

BATANGAS TRANSPORTATION COMPANY AND LAGUNA TAYABAS BUS COMPANY, PETITIONERS, VS. BAGONG PAGKAKAISA OF THE EMPLOYEES AND LABORERS OF THE BATANGAS TRANSPORTATION COMPANY AND THE LA...

G.R. No. L-1706. March 10, 1949

Ponente: MORAN, C.J.

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MORAN, C.J.:

This is a petition for the issuance of a writ of certiorari to set aside an order of the Court of Industrial Relations.

On May 21, 1946, petitioners asked the Court of Industrial Relations to mediate in an industrial dispute existing between them and respondent labor union.

After hearing, the court rendered decision on June 16, 1946, ruling on the numerous allegations and mutual demands of the litigants. In its decision, among other findings, the industrial court sustained the dismissal by petitioners of four of its employees, one of them being Ramon Honorico. Respondent labor union filed a motion for reconsideration which was granted.

In its original decision, the industrial court found that the dismissal of Ramon Honorico was for just cause and not because of union activities. In its order of reconsideration, the industrial court found the dismissal to be too severe a penalty, considering the long and faithful record of service rendered by said Honorico who has not been given an opportunity to defend himself before his final dismissal. Thus, the industrial court authorized a penalty of suspension for Honorico, to be counted from the time he was dismissed by petitioners up to the time the court rendered its decision.

Discipline is, indeed, essential to the smooth running of a public service such as that of the petitioners. But the stern rules of discipline must be applied with fairness and justice. This means that a laborer should not be dismissed for unimportant infractions and that before he is deprived of his job he should be given a fair hearing.

Under the circumstances of this case, we find no ground for disturbing the order of the court of industrial relations which acted within the ample bounds given it by law. There is no showing that said court has committed an error of law in the selection of a specific measure for the solution of the particular conflict submitted to it. It merely modified the penalty imposed in its original decision in view of a circumstance it had previously failed to consider.

In view of all the foregoing, the petition is dismissed with costs against petitioners. It is so ordered.

Paras, Feria, Pablo, Bengzon, Briones, Montemayor, and Reyes, JJ., concur.

DISSENTING

PERFECTO, J.:

In its decision of June 16, 1946, the Court of Industrial Relations found that petitioning companies dismissed employee inspector Ramon Honorico, not for his connection with a labor union, but for due cause, it appearing that the labor union was registered only in 1946, ten months after Honorico was dismissed.

According to the lower court, Honorico "admitted the truth of the acts complained of in his record" although he alleged that he did not believe that said acts justify his dismissal. From the decision of the lower court we quote: "his several records show abandonment of his post during hours of duty (Exhibit A-1), interfering with the route and time of trucks on two occasions (Exhibits H, N, and V), and negligence in the performance of his duties."

This notwithstanding, on July 25, 1947, more than a year after the decision was rendered, the Court of Industrial Relations issued an order reversing the decision of June 16, 1946, and declaring that dismissal of Honorico would be too severe and that his suspension, from the time he was dismissed up to the time the order was issued, is deemed sufficient to correct him.

Petitioning companies complain of this reversal as a grave abuse of discretion.

Petitioners' contention is correct, and the order of July 25, 1947, should be set aside and the decision of June 16, 1946, made to stand.

There is no quarrel that wide bounds have been set by law in the powers granted to the Court of Industrial Relations, but no matter how wide these bounds are, they cannot transcend sound principles of justice.

The lower court transcended the limits fixed by those principles when it decided that the offenses committed by Honorico are not serious enough to deserve dismissal from service.

We yield to no one in upholding just rights and privileges of employees and laborers. At the same time, we are not to relieve them from their responsibilities to themselves and to society. Employees and laborers have duties to perform, and they should perform them conscientiously, if they are to preserve their own rights and privileges and not to disrupt the orderly processes that are essential to keep society a going concern. Violation of those duties would impair the welfare of the community.

Success of industries and public services is the foundation upon which just wages may be paid. There cannot be success without efficiency. There cannot be efficiency without discipline. Consequently, when employees and laborers violate the rules of discipline, they jeopardize not only the interest of the employer, but also their own. In violating the rules of discipline, they aim at killing the hen that lays the golden eggs. Laborers who trample down the rules set for an efficient service are, in effect, parties to a conspiracy, not only against capital, but also against labor. The high interests of society and of the individuals demand that we should insist in requiring everybody to do his duty. That demand is addressed not only to employees but also to employers.

We vote to set aside the order of July 25, 1947 as prayed for by petitioners.

TUASON, J.:

I concur in this dissent.

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