

PHILIPPINE AIR LINES EMPLOYEES' ASSOCIATION (PALEA), VICENTE S. BALAJADIA, PRESIDENT, AND JOSE QUINTANA, VICE PRESIDENT, PETITIONERS, VS. COURT OF INDUSTRIAL RELATIONS, PHILIPPI...*G.R. No. L-26063. November 29, 1976*

Ponente: FERNANDO, J.

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It was the refusal of respondent Court of Industrial Relations, now replaced by the National Labor Relations Commission under the present Labor Code, to grant a motion to dismiss^[1] filed by petitioner Union, the Philippine Air Lines Employees' Association (PALEA),^[2] on the ground of lack of jurisdiction that led to this certiorari and prohibition proceeding. The matter involved an intra-union dispute between petitioner and the group within such labor organization, headed by private respondent, Emilio F. Saño, who claimed that he was the duly elected President. The jurisdiction of the now-defunct respondent Court is assailed primarily on the ground that the alleged violation of purely internal union procedure alleged by private respondent could not justify interference by an outside body without exhaustion of the remedies provided for by the union's constitution and by-laws.

The challenged order by the then Associate Judge Ansberto P. Paredes met such issue thus: "From the laws and the facts obtaining, it is believed that this Court has jurisdiction over the action ventilated in the motion of the Sano group. Contrary to the claim of the Balajadia group, the records of the original case (Case No. 43-IPA) and of incidental Case No. 43-IPA (6) show that the disputes between PALEA and PAL which resulted in the strikes of September 1, 1963, and January 25, 1965, have not as yet been completely decided. If presently there appears to be industrial peace, it has not been due to a voluntary cessation of hostilities between PALEA and PAL, but to the use by the Court of its powers of compulsory arbitration under C.A. 103, as amended, which were revived by the presidential certification of September 2, 1963. As jurisdiction once acquired is retained until the case is completely decided, it follows that the same continues in the labor disputes ventilated in these two cases until they are, one way or the other, finally decided. The Court is not unaware of the provisions of Sections 5 and 17 of R.A. 875; but, considering the policy provisions of the said Act (Section 1) in relation to Sections 7 and 10 thereof, there is no doubt that once jurisdiction is acquired and exercised pursuant to Section 10, such powers as are granted therein are to be exercised to the exclusion of any other remedies provided for by the said Act. To hold otherwise would be to render without meaning and purpose the exception granted in Section 7. What obtains after the presidential certification of a labor dispute to Court is the rule of compulsory arbitration under C.A. 103, as amended, and no longer * * * free enterprise * * * as envisioned in R.A. 875. Section[s] 5 and 17 of the latter law are procedural remedies intended to assure the free exercise of the right to self-organization. But what is sought in the case at bar is not the exercise of jurisdiction to secure these remedies, but rather the exercise of the same powers which impelled the Court to issue the Order of September 6, 1963 [Case No. 43-IPA], as well as the Order of February 13, 1965, and the Partial Decision thereafter [Case No. 43-IPA (6)]."^[3]

This Court, after a careful study of the matter, is in agreement with the rationale of such order and finds the petition to be devoid of merit.

1. Clearly, the allegation of procedural irregularity, even if sustained, cannot lend substance to a petition for certiorari and prohibition that would require a showing of arbitrariness to justify a claim of grave abuse of discretion sufficient to oust respondent Court of jurisdiction. As was pointed out by Justice Laurel in the leading case of the International Hardwood and Veneer Company v. The Pañgil Federation of Labor,[4] a 1940 decision: "Section 20 of Commonwealth Act No. 103 prescribes that in the hearing, investigation and determination of any question or controversy and in exercising any duties and power under this Act, the court shall act according to justice and equity and substantial merits of the case, without regard to technicalities or legal forms." [5] In the opinion of the Court in Sanchez v. Court of Industrial Relations,[6] there is an excerpt that fits the present situation: "Moreover, petitioners appear to be oblivious of the statutory mandate that respondent Court in the hearing, investigation and determination of any question or controversy and in the exercise of any of its duties or powers is to act 'according to justice and equity and substantial merits of the case, without regard to technicalities or legal forms and shall not be bound by any technical rules of legal evidence' informing its mind 'in such manner as it may deem just and equitable.' Again, this Court has invariably accorded the most hospitable scope to the breadth and amplitude with which such provision is couched. So it has been from the earliest case decided in 1939 to a 1967 decision." [7] In East Asiatic Co. v. Court of Industrial Relations,[8] decided four years later, such a doctrine was reiterated by Justice Barredo, speaking for the Court: "The specific basis of the minority in ruling against petitioners' claim for deduction of alleged earnings elsewhere of respondent after her lay-off is that the affidavits submitted by them were nothing but mere copies of originals, the existence of which has not been shown, and, in any event, the said affidavits and even the testimony of the lone witness, a certain G. Francisco, from Standard Vacuum Oil Company, are either hearsay or inconclusive or vague. It is obvious that such ruling is over technical and does not conform with the provisions of the law, much less the spirit informing them. Not only does Section 20 of Commonwealth Act 103 creating the Court of Industrial Relations precisely endow the said court with such plenitude of authority * * * but Section 5(b) of the Industrial Peace Act pointedly provides that in unfair labor proceedings, '* * * the rules of evidence prevailing in courts of law or equity shall not be controlling and it is the spirit and intention of this Act that the Court and its members and Hearing Examiners shall use every and all reasonable means to ascertain the facts in each case speedily and objectively and without regard to technicalities of law or procedure. In rendering its decision, the Court shall not be bound solely by the evidence presented during the hearing but may avail itself of all other means such as (but not limited to) ocular inspections and questioning of well-informed persons which results must be made a part of the record. * * *.'" [9]

2. The stand of respondent Court is fortified by the undisputed fact that there was the presidential certification of the labor dispute involving the Philippine Air Lines on September 2, 1963. Necessarily then, its powers, already broad, became even more expanded in scope.[10] Even more in point is the doctrine announced by Justice Sanchez in Bachrach Transportation Co., Inc. v. Rural Transit Shop Employees Association:[11] "CIR's jurisdiction here is not limited to the prevention of strikes and lockouts, to fix the terms and conditions of employment. Rather, we say that the broad sweep of the statutory precepts just quoted unquestionably gives CIR power to explore ways and means to enhance solution of a labor dispute. This is but in pursuance of CIR's duty—in a specific case certified by the President under Section 10, Republic Act 875—to channel its attention to disposal of the dispute, in the public interest. There is no reason then why the hands of CIR should be unduly shackled; as there is no reason why it should be prevented from stopping transfers, suspensions or dismissals of employees by the employer without court approval while the main labor case remains pending. And again, to reach a solution of the certified labor dispute, wide powers and jurisdiction are granted CIR." [12] Jurisdiction, as he categorically announced, "stands." [13] Even more emphatic is this affirmation of retired Chief Justice Makalintal in Philippine

Marine Officers' Guild v. Compañia Maritima[14] with reference to the earlier decision of Philippine Marine Radio Officers Association v. Court of Industrial Relations:[15] "The proposed solution * * * found by the CIR cannot be questioned." [16]

WHEREFORE, this petition for certiorari and prohibition is dismissed. No costs.

Barredo, Antonio, Aquino, and Concepcion, Jr., JJ., concur.

[1] Petition, Annex G, Order of Respondent Court dated March 24, 1966.

[2] Its President, Vicente S. Balajadia and its Vice President, Jose Quintana, joined the suit as petitioner.

[3] Petition, Annex G, 2-3.

[4] 70 Phil. 602.

[5] Ibid, 610.

[6] L-26932, March 28, 1969, 27 SCRA 490.

[7] Ibid, 497. The 1939 decision is *Goseco v. Court of Industrial Relations*, 68 Phil. 444. The 1967 decision is *Philippine Sugar Institute v. Court of Industrial Relations*, L-18930, Feb. 28, 1967, 19 SCRA 471. In between those dates, ten more cases were decided.

[8] L-29068, August 31, 1971, 40 SCRA 521.

[9] Ibid, 292. Cf. *Kapisanan v. Hamilton Distillery Co.*, L-23714, June 30, 1970, 33 SCRA 887. The latest case that speaks to the same effect is *Philippine Maritime Industrial Union (PMIU) v. Court of Industrial Relations*, L-37003, October 23, 1974, 60 SCRA 287.

[10] Cf. *Philippine Marine Radio Officers Association v. Court of Industrial Relations*, 102 Phil. 373 (1957); *Bisaya Land Transportation v. Court of Industrial Relations*, 102 Phil. 438 (1957); *Hind Sugar Co., Inc. v. Court of Industrial Relations*, 108 Phil. 1026 (1960); *Rizal Cement Co. v. Rizal Cement Workers Union*, 109 Phil. 34 (1960); *Pampanga Sugar Development Co. v. Court of Industrial Relations*, 111 Phil. 371 (1961); *National Labor Union v. Insular Yebana Tobacco Corp.*, 112 Phil. 821 (1961); *G.S.I.S. Employees' Association v. Court of Industrial Relations*, 113 Phil. 906 (1961); *Rizal Cement Workers Union (FFU) v. Court of Industrial Relations*, L-18442, Nov. 30, 1962, 6 SCRA 841; *Feati University v. Bautista*, L-21278, Dec. 27, 1966, 18 SCRA 1191.

[11] L-26764, July 25, 1967, 20 SCRA 779.

[12] Ibid, 786-787.

[13] Ibid, 787.

[14] L-20662, March 19, 1968, 22 SCRA 1113.

[15] 102 Phil. 373 (1957).

[16] 22 SCRA 1113, 1121. Cf. *Philippine Association of Free Labor Unions v. Salvador*, L-29471, Sept. 28, 1968, 25 SCRA 393.

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