

**BENGUET CONSOLIDATED, INC., AND BALATOC MINING COMPANY,
PETITIONERS, VS. BOBOK LUMBER JACK ASSOCIATION, ET AL.,
RESPONDENTS.***G.R. No. L-11029. May 23, 1958*

Ponente: REYES, J.B.L., J.

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Petitioners Benguet Consolidated, Inc. and Balatoc Mining Co., are engaged in the raining industry, developing and operating under joint management a number of mining claims in the sub-province of Benguet, Mountain Province, where they employ approximately 6,000 workers. These workers are distributed in the five camps known as Balatoc Camp, Antamok Mining Camp, Acupan Mining Camp, Bobok Timber Project, and Irisan Lime quarry. Their operations are as follows:

Balatoc: This camp is operated jointly by the companies. In it are located the mills, administration offices, warehouses and shops of the companies.

Antamok Mining Camp:—This department conducts the underground and surface operations of the Ant amok Fines. Ore taken from this mine is sent to Balatoc where it is milled.

Acupan Mining Camp:—This department also conducts mining operations. Ore dug from its mines is sent to Balatoc and likewise milled there.

Bobok Timber Project: This department produces timber and lumber for the exclusive use of the Benguet-Balatoc Mining Companies.

Irisan Lime Quarry:— This department or unit produces lime to be used principally for the companies' milling purposes.

On December 9, 1953, the Court of Industrial Relations issued an order (Cases Nos. 3-MC and 9-MC) declaring the said camps as separate bargaining units. In a certification election subsequently held, the Benguet-Balatoc Workers Union won at Balatoc, Antamok, Acupan and Bobok camps and the United Mine Workers Union at the Irisan camp. Accordingly, the said court certified these two unions as the exclusive bargaining agencies in their respective camps.

The Bobok Lumber Jack Association (which was organized and registered in 1954) filed, a petition with the Court of Industrial Relations on January 24, 1955, praying that a certification election be ordered in the Bobok Timber Project (Case No. 225-MC). On February 19, 1955, a similar petition (No. 235-MC) was filed by the Benguet Consolidated Mining Company Laborers Union, praying that a certification election be held in the Acupan, Antamok and Balatoc canps. In its turn, the Benguet-Balatoc Workers Union filed on March 14, 1955, a petition (Case No. 231-MC) praying that the aforesaid five camps be declared an employer unit and that it be certified as the exclusive representative of all the employees therein.

In their joint answer to the said petitions, the petitioning companies agreed to the holding of a certification election but prayed that its five camps be merged into one employer unit.

The three petitions were heard jointly. On May 29, 1956, the Court of Industrial Relations issued an order holding that it finds no valid reason to change the status of the petitioners' five camps as separate bargaining units. According to this court, while "the history of collective bargaining by this different unions with management and the functional interdependence of the different departments of work to each other would indicate that the employer unit is the appropriate unit", there are other factors favoring the maintenance of the five camps as separate bargaining units. These factors, the court held, are the distribution of the workers in the five different camps, which are separated from each other by some distance, the presence of a superintendent, and the difference in the nature of the work in each camp.

The petitioners companies and the Benguet-Balatoc Workers Union moved for the reconsideration of the said order, but the Court of Industrial Relations denied the request. Hence these appeals, which raise the issue whether or not the five camps should be combined into a single employer unit for collective bargaining purpose.

In concluding that the system of having one collective bargain unit for each camp (as decided in 1953 in cases Nos. 3-MC and 9-MC) should be maintained and continued, the industrial court found as follows: that such system had operated satisfactorily; that the prime and decisive element in determining whether a given group of employees constitutes a proper bargaining unit is whether it will, without inequity to the employer, best serve all employees in the exercise of their bargaining rights; that in the present case, the separation between the camps (which extends to 60 kms. between the Antamok and Acupan camps) and the different kind of work in each (except Acupan and Antamok) all militate in favor of the present system of separate bargaining units, since the problems and interest of the workers are peculiar in each camp or department. The court also found that—

"As the union officials will undoubtedly come from each unit, they will be in a much better position to know what is best for their members than those who would come from other units, if the employer unit were to be held appropriate."

The findings and reasoning of the Court of Industrial Relation appear cogent and warrant the conclusion it has arrived at. There is no ground for altering a system that takes into account the different nature of the work in the various camps, as well as the necessity of the laborers' representatives being familiar with the peculiar problems of each camp, specially since such a system has hitherto worked satisfactorily.

The main argument of the appellants is that if the five camps are not integrated into a single bargaining unit, a strike in any one of the camps, even the smallest, could paralyze the operations of all. But this possibility already existed even before the 1953 decisions that implanted the present system of separate representation for each camp; and yet these appellants assented to said decisions, and did not seek to have them reversed by the superior courts. Nor have the appellants shown that new factors have arisen since then to increase or enhance the danger of stoppages. On the contrary, new facts that have subsequently arisen are the organization of purely local unions (such as respondent Bobok Lumber Jack Association) that do not claim to represent workers in the other camps; and their existence emphasizes the local laborers' non-conformity with inter-camp organizations.

Considering that certification proceedings are Investigatory in nature, since—

"the object of the proceedings is not the decision of any alleged commission of wrongs nor asserted deprivation of rights but is merely the determination of proper bargaining units and the ascertainment of the will and choice of the employees in respect of the selection of a bargaining representative. The determination of the proceedings does not entail the entry of remedial orders or redress of rights, but culmination solely in an official designation of bargaining units and an affirmation of the employees' expressed choice of bargaining

agent." (Rothenberg on Labor Relations, pp. 514-515; Labor Laws by Francisco, 3rd ed., Vol. I, p. 458);

taking into account that the conduct of such proceedings has been entrusted specifically to the Court of Industrial Relations (R. A. 875, sec. 12), and that they should be expedited as much as possible, this Court should not interfere with the discretion and judgment of that specialized tribunal in connection with such proceeding at least in the absence of clear and patent abuse that in this case has not been shown to exist.

The orders appealed from are affirmed. Costs against appellants. So Ordered.

Paras, C.J., Bengzon, Montemayor, Reyes, A., Bautista Angelo, Labrador, Concepcion, Edencia, and Felix, and Felix, JJ. concur.

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