

ASSOCIATED LABOR UNION AND AMORITO V. CAÑETE, PETITIONERS, VS. JUDGE FERNANDO A. CRUZ, GOODYEAR TEXTILE MFG. CO., AND NG TAY, RESPONDENTS.

G.R. No. L-28978. September 22, 1971

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

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a5acbdbd8e2b/>

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

This is a petition for certiorari and prohibition directed against the correctness and validity of a restraining order issued by the Court of First Instance of Rizal to enjoin the "patrolling" by the members of the petitioning Union of the premises and the street leading to the factory of the respondent Goodyear Textile Manufacturing Company.

The facts pertinent to this case are as follows:

On 28 October 1967, the Goodyear Textile Manufacturing Company and its manager, Ng Tay, filed a complaint in the Court of First Instance of Rizal (Case No. C-1153) against the Associated Labor Union and its Regional Director, Amorito Cañete, alleging, among others:

"4. That petitioners have a valid and subsisting Collective Bargaining Agreement with the Goodyear Textile United Workers Organization which has no strike and no lockout provisions for a period of two (2) years from January 2, 1967;

"5. That on October 25, 1967, some of the workers of the petitioners Goodyear Textile Mfg. Co., who are allegedly members of the Associated Labor Union, together with non-employees of petitioners who are members of the Associated Labor Union, made and manned patrols around the premises of herein petitioners, intimidating, threatening, coercing and committing acts of violence upon the executives and workers of herein petitioner, Goodyear Textile Mfg. Co., preventing them from going in and out of the factory and office of herein petitioner;

"6. That there are workers of herein petitioners who are members of the Goodyear Textile Workers Organization (GUWO), with whom petitioners have a Collective Bargaining Agreement who are presently working inside the factory but could not go out for fear of bodily harm from persons who are members of herein respondent, although not being employees of herein petitioner;

"7. That there are workers of herein petitioners who would want to work but could not enter the factory of herein petitioners because of the patrols manned by respondents and the threats, intimidation, coercion being perpetrated by said patrols;

"8. That the members of respondents have assaulted and actually used force upon the executives and workers of petitioners preventing them from entering the office and factory, consequently impairing the exercise of their right of free movement and the pursuit of their lawful calling or occupation;

XXXXX XXXXX XXXXX XXXXX

Alleging further that the police can not provide adequate protection to their executives, workers, customers,

household members and guests from the threats, coercion and intimidation perpetrated by respondents' men, and that the unlawful acts of said men were causing petitioners actual damages in the amount of P2,000.00 a day starting from 25 October 1967, it was prayed the court that preliminary injunction be issued to restrain respondents followers from patrolling or maintaining guards in the premises and the street leading to the factory of the petitioners, and that respondents be ordered to pay the sum of P500.00 for actual damages; P30,000.00, moral damages; P5,000.00, nominal damages; and P10,000.00, exemplary damages.

In its order of 31 October 1967, the court set the hearing of the complaint for 10 November 1967, and to maintain the status quo between the parties it enjoined the respondents (herein petitioners) from placing patrols within the premises and the street leading to the factory, upon petitioners' bond for P10,000.00.

On 7 November 1967, therein respondents moved for the dismissal of the complaint and the lifting of the restraining order of 31 October 1967, for lack of jurisdiction and failure of the complaint to state a cause of action. The Union alleged that on 20 October 1967, charges for unfair labor practice were filed against the company in the Court of Industrial Relations (Charge No. 2163-ULP), which case was yet unresolved; that on 10 October 1967, respondent Union filed with the Department of Labor a Notice of Strike, assigning as reason therefor union-busting, coercion, threats, etc., employed by the company against the employee members of the Union; that a strike against the company was actually called on 25 October 1967, in connection with which strike picket lines were maintained in the immediate vicinity of the strike-bound factory. It does not appear that a formal complaint based on the foregoing charges was ever filed; instead, on 23 December 1967, an action for unfair labor practice was instituted by the Court prosecutors in the same Court of Industrial Relations against the Associated Labor Union and 60 of its officers and members, upon charges --

"XXXXX XXXXX XXXXX

"5. That on October 25, 1967, without proper notice and for trivial purposes, respondents staged an illegal strike against complainant and then and there, willfully and unlawfully picketed the premises of complainant; prevented the free ingress and egress of complainant's company officials and their families, customers and other employees who wanted to report for work, by threatening them of inflicting bodily harm; and hurling against them slanderous utterances; blocking the gate of complainant by forming human blockade and lying down on the ground; by placing hollow blocks and tires in front of the gate to prevent free ingress and egress of customers' vehicles and by committing damage to property by smashing complainant's vehicles with placards and hard objects, and by assaulting its employees inside the complainant's vehicles;

XXXXX XXXXX XXXXX

"8. That respondents' acts in staging an illegal strike under the foregoing circumstances constitute bargaining in bad faith in violation of Section 4 (b), sub-sections 1 and 3 in relation to Sections 12, 13, 14 and 15 of Republic Act 875.

XXXXX XXXXX XXXXX."

On 5 February 1968, the court ordered the dismissal of the complaint and the lifting of the restraining order of 31 October 1967, in Civil Case No. C-1153, on the finding that a labor dispute existed between the parties. Upon motion, however, the court, by order of 2 March 1968, set aside the aforementioned order of 5 February 1967 and had the order of 31 October 1967 (restraining the respondent Union from putting up patrols in the company premises and the street leading to the factory) reinstated until further orders. The Union thereupon instituted this certiorari proceedings.

The order dismissing the injunction case in the court below should have been maintained. It is true that there is no indication from the complaint in Civil Case No. C-1153 that there exists an industrial dispute between the parties;

in fact, there is discernible effort on the part of therein petitioners (herein respondent company) to avoid mention of the nature or cause of the alleged unlawful acts perpetrated by therein respondents (petitioners here). Nevertheless, it can not be contended that the court was not apprised of the situation actually obtaining in the case. In its answer to the complaint, the Union specifically pleaded the pendency of an unfair labor practice charge against the petitioning company in the Court of Industrial Relations and the declaration of a strike on 25 October 1967 against said company. And whatever doubt there may have been regarding the character of the threats, coercion or violence allegedly committed by herein petitioners was totally dispelled by the formal complaint presumably based on the company's charges, filed by the Court Prosecutors in the Industrial Court (Case No. 4924-ULP), charging the Union and its members with having staged an illegal strike on 25 October 1967; unlawfully picketing the company premises and preventing the free movement into and out of the premises of company officials and other employees who wanted to report for work. This unfair labor practice case against the Union had been filed on 28 December 1967, months before the disputed order of 2 March 1968 was issued.

There is no pretension here whatsoever that the threats, coercion, violence, etc. said to have been committed by therein respondents on 25 October 1967, and upon which the claim for damages in Civil Case No. C-1153 was based, were different from the threats, coercion, violence, etc. which were the subject of the unfair labor practice case in the Court of Industrial Relations (Case No. 4924-ULP). In fact, herein petitioners, as respondents in the civil case, stoutly maintained the lack of jurisdiction of the court below on account of the existence of a labor dispute between the parties. Indeed it is clear, following the settled jurisprudence on the matter, that since the issue of the Union's liability for damages will depend on the legality or illegality of the acts allegedly committed by the members of the petitioner Union, a question that is directly connected or intertwined with the unfair labor practice case pending before the Industrial Court, the issue properly falls within the jurisdiction of said court.[1] The court below, therefore, upon being informed of the labor dispute, should have dismissed the case for damages pending before it, or at least suspended action thereon, until final determination of the labor controversy in the Court of Industrial Relations.[2]

The fact that when the complaint for damages was filed in the court of first instance no formal charge for unfair labor practice against any of the parties has as yet been presented in the Court of Industrial Relations, or that the Union's charges against the company were subsequently withdrawn, would not affect at all the jurisdiction of the Industrial Court to take cognizance of the labor dispute. It may be pointed out that at the time the order subject of this proceeding was issued on 2 March 1968, the unfair labor practice case against the Union (Case No. 4924-ULP) for having declared an illegal strike was already pending in the Court of Industrial Relations. There can be no question, therefore, that the matter of culpability of the members of the Union for acts or measures taken allegedly in perpetration of such strike is beyond the competence of the court of first instance to pass upon.

FOR THE FOREGOING CONSIDERATIONS, the respondent Court's order of 2 March 1968 is hereby reversed, and Civil Case No. C-1153 is ordered dismissed, without prejudice to the right of the company to file the appropriate action, if the circumstances warrant it, after the termination of the unfair labor practice case (No. 4924-ULP) in the Court of Industrial Relations. No costs.

Concepcion, C.J., Dizon, Makalintal, Zaldivar, Castro, Teehankee, Barredo, Villamor, and Makasiar, JJ., concur. Fernando, J., in the result.

[1] *Leoquinco vs. Canada Dry Bottling Co. of the Phil. Employees Association*, L-28621, 22 February 1971, and cases cited therein.

[2] *Regal Manufacturing Employees Association vs. Reyes*, L-24388, 29 July 1968, 24 SCRA 352; *Leoquinco vs.*

Canada Dry Bottling Co., etc., supra; Rustan Supervisory Union vs. Hon. Moises Dalisay, L-32891, 29 April 1971, 38 SCRA 500.

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.