

SAN MIGUEL BREWERY, INC., (MAGNOLIA DAIRY PRODUCTS PLANT) AND JOSE CUISIA, PETITIONERS, VS. JESUS BETIA, AND COURT OF INDUSTRIAL RELATIONS, RESPONDENTS.

G.R. No. L-16403. October 30, 1961

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

Original action for certiorari and prohibition.

On April 28, 1959 respondent Jesus J. Betia, an employee of petitioner San Miguel Brewery, Inc.—a corporation duly organized and existing under the Philippine laws— filed with respondent Court of Industrial Relations a complaint for the recovery of compensation for overtime services allegedly rendered to said petitioner, which owns and operates the Magnolia Dairy Products Plant, of which the other petitioner, Jose Cuisia, is the manager. Said petitioners moved to dismiss the complaint upon the ground of want of jurisdiction over the subject matter of said pleading. The motion was denied by an order, dated September 28, 1959, whereupon petitioner moved for a reconsideration thereof, which was, also, denied on December 9, 1959. Hence, this petition for certiorari and prohibition, upon the theory that the respondent court has no jurisdiction over claims for overtime pay.

The petition is clearly devoid of merit, the issue therein raised having been definitely settled in *Price Stabilization Corporation (PRISCO) vs. Court of Industrial Relations, et al.*, (108 Phil., 134), in which we held:

"* * * that where the employer-employee relationship is still existing or is sought to be reestablished because of its wrongful severance (as where the employee seeks reinstatement), the Court of Industrial Relations has jurisdiction over all claims arising out of, or in connection with employment, such as those related to the Minimum Wage Law and the Eight-Hour Labor Law. After the termination of the relationship and no reinstatement is sought, such claims become mere money claims, and come within the jurisdiction of the regular courts." (Italics ours)

This view was adhered to in *Manila Port Service, et al. vs. Court of Industrial Relations, et al.*, 112 Phil., 673; 58 Off. Gaz., (43) 7042; *Philippine Wood Products, et al., vs. Court of Industrial Relations, et al.*, 112 Phil., 640; 61 Off. Gaz., (10) 1345; *Pan American World Airways System (Philippines) vs. Pan American Employees Association*, 111 Phil., 126; 59 Off. Gaz., (36) 6046; *Ajax International Corporation vs. Seguritan, et al.*, 109 Phil., 813; and *Sampaguita Pictures, Inc., et al. vs. Court of Industrial Relations, et al.*, 110 Phil., 725; 60 Off. Gaz., (52) 8583, apart from the fact that it had been applied previously in the *Philippine Association of Free Labor Unions (PAFLU), et al., vs. Tan, et al.*, 99 Phil., 854; 52 Off. Gaz., [13] 5836; *Detective and Protective Bureau Incorporated vs. Guevarra, et al.*, L-8738 (May 31, 1957); *Isaac Peral Bowling Alley vs. United Employees Welfare Association, et al.*, 102 Phil., 219; *National Shipyards and Steel Corporation vs. Almin*, 104 Phil., 835; 56 Off. Gaz., (9) 1899; *Monares vs. CNS Enterprises, et al.*, L-11749 (May 29, 1959) and *National Shipyard and Steel Corporation vs. Court of Industrial Relations, et al.*, 107 Phil., 1006; 58 Off. Gaz., (36) 5875.

Wherefore, this case is hereby dismissed, and the petition denied, with costs against petitioner San Miguel

Brewery, Inc. It is so ordered.

Bengzon, C. J., Bautista Angelo, Labrador, Reyes, J. B. L., Paredes, Dizon and De Leon, JJ., concur.

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