

LUCIA PITOGO, PLAINTIFF AND APPELLANT, VS. SEN BEE TRADING COMPANY, MACARIO TAN AND SERGIO TAN, DEFENDANTS AND APPELLEES.

G.R. No. L-15693. July 31, 1961

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

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

Pitogo appeals from the order of the Court of First Instance of Cebu, dated June 17, 1958, dismissing her complaint for recovery of wage differentials, overtime, vacation and sick leave pay; for moral and exemplary damages of P50,000.00; and for other relief.

The complaint alleges that as seamstress, appellant was in the employ of defendant company from June 5, 1952 to January 11, 1958, during which the various money claims of specified amounts supposedly accrued; that despite demands, defendants have refused to pay her the aforesaid sums.

Sustaining the contention of defendants in their motion to dismiss, the lower court dismissed the complaint, on the ground that pursuant to Section 25, Article V of Reorganization Plan 20-A, the Regional Office of the Department of Labor, not the Court of First Instance, has jurisdiction over money claims of employees arising from violations of labor standards.

Here and in the court below, appellant squarely disputes the constitutionality of Reorganization Plan 20-A because Congress may not validly delegate to a Commission the passing of laws, especially one which divests the ordinary courts of jurisdiction conferred by law. The appeal is meritorious. The same issue was raised before this Court in a series of cases, and we recently held that—

"So that it was not the intention of Congress, in enacting Republic Act No. 997, to authorize the transfer of powers and jurisdiction granted to courts of Justice from these, to the officials to be appointed or offices to be created by the Reorganization Plan. * * *. The Legislature could not have intended to grant such powers to the Reorganization Commission, an executive body, as the Legislature may not and cannot delegate its powers to legislate or create courts of justice to any other agency of the Government."

"* * * the provision 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." (Corominas, Jr., et al. vs. Labor Standards Commission et al., MCU vs. Calupitan, et al., Wong vs. Carlim, et al., Balrodgan Co. et al., vs. Fuentes, et al., supra, p. 551).

Wherefore, the order of dismissal by the lower court is reversed and set aside; and the case is remanded to the court of origin for further proceedings pursuant to this decision. Without costs.

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

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