

SILVA PIPE WORKERS UNION-NATU, PETITIONER, VS. FILIPINO PIPE & FOUNDRY CORPORATION AND HON. PEDRO C. NAVARRO, RESPONDENTS.

G.R. No. L-33910. August 19, 1988

Ponente: MELENCIO-HERRERA, J.

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MELENCIO-HERRERA, J.:

The basic issue for resolution is whether or not respondent Court of First Instance (CFI) of Rizal, Branch II (now the Regional Trial Court), had jurisdiction to take cognizance of Civil Case No. 13150 entitled "Filipino Pipe & Foundry Corporation vs. National Association of Trade Unions, Inc., et al."

Petitioner-union claims that it is the Court of Industrial Relations (CIR) which has jurisdiction, the case being a labor dispute involving an unfair labor practice. Respondent Company, on the other hand, upholds the CFI jurisdiction on the ground that the nature of the case is principally to prevent further commission of violent and unlawful acts.

The controversy revolves around the following factual foundation, briefly recited:

On 25 April 1970, the Company (respondent herein) filed the above-numbered civil case, a complaint for damages with preliminary injunction, praying that petitioner Union be enjoined from further continuing with the strike, which the Union had declared allegedly, inter alia, because the Company had refused to negotiate; to order the Union to lift the picket lines immediately; to declare the strike illegal and after hearing, to make the injunction permanent; and to declare the Union liable for damages.

On 27 April 1970, the CFI issued a Temporary Restraining Order, ex-parte, with a bond of P3,000.00, reading, in part, as follows:

"In the meantime, a restraining order is hereby issued with the bond of P3,000.00 the same to be duly approved by the Court and ordering the respondents and all other persons acting in their behalf from preventing the ingress and egress of petitioner's company officials and employees who are not in any manner involved in the strike at all times of day; to allow and permit the free access of clients, customers, patrons, transacting business with the company; to remove all roadblocks erected in preventing the free entry of vehicles, officers and employees entering the company compound; to refrain from threatening bodily harm on officers and employees of the company and customers entering the company compound and desist from the commission of all unlawful acts complained of in this case." (Order, Annex "B", Petition, pp. 13-14, Rollo)

Two (2) days before the scheduled hearing on the Writ of Preliminary Injunction prayed for, the Union moved to dismiss the complaint on the principal ground that the same arose from unfair labor practice exclusively cognizable by the CIR. The CFI denied said Motion and required the Union to file its Answer Hearing on the Writ of Preliminary Injunction was reset.

In the meantime, at the instance of the Company, a complaint for Unfair Labor Practice (ULP) was filed against

the Union before the CIR.

On 24 December 1970, the CFI, upon motion of the Company, declared the Union in default for failure to file its Answer within the statutory period. The reconsideration sought having been denied, the Union availed of the present. Petition for Certiorari and Prohibition with Preliminary Injunction seeking to nullify all proceedings below.

Given the facts and circumstances, we rule that the CFI was bereft of jurisdiction to take cognizance of the Case before it. The ULP complaint filed by the Company before the CIR unequivocally established that an unfair labor practice involved over which the CIR had the sole and exclusive jurisdiction (Section 5[a], Industrial Peace Act [RA 875]; *Security Banc Employees Union-NATU vs. Security and Trust Company*, L-28536, April 30, 1968, 23 SCRA 503). The Company's cause of action in the civil case before the CFI arose out of, or was closely intertwined with, the unfair labor practice allegedly committed by the Union. It is sufficient that there exists such a controversy to remove it from the competence of the regular Courts and make it fall within the exclusive jurisdiction of the CIR (*Philippine Association of Free Labor Union [PAFLU] vs. De los Angeles*, L-26508, October 22, 1975, 67 SCRA 344). For the case to fall within the exclusive jurisdiction of the CIR, an unfair labor practice need not be committed by management alone. Labor may also be guilty thereof.

"Under the Industrial Peace Act, the jurisdiction over unfair labor practice cases, whether on the part of management or of a labor union, is vested with the CIR." (*Lakas ng Manggagawang Makabayan vs. Abiera*, G. R. No. L-29474, December 19, 1970, 36, SCRA 437)

The contention of the Company that the CFI had jurisdiction over the civil case inasmuch as it was brought principally to prevent the further commission of unlawful acts, is not well-taken. The ruling laid down in *National Garments and Textile Workers' Union-PAFLU, etc., vs. Hon. Hermogenes Caluag, et al.*, L-9104, 99 Phil. 1067 (1956), in point:

"It appearing that the issue involved in the main case is interwoven with the unfair labor case pending before the CIR as to which its jurisdiction is exclusive, it is evident that it does not come under the jurisdiction of the trial court even if it involves acts of violence, intimidation and coercion as averred in the complaint. These acts come within the purview of Section 9(d) of RA 875 which may be enjoined by CIR."

In a long line of decided cases, this Court has also invariably held that the Court of Industrial Relations has exclusive jurisdiction over labor disputes involving unfair labor practice, with the exclusive power to issue a temporary restraining order to enjoin acts in connection therewith. Thus:

"Cases involving unfair labor practices fall within the exclusive jurisdiction of the CIR, and in the exercise of its jurisdiction, said court has the exclusive power to issue a temporary restraining order to enjoin any acts committed in connection with said labor dispute." (*PAFLU, et al., vs. Tan*, 99 Phil. 854; *Phil. Communications, Electronic and Electricity Workers Federation vs. Nolasco*, L-24984, July 29, 1968; *National Garment and Textile Workers' Union vs. Hon. H. Caluag*, No. L-9104, 99 Phil. 1067 and *Erlanger and Galinger, Inc. vs. Erlanger and Galinger Employees Association-NATU*, G. R.No. L-11907, 104 Phil. 17[1958])."

The reason for such exclusive jurisdiction is that since picketing and strikes may be mere incidents or consequences of an unfair labor practice, it is but proper that a Writ of Injunction prayed for in connection with that labor dispute originate from the Court having jurisdiction over the main case inasmuch as it is that Court that has cognizance of all relevant facts (*Erlanger & Galinger, Inc. vs. Erlanger & Galinger Employees Association-NATU*, 104 Phil, 21 [1958]).

It is clear then that the Court a quo acted without jurisdiction in the case before it.

ACCORDINGLY, the Petition is granted; the Temporary Restraining Order issued by the then Court of First Instance of Rizal, Branch II, is declared null and void; all proceedings before it, in Civil Case No. 13150, are SET ASIDE, and said Court is permanently enjoined from taking any further action on the case except to dismiss the same. No costs.

SO ORDERED.

Paras, Padilla, and Sarmiento, JJ., concur.

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