the same Act also pertinently provides that "Any person aggrieved by an order of the Secretary of Labor issued under this Act may obtain a review of such order in the Supreme Court by filing in such court within fifteen (15) days after the entry and publication of such order a written petition praying that the order of the Secretary of Labor be modified or set aside in whole or in part * *.*" The jurisdiction of the Wage Administration Service to render the aforesaid decision, as well as the remedy of the aggrieved party against

such a decision, is impliedly recognized by the Supreme Court in *Gonzales vs. Hon. Secretary of Labor, et als.*, ' G. R. No. L-6409, wherein it was said: "The point raised by the Solicitor General on behalf of the respondent Secretary of Labor that petitioner's remedy is to appeal to the President of the Philippines is not well taken. Section 7 of the law creating the WAS (Rep. Act No. 602) expressly authorized any person aggrieved by an order of the Secretary of Labor to obtain a review of such order in the Supreme Court." In view of the failure of the herein plaintiff to avail himself of the remedy marked out by said Section 7 of Republic Act No. 602 within the time therein specified, the aforesaid decision of the Wage1 Administration Service became final . and conclusive, not only by clear implication but also by express agreement of the parties "That they bind themselves to abide by whatever decision this Office (WAS) may render on the case, and that they recognize said decision to be final and conclusive". To permit the herein plaintiff to institute the present case before this Court, after the same had been finally aad conclusively decided by the Wage Administration Service, is therefore to allow him to go back on his own solemn agreement, to set at naught the provisions of Republic Act No. 602; and to encourage duplication of work, if not conflicting judgments, by authorizing a party first to file his case with the Wage Administration Service and thereafter, in case of an adverse decision, to refile the same case with the Court of First Instance. This could not have been the legislator's intention in the enactment of Republic Act No. 602. (pp. 23-24, Record on Appeal.)

Attorney Manuel Y. Macias counsel for appellant in his brief concedes that the decision rendered by the hearing officer of the WAS is an order "issued pursuant to Section 7, above-quoted, of the Minimum Wage Law in relation to Section 12 (a) which authorizes delegation by the Secretary of Labor of his powers in the administration or enforcement of the Minimum Wage Law to the Chief of the Wage Administrative Service." He, however, contends that the right to go to the Supreme Court for review of said order granted by Section 7 of the Minimum Wage Law is not exclusive, because according to him, under said Section 7 the review, by this Tribunal is limited to questions of law and that the findings of fact contained in the appealed decision must be accepted. This is not entirely correct. The findings of fact made by the Secretary of Labor or his delegate are accepted and are conclusive only if supported by substantial evidence. So that plaintiff could well have appealed from the decision of the WAS to this Tribunal, even on question of fact, if he was prepared and in a position to show that the findings of fact of the WAS were not supported by substantial evidence. Then counsel for appellant, referring to the hearing officer of the WAS and his decision, says the following:

Appellant cannot accept the findings of fact in the 'decision' of the Hearing Officer of the Wage Administration Service because they are not merely contrary to the facts but a scandalous distortion of them with no other end in view but to favor appellee, the respondent employer. The Hearing Officer, to promote this' end, callously ignored appellant's evidence. His so called 'decision' is a mockery of justice, and absolute nullity for which no fair minded citizen can have any respect, (p. 5, Appellant's Brief.)

And of Judge Soriano who dismissed plaintiff's complaint, the same counsel comments thus:

The court a quo refused to perform the functions of a trial court and rendered the foregoing ruling without any evidence having been first presented pro or con. It decided an issue in favor of one party and against the other upon the mere representations of the favored party and refused absolutely to hear the other. The court a quo's act in so doing is a plain violation of the right to due process p. 8,.Appellant's Brief.)

The above is couched in strong and disrespectful language unbecoming a lawyer who is an officer of the court, and highly improper in referring to an administrative official authorized to render decisions and especially to a Judge of the Court of First Instance. If plaintiff-appellant and his counsel were dissatisfied with the findings of the hearing officer of the WAS; if they believed that the findings were a distortion of the facts as contained in the evidence, they should have appealed from said decision to this Tribunal. And if they were really convinced that said hearing officer of the WAS deliberately distorted the facts to favor the employer, they should have prepared charges of partiality and malfeasance and lodged the same with the proper authorities for investigation. Now is

neither the time nor the occasion to air said grievance, assuming for the moment that it is real and well founded. And as to the reference to the trial court, said court merely acted upon the motion to dismiss. It considered the complaint and the motion to dismiss. That was enough. There was no need for the presentation of any evidence. So, the action of the trial court was proper and warranted; which cannot be said of the comment and observations of counsel above reproduced. Said counsel is hereby admonished to use more temperate and respectful language and observe more proper conduct in the future.

We fully agree with the trial court in its order dismissing the complaint on the ground that the action is barred by prior judgment. There is no question that the complaint filed by plaintiff-appellant with the WAS may be regarded as a suit by one party against another to enforce a right; that the WAS in entertaining said suit, hearing the parties and deciding the case acted as a quasi-judicial body and the proceedings before it were quasi-judicial proceedings, and conducted in accordance with law, and so was the decision rendered. Not only this, but the parties before the commencement of the proceedings signed an agreement whereby they submitted their case to the WAS, binding themselves by whatever decision the WAS may render on the same, and that they recognized the decision to be final and conclusive. After signing that agreement or pledge, plaintiff-appellant may not now be heard to say that the decision rendered by the WAS has no legal effect on him. Besides, even assuming that despite the agreement the decision did not automatically become final, still plaintiff's failure to appeal therefrom to the Supreme Court as provided by the Minimum Wage Law (Rep., Act 602) rendered it final and conclusive and served as a bar to another action between the same parties involving the same subject matter and cause of action and the same issues.

In the case of *Penalosa vs. Tuason*, 22 Phil. 303, 314, we held:

"* * * 'a judgment rendered * * * by a court of competent jurisdiction on the merits, is a bar to any future suit between the same parties or their privies upon the same cause of action so long as it remains unreserved;' or in the language of Mr. Justice Field in the opinion just cited:

"It is a finality as to the claim or demand in controversy, concluding parties and those in privity with them, not only as to every matter which was offered and received to sustain or defeat the claim or demand, but as to any other admissible matter which might have been offered for that purpose."

And in the case of *Tejedor vs. Palet*, 61 Phil. 494, 502-503, we equally held:

"The rule is often stated in general terms that a judgment is conclusive not only upon the questions actually contested and determined, but upon all matters which might have been litigated and decided in that suit; and this is undoubtedly true of all matters properly belonging to the subject of the controversy and within the scope of the issues. * * * " (citing 34 C. J., pp. 909-911.)

The authorities above cited on *res adjudicata* refer to decisions rendered by the courts. Are they applicable to decisions of a quasi-judicial body like the Wage Administration Service (WAS) ? The answer is in the affirmative, as may be seen from the following authorities:

"The rule which forbids the reopening of a matter once judicially determined by competent authority applies as well to the judicial and quasi-judicial acts of public, executive, or administrative officers and boards acting within their jurisdiction as to the judgments of courts having general judicial powers. This rule has been recognized as applying to the decisions of road or highway commissioners, commissioners of motor transportation, boards of audit, county boards, tax commissioners, boards, or officers, the federal trade commission, school commissioners, police commissioners, sewers commissioners, land commissioners or officers, collector of customs, referees in bankruptcy' court commissioners, boards or other tribunals administering workmen's compensation acts, and other like officers and boards. However, a particular decision or determination may not be conclusive, as where it was not a judicial, as distinguished from a legislative,

executive, or ministerial, determination, or the matter was not within the jurisdiction of the officer or board.
* * *" (50 C. J. S., Judgments, Sec. 690, pp. 148-149).

* * * There are, however, cases in which the doctrine of *res judicata* has been held applicable to judicial acts of public, executive, or administrative officers and boards. in this connection, it has been declared that whenever a final adjudication of persons invested with power to decide on the property and rights of the citizen is examinable by the Supreme Court, upon a writ of error or a certiorari, such final adjudication may be pleaded as *res judicata*." (30 Am. jur., Judgments, Sec. 164, p. 910). (*Italics Supplied*).

In view of the foregoing, the order appealed from is affirmed. No costs.

Paras, C. J., Bengzon, Padilla, Reyes, A., Bautista Angelo, Concepcion, Reyes, J. B. L., and Endencia, JJ., concur.

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