

G.P.T.C. EMPLOYEES UNION, PETITIONER, VS. COURT OF INDUSTRIAL RELATIONS AND GONZALO PUYAT TIMBER CONCESSION, RESPONDENTS.

G. R. No. L-10339. November 29, 1957

Ponente: FELIX, J.

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FELIX, J.:

This is a petition filed by the G.P.T.C. Employees' Union to review by certiorari the decision of the Court of Industrial Relations dated November 11, 1955, in Case No. 630-V of that Court, allowing the company to effect a reorganization of its personnel; granting the workers only 12 days sick leave; denying the Union's demand for compensation for alleged overtime services rendered to the Gonzalo Puyat Timber Concession from April 1, 1950, and their demand for vacation leave with pay; and to further review the resolution of the same Court dated December 29, 1955, denying its motion for reconsideration of the aforementioned decision. The facts of the case are as follows:

G.P.T.C. Employees' Union is a labor organization registered with the Department of Labor and composed of workers and employees in the Gonzalo Puyat Timber Concession operating in Naujan, Oriental Mindoro. On September 19, 1951, said union presented through the Department of Labor an 8-point demand against the company, among which were the payment of compensation for services allegedly rendered in excess of 8 hours, from April 1, 1950; for sick and vacation leaves with pay for every year of continuous service; free emergency dental treatment; reinstatement of one Graciano Martinez, who was allegedly exiled to the company's principal office in Manila by reason of his union activities, to his former position in Pakyas, Naujan, Oriental Mindoro; and that the union be recognized as the sole bargaining agency on behalf of the employees (Annex A). As the parties failed to reach any agreement, the matter was certified by the Secretary of labor to the Court of Industrial Relations and was docketed as Case No. 630-V.

On December 3, 1951, after the Court of Industrial Relations had already taken cognizance of the case, there was a cessation of work in the concession which was considered as a lockout by the union and an unlawful strike by the company. Hearing on this regard was duly conducted by the Industrial Court which on April 18, 1952, ruled that a strike was actually staged by the workers but same was in accord with law. The company was thus, required to readmit the employees and laborers concerned therein under the same terms and conditions existing before the dispute arose (Annex B). At the instance of the union, the Court issued an order to execute the previous order allowing the workers to continue in the service of the company, which does not appear to have been complied with because the record shows that the Union again filed a motion on May 10, 1954, praying for the issuance of the said writ of execution (Annex E).

In the meantime, the company filed a petition to reorganize its personnel which was heard jointly with the demands of the company, although the Union contends that the hearing thus conducted was only for the admission of proof regarding the petition of the company to effect reorganization and the demand of the union for overtime compensation to the exclusion of the other demands. After the parties had adduced both testimonial and documentary evidence in support of their respective stands and had submitted the required memoranda, the Court rendered decision granting the company the right to reorganize its personnel to bring

about economy in its business which the Court found to be a losing proposition; dismissing-the demand of the union for payment of overtime compensation after finding that the workers failed to prove that they actually rendered to the company services in excess of the statutory hours; granting merely 12 days sick leave with pay for every year of continuous, faithful service. The Court, however, denied the demand for vacation leave in view of the financial standing of the company; required the company to comply with the provisions of the law regarding free dental service to the employees; and denied the claim that the union be recognized as the sole bargaining agency for the employees, as this matter should be governed by the provisions of the Industrial Peace Act on collective bargaining, as well as the demand regarding the return of Graciano Martinez to his former post in Mindoro (Annex K).

The Union filed a motion for reconsideration of this decision which was denied by a resolution of the Court in bane, although it was modified so as to grant the members of the Union who were not yet readmitted to the service one month separation pay, which must, however, be refunded by the recipient upon their readmission in the employ of the company. From the aforementioned decision and resolution, the Union appealed to this Court maintaining that the Court a quo committed grave abuse of discretion when it failed to properly evaluate and appreciate the evidence adduced therein, and likewise erred in rendering a decision covering the other demands of the Union which were not covered during the hearings and therefore no evidence was presented in support thereof.

We have gone over the records of this case and failed to find any substantial question of law that deserve consideration. The issues raised by petitioner herein bare matters that purely concern appreciation of evidence, which would only draw us unto the task of sifting the proof presented and adduced at the hearing. Certainly, they refer merely to factual questions which We are precluded "by law to review (section 15, Commonwealth Act No. 103; as amended by section 2 of Commonwealth Act No. 559; section 2, Rule 44 of the Rules of Court). Thus We have already held that "this Court is not empowered to look into the correctness of the findings of fact in an award, order or decision of the Court of Industrial Relations" (Carmen de la Paz Vda. de Ongsiako vs. Tedorico Gamboa[1] et al., G. R. No. L-1867), and that "as long as there is evidence to support a decision of the Industrial Court we may not revoke or reverse said decision just because it is not based on overwhelming or preponderant evidence" (Philippine Newspaper Guild, Evening News Local vs. Evening News, Inc.,[2] G. R. No. L-2604; see also Isaac Peral Bowling Alley vs. United Employees' Welfare Association et. al.[3] G. R. No. L-9831, October 30, 1957). On the strength of these rulings and also because of lack of evidence to substantiate petitioner's allegation, We will not discuss the holding of the Industrial Court that the members of the petitioning Union are not entitled to overtime compensation, or petitioner's contention that the company effected a reorganization of its personnel to ease out of its employ the officers of the Union, intimating that the' company committed unfair labor practice.

The G.P.T.C. Employees' Union likewise asserts that the case was submitted to the lower Court for decision only on matters regarding the reorganization and overtime-demand and thus erred in passing upon the other claims of the Union. We sustain the Court's action in disposing" of all the demands contained in the petition of the Union. The records back up the Court's pronouncement that when the parties rested their case, there was no understanding or agreement whatsoever to the effect that it was only for those 2 specific matters, leaving for some other time the presentation of evidence in support of its. other demands. It appears that the parties submitted the case for decision. When the parties rest their case and submit the same to the Court for ruling, it is understood to be for all the issues involved therein unless there is. a specific agreement or manifestation to the contrary.

In the instant action, when the trial Court disposed of the other demands, granting some of them while denying the others, it was perfectly in consonance with its power to pass upon matters presented before it for consideration, for the Industrial Court is even allowed by law to include, in an award or decision, any matter although not claimed or demanded if it might be deemed necessary or expedient for, the settlement or prevention of an industrial dispute (section 13, Commonwealth Act No. 108, as amended by Commonwealth

Act No. 559).

Wherefore, the decision of the Court of Industrial Relations dated November 11, 1955, and its resolution of December 29, 1955, denying petitioner's motion for reconsideration are hereby affirmed, with costs against petitioner. It is so ordered.

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

[1] 86 Phil., 50.

[2] 86 Phil., 803.

[3] Supra, p. 215

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