

A. L. AMMEN TRANSPORTATION COMPANY INC. AND CONSOLIDATED AUTO LINES, INC., PETITIONERS, VS. JOSE BORJA, RESPONDENT.

G.R. No. L-17750. August 31, 1962

Ponente: DIZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/994762326d68/>

DIZON, J.:

Appeal by certiorari taken by A. L. Ammen Transportation Co., Inc. and Consolidated Auto Lines, Inc. from an Order of the Court of Industrial Relations in Case No. 6-V Bicol dated May 9, 1960 and its Resolution of August 27, 1960 denying their motion for reconsideration. The dispositive part of the appealed order is as follows:

"IN VIEW OF THE FOREGOING, respondents are hereby ordered to pay petitioner for the services rendered by the latter in excess of eight hours a day from January 1, 1952 up to and including March 10, 1957. In connection herewith, the Chief Examiner and Economist of this Court or his duly authorized representative is hereby directed to proceed to the premises of the respondents and make the necessary computations to determine the exact amount due to the petitioner. The computation of the number of hours worked in excess of eight hours a day should be based on the inspector's notebook of the petitioner and/or the abstract thereof in the possession of the respondents. The count should start from the first inspection up to the last, as stated in said inspector's notebooks. But in no case shall the count be stopped until 6:00 P.M. because if the last inspection was terminated before said time, petitioner was given investigation work.

"The bonus of P30.00 a month is to be included as part of the basic salary of the petitioner, it having been regularly given by respondents since 1951 for some meritorious work rendered by petitioner and should, therefore, be deemed as part of his regular salary. However, an allowance of 30 minutes a day for lunch break should be deducted from the total number of working hours rendered by petitioner. Further, the work not in excess of eight hours a day, rendered by petitioner for respondents during Sundays and holidays should not be considered as compensable overtime work because the respondents are public service corporations."

Respondent Jose Borja was employed by petitioners as Supervising Inspector, with a basic salary of P180.00 a month, P3.00 daily per diems, and a monthly bonus of P30.00, from January 1, 1952 to March 10, 1957 when he was dismissed from the service.

On April 15, 1958 respondent filed an action against petitioners in the Court of First Instance of Albay (Civil Case No. 1905) to recover compensation for overtime work rendered by him during the above-mentioned period, and damages. In their answer, petitioners denied respondent's claim for overtime pay, and alleged, by way of affirmative defense, that respondent had filed the same claim with the Department of Labor, Regional Office No. IV at Naga City on May 29, 1957 but the same was dismissed with prejudice upon the letter's petition, on April 30, 1958.

Pending trial of the abovementioned case, respondent commenced the present proceedings in the Court of Industrial Relations substantially reproducing the claim involved in Civil Case No. 1905. Petitioners, after likewise reproducing their answer in said case, asserted, by way of additional affirmative defense, the pendency of

Civil Case No. 1905 between the same parties and for the same cause.

After due trial, the Court of Industrial Relations issued its order of May 9, 1960 and its resolution of August 27, 1960 subject of the present appeal.

To reverse the order and resolution appealed from, petitioner contends that the Court of Industrial Relations erred firstly, in not holding that respondent's cause of action has prescribed; secondly, in taking cognizance of this case although it had no jurisdiction over the same; the respondent prohibiting him to work in excess of eight and lastly, in disregarding petitioner's memorandum to (8) hours daily.

On the question of prescription, petitioner claims that respondent's action was commenced only in December 1958; that in accordance with Republic Act 1994, amending Commonwealth Act No. 444, any action to enforce a cause of action under said act shall be commenced within three (3) years after its accrual; that respondent's cause of action having accrued more than three years before December 1958, his action was filed too late.

We find petitioner's contention to be untenable. The Court of Industrial Relations made a finding of fact to the effect that respondent had commenced his action against petitioner before June 22, 1957—the effective date of Republic Act No. 1994, amending Commonwealth Act No. 444. This finding is not now reviewable.

But even on the merits, petitioner's contention is without merit. Respondent itself admitted in its answer dated May 6, 1959, filed in the above-mentioned case No. 6-V Bicol, that petitioner had originally filed his complaint with the Department of Labor, Regional Office No. 4 on May 29, 1957. It is clear therefore that his action had already been commenced before the effective date of Republic Act 1994, and is covered by the exception provided for therein.

But petitioner contends in this regard that the phrase "actions already commenced" employed in the statute should be construed as meaning only actions filed in a regular court of justice. With this limited and narrow interpretation, we can not agree. The statute under consideration is undoubtedly a labor statute and, as such, must be liberally construed in favor of the laborer concerned. (Art. 1702, New Civil Code) Consequently, the term "actions" should include every judicial and administrative proceeding intended to enforce a right or secure redress for a wrong already committed. Since respondent admittedly first filed his claim against petitioner with the Department of Labor on May 20, 1957, in accordance with laws then in force, it seems clear that, as already stated, it is covered by the exception provided for in Republic Act No. 1994, whose date of effectivity was June 22, 1957.

On the question of jurisdiction, petitioner claims that, as respondent sought to collect overtime wages, and nothing more, this case was not within the jurisdiction of the Court of Industrial Relations.

This is also without merit. The complaint filed by respondent with the Court of Industrial Relations alleged, *inter alia*, that he "was separated automatically from the said employment with defendants, and notwithstanding pleas for reinstatement defendants refused and still refuse to reinstate plaintiff", and, aside from some specific reliefs, respondent herein also asked that "other reliefs be granted him."

A reasonable interpretation of respondent's pleading fully justifies the opinion of the Court of Industrial Relations to the effect that respondent, aside from overtime wages, also sought reinstatement. The case, therefore, was within the jurisdiction of said court.

In connection with its last contention, petitioner claims that the Court of Industrial Relations erred in disregarding the memorandum of the company prohibiting respondent from working in excess of eight hours daily. Such memorandum could not fairly apply to respondent because, according to the Court of Industrial Relations, there

was sufficient evidence showing that inspite of it, respondent had received verbal instructions from superior authority to inspect the first trip, noon trip, and last trip; that in this connection he had submitted to petitioner a daily report of inspection which stated the period or number of hours he had worked for the day, and that since January 1, 1952 up to and including March 10, 1957, respondent had been rendering overtime service with full knowledge of petitioner. All these show conclusively that the Court of Industrial Relations was right in awarding to respondent the corresponding overtime compensation.

Wherefore, the order and resolution appealed from are affirmed, with costs.

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

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.