

**FIRESTONE PILIPINAS EMPLOYEES ASSOCIATION, AMADO F. ABIOG,
ERNESTO ACUESTA, LEONCIO ANIEVAS, ANGELITO ALCANTARA,
ANSELMO ANTONIO, ARNOLD ARZOLA, ELISEO BARISO,
DOMINADOR APOSTOL...**

G.R. No. L-37952. February 25, 1975

Ponente: FERNANDO, J.

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FERNANDO, J.:

With the previous doctrines announced by this Tribunal on labor law decisions indicating the method of approach and the trend to be followed, in line with the constitutional objectives of social justice and protection to labor further reinforced and emphasized in the present Constitution, this Court nullified and declared to be bereft of any legal force or effect the order of respondent Court of Industrial Relations of March 9, 1973 dismissing the unfair labor practice case No. 5980-ULP as well as its resolution of November 6, 1973 denying the urgent motion to set aside the order of dismissal. It was therein likewise ordered: "The case is remanded to the National Labor Relations Commission in accordance with Article 338 of the new Labor Code providing that all cases pending before the Court of Industrial Relations as well as the National Labor Relations Commission established under Presidential Decree No. 21 at the time of its enactment 'should be transferred to and processed by the National Labor Relations Commission' created thereunder." [1] There is a motion for reconsideration filed by respondent Firestone Tire and Rubber Company of the Philippines as well as two subsequent manifestations. Thereafter, an opposition to the motion for reconsideration was submitted by petitioners. For reasons to be set forth, the motion for reconsideration is denied.

1. It may be stated at the outset that there need be no apprehension that justice will be denied respondent Firestone Tire and Rubber Company of the Philippines. All that was done in view of its failure to meet the procedural due process objection was to remand the case to the National Labor Relations Commission precisely to enable such a newly created agency for the settlement of labor disputes to assure that the solution arrived at in a labor controversy does not only reflect fairness to both sides but also avoid any legal infirmity. So it was made clear in this portion of the opinion rendered in this case: "A new Labor Code has just come into force. One of its major instrumentalities is the reconstituted National Labor Relations Commission, to take the place of the defunct respondent Court of Industrial Relations. Its powers are broad. It is intended to implement the basic state policy as to labor including security of tenure and full employment. It should at the very least be given full opportunity to demonstrate its effectiveness. This is so especially as the incident involved in this petition arose during the period covered by Proclamation No. 1081* * *"[2] Unless respondent Firestone Tire and Rubber Company of the Philippines nurtures the belief that the remand will automatically entail a decision adverse to its stand, then its alleged "well-founded apprehension" that "no appreciable virtue" inheres in the amicable settlement of a labor dispute appears to be unfounded. Since it is not likely that it is putting in issue the capacity of the newly created National Labor Relations Commission to mete out justice to the parties according to law, then it would appear that there is an element of hyperbole in the fear expressed that the decision as it stands is a deterrent to the cause of

industrial peace. It must be stressed that there is nothing in the decision that is to be construed as an obstacle to the National Labor Relations Commission giving due weight and consideration to the effects of the releases and quitclaims included as annexes to the motion for reconsideration. That is a matter more appropriate for determination by such agency. All that is sought to be accomplished by the decision is to remove any lurking doubt as to petitioners being duly heard on a matter that is of compelling interest not only for them but to the state, the avoidance of unfair labor practices.

2. There is again an element of exaggeration when the motion for reconsideration spoke of efforts of the executive agencies in effecting a solution of this particular controversy being "laid to waste." For the above-quoted excerpt from the decision of this Court is a manifestation of the confidence reposed in the reconstituted National Labor Relations Commission to do what has to be done, according to law. That would seem to any fair-minded observer as a recognition of the significant role that is thrust upon it. There is nothing either to prevent respondent Firestone Tire and Rubber Company of the Philippines to sustain its claim that nothing more is due petitioners and that the releases effected by them should be given full force and effectivity. As a matter of fact, it is not unreasonable to assume that this resistance displayed by respondent Firestone Tire Company of the Philippines to the remand may be susceptible to the interpretation that it is less than fully satisfied with the efforts of the administrative branch to promote the cause of industrial peace by the equitable and just solution of disputes that every once in a while mar labor-management relations.

WHEREFORE, the motion for reconsideration is denied.

Barredo, Antonio, Fernandez, and Aquino, JJ., concur.

[1] Decision dated December 10, 1974, 10.

[2] Ibid, 9.

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