

HACIENDA ESPERANZA AND HACIENDA CAMMISANA, THRU THE ADMINISTRATION MARCELO PIJUAN, PETITIONERS, VS. COURT OF INDUSTRIAL RELATIONS AND NATIONAL SUGAR WORKERS' UNION (PAFLU), RESP...

G.R. No. L-18708. November 28, 1962

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

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

Appeal by certiorari on questions of law from the judgment of the Court of Industrial Relations, rendered on 28 February 1961 in favor of farm laborers Lorenzo Ti-ayon and Salvador Vicente, both members of respondent union. The complaint for unfair labor practice, docketed as Case No. ULP-Iloilo, originally involved about 120 laborers. The industrial court found that unfair labor practice had been committed against Lorenzo Ti-ayon and ordered his reinstatement, with back wages. It was also held that there was no proof that laborer Salvador Vicente was dismissed on account of union activities; nevertheless, Vicente's heirs were declared entitled, to his separation pay "for reasons of equity". The case with respect to the others was dismissed by the court a quo "for failure to adduce substantial proof".

Motions to reconsider having been, denied by the court en banc (Judge Bugayong dissenting for lack of jurisdiction), the Haciendas appealed to this Court. The appeal with respect to Lorenzo Ti-ayon subsequently became a moot question because of an amicable settlement between the parties, registered and noted in the records of this case. The only problem, therefore, to be resolved herein is the appeal with regards to Salvador Vicente, who died while the case was being tried in the lower court. The pertinent portions of the findings of fact, and of law, of the Court of Industrial Relations are quoted hereunder;

"During the hearing of the case Salvador Vicente testified that he was an employee of the Hacienda Cammisana with more than three decades of service behind him, with a weekly salary of P13.80. He joined the complainant union in May 1954 and was dismissed by management in May 1956. During the course of the hearing of this case Salvador Vicente died."

* * * * *

"Concerning the death of Vicente it must be stated that the death of an individual will not preclude the Court from granting relief, aside from reinstatement, to effectuate the policies of the Industrial Peace Act should the same be warranted.

There is no sufficient ground for a finding that the dismissal of Salvador Vicente would constitute an unfair labor practice. The supposed attributed act of discrimination was committed way back in 1954. Such acts could not have been the cause of his dismissal in May 1956, two years after the said incident. Such a dismissal, therefore, cannot be considered by this Court as unfair labor practice, and full relief cannot be given by this Court."

* * * * *

"IN VIEW OF THE FOREGOING, the court hereby orders:

* * * * *

"2. For reasons of equity based on the fact that although there has been no unfair labor practice committed against the deceased Salvador Vicente, yet the respondents have shown no valid cause of discharge, separation pay should be awarded to his heirs in accordance with existing laws."

* * * * *

"In this connection, the Chief of the Examining Division or his duly authorized representative is hereby directed to proceed to the premises of the respondent and go over the records * * * to compute the separation pay due the heirs of the deceased Vicente in accordance with law, and thereafter to submit a report to the Court on such matters for further disposition."

The first issue raised by the petitioners in this appeal is that since the case involved agricultural laborers, and the petitioners themselves are engaged in agricultural pursuits, the case was not within the jurisdiction of the Court of Industrial Relations.

In upholding jurisdiction, reference was made below to Republic Act No. 2263, amending section 27 paragraph 5, of the Agricultural Tenancy Act (R.A. No. 1199), which has expressly forbidden landholders to discourage maintenance or growth of unions or organizations of tenants in their landholdings. But the legal provision does not appear applicable to the present case, since there is no finding that the respondent laborers are tenants or lessees, and, in fact, the original complaint averred that they "never had a share in the crops as their wages".

The foregoing circumstance notwithstanding, since one of the parties works agricultural land, and, in the absence of any showing or express finding in the appealed decision, that the tasks assigned to respondent laborers were totally unconnected with agricultural operations, we are constrained to hold that the conflict was not within the jurisdiction of the Court of Industrial Relations but in that of the Court of Agrarian Relations created by Republic Act No. 1267 (sec. 7). This issue was considered and decided in *Santos vs. Court of Industrial Relations, et al.*, 113 Phil., 725, wherein it was said:

"The question to be determined is: considering that complainants are agricultural laborers in the legal sense can their claim relative to, an unfair labor practice committed by petitioner be filed with the Court of Industrial Relations? In other words, can the latter court take cognizance of this claim under Republic Act No. 875 considering that the complainants are agricultural laborers?

We are inclined to uphold the negative view not only because an agricultural laborer does not come within the purview of the word employee defined in Section 2 (d) of Republic Act No. 875 but also because any matter that may pertain to the relation of tenant and landlord comes under the Agricultural Tenancy Act (Republic Act No. 1199, as amended by Republic Act No. 2263), and any controversy that may arise between them as an incident of their relationship comes under the exclusive jurisdiction of the Court of Agrarian Relations created by Republic Act No. 1267.

* * * * *

"With regard to our conclusion that the present controversy comes under the exclusive jurisdiction of the Court of Agrarian Relations, suffice it to state that the latter court was created for 'the enforcement of all laws and regulations governing the relation of capital and labor on all agricultural lands under any system of cultivation' (Section 1, Republic Act 1267, and amended by Republic Act 1409), and was given exclusive jurisdiction over the entire Philippines 'to consider, investigate, decide, and settle all questions, matters, controversies, or disputes involving all those relationships, established by law which determine the varying rights of persons in the cultivation or and use of agricultural land where one of the parties works the land' (Section 7, *Ibid.*).

Complainants, therefore, should have lodged their complaint with the agrarian court for the redress of their grievance considering this broad power given to it by law even if nothing is said therein relative to unfair labor practice. The subsequent enactment of Republic Act No. 2263 which grants to agricultural workers the right to file an action of this nature merely serves to confirm this jurisdiction of the agrarian court. The conclusion is, therefore, inescapable that the industrial court has improperly assumed jurisdiction over the present case for it comes under the exclusive jurisdiction of the agrarian court." (*Italics supplied*)

In resume, we reiterate that in the absence of adequate showing that the complaining laborers of an agricultural enterprise "do no agricultural work of any kind at all" (cf. *Pampanga Sugar Mills vs. Pasumil Workers' Union*, 98 Phil., 558; 52 Off. Gaz. [16] 6924), their conflicts with the employers lie within the jurisdiction of the Court of Agrarian Relations and not in that of the Court of Industrial Relations. It becomes thus unnecessary to pass upon the other points raised by appellants.

The decision of the Court of Industrial Relations herein appealed from is, therefore, vacated and set aside for lack of jurisdiction, and the case ordered dismissed. No costs.

Bengzon, C. J., Padilla, Bautista Angelo, Labrador, Concepcion, Barrera, Paredes, Dizon, Regala, and Makalintal, JJ., concur.

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