

NATIONAL LABOR UNION, PETITIONER, VS. FRANCISCO STA. ANA, RESPONDENT.

G. R. No. L-9150. October 31, 1957

Ponente: ENDENCIA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/e5d03e06b387/>

ENDENCIA, J.:

In the month of October, 1952, Francisco Sta. Ana, the herein respondent, and his brother Jose Sta. Ana were operating a shoe factory under the name and style of Sasco Shoe Manufacturers, located at 926 Aurora Blvd., Quezon City. Among the employees which the respondent had at that time were Daniel Montoya and his son Bienvenido Montoya who, together with his fellow employees, organized a union of which he was elected president, the union having subsequently affiliated with the Consolidated Labor Association of the Philippines (CLAP), the national president of which was Manuel Sadde.

On the 27th of that month, Bienvenido Montoya, as the local president of their union and Manuel Sadde, as the national president of the CLAP, presented to respondent Francisco Sta. Ana a petition for better working conditions, and two days later said respondent dismissed the union leader, Bienvenido Montoya, and his father Daniel Montoya. However, on November 4, 1952, on advice of his counsel, Jose Sta. Ana, manager of respondent factory, wrote a letter addressed to Manuel Sadde, as president of the CLAP, asking the Montoyas to return and to commence their work on the same day. Despite this letter, the Montoyas failed to report for work, hence on November 7, 1952, another letter was addressed to the Montoyas, through Manuel Sadde, recalling them to work with warning that the management, being in need of workers, necessarily would replace them should they fail again to appear and start, to work two days after receipt of said letter. The Montoyas failed again to return to work, but on November 10, 1952, their Attorney Eulogio Lerum, as president of the National Labor Union, addressed a letter to respondent Francisco Sta. Ana informing the latter that he had been retained by the Montoyas to prosecute their petition of October 2, 1952 and requesting* their reinstatement with backpay. The intervention of Atty. Lerum was due to the fact that, dissatisfied with the CLAP, the Montoyas and the members of the union he organized, of which he was the local president, seceded from the CLAP and joined the National Labor Union allegedly on November 2, 1952.

The respondent did not answer that letter presumably because the Montoyas were definitely dismissed and replaced by other 'workers. Subsequently, on November 17, 1952, the National Labor Union, of which the Montoyas were already members., thru their president Atty. Lerum, filed with, the Court of Industrial Relations a petition,, docketed there as case No. 769-V, against Francisco Sta. Ana, wherein they reiterated their demands presented to-respondent Sta. Ana on October 27, 1952. After due trial,, the petition was dismissed in a decision rendered on. November 2, 1954, the pertinent portion of which is as. follows:

"Bienvenido Montoya and Daniel Montoya were recalled to report, for work by registered mail Exhibits 'L' and 'M' through Mr." Sadde, National President of CLAP, but as heretofore mentioned they refused to return to work because of their ill-feeling against the respondent, as shown by Exhibit 'O' addressed to respondent, and, the testimony of Mr. Sadde. The foreman Ceferino Enriques proved that the two employees were killing time

and that their production diminished. These are true as shown by Exhibits 'O' and 'C—4' and 'W' to 'R-A'. Under these considerations the company has every reason to separate them from work for being prejudicial and injurious to the business. Indeed, employees and workers must work in accordance with the duties assigned to them to perform and failure to comply with them shall be valid and reasonable ground for their dismissal, as decided by the Supreme Court in the case of Philippine Sheet Metal Workers, petitioner, vs. the CIR, Philippine Can Co., and Liberal Labor Union, Vol. 46, Off. Gaz. pp. 5462-5466."

Exhibits L, M and O mentioned in the decision read as follows:

"Exhibit 'L'

"The Consolidated Labor Association of the Philippines To the President, Manuel Sadde, Burke Bldg., David, Escolta

Nov. 4, 1952

Sir:

Please be advised that effective this date, the Management has the honor to submit this letter as a decision reached with respect to the recall of the two employees, named Mr. Daniel Montoya and Mr. Bienvenido Montoya, who were recently dismissed in accordance with the management rules and regulations as with justifiable causes. For this reason, we having reached an agreement thereof, gladly wish them to commence their work as an employee or laborer of the SASGO SHOE MANUFACTURERS, this 4th day of November, 1953.

Very respectfully yours,

(Sgd.) JOSE P. STA. ANA

Manager"

"EXHIBIT 'M'

"The Consolidated Labor Association
of the Philippines
To the President CLAP, Manuel Sadde,
Burke Bldg., David, Escolta

Nov. 7, 1952

Sir:

Please be informed by this second notice (the first dated November 4th) that the two laborers named Mr. Daniel Montoya and Mr. Bienvenido Montoya, who were the subject of a decision reached by the management to be recalled and reinstated in their former work, failed to appear before the management last November 4th or the day thereafter, to commence work.

The management, being in need of workers, necessarily has to replace them should they fail again to appear and start work, two days (2) after receipt of this information.

Very respectfully,

(Sgd.) JOSE STA. ANA

Manager

Exhibit 'O'

"Mr. Jose Sta. Ana

Mgr., Sasco Shoe Manufacturers
Aurora Blvd., Q. C.

Dear Sir:

Pursuant to your letters, dated November 4 and 7, 1952, requesting the return of your former laborers Mr. Daniel Montoya and Bienvenido Montoya, both members of the Union, and were dismissed by you, we are sorry to say that the said workers refused to work in your factory any more.

We have fulfilled our obligation and duty by informing them personally of your desire to reinstate them, but they informed us that they have no more intention of coming back to work.

'Respectfully yours,

(Sgd.) MANUEL SADDE"

Upon being notified of the decision, the Montoyas filed a motion for reconsideration which was submitted to the court en banc and, after due consideration, two judges thereof, viz., Modesto Castillo, Acting Presiding Judge, and V. Jimenez Yanson, Associate Judge, upheld the decision on the ground that there was no sufficient justification for altering or modifying it, while the other two judges, viz., Jose S. Bautista and Juan L. Lanting, dissented contending that the evidence on record shows that the Montoyas never received the company's letter asking them to return to work, for had they received said company's letters, they would not have sent the letter of November 10.

As a result of the divided opinions of the judges of the Court of Industrial Relations, which practically upheld the disputed decision, the petition for certiorari now under consideration was filed on the ground that—

- The Court of Industrial Relations erred in not finding despite evidence indicating that Daniel and Bienvenido Montoya never received any call from respondent or the management of respondent's firm asking these two employees to return to work after they were unjustly dismissed on October 29, 1962;
- The Court of Industrial Relations erred in concluding that the Montoyas should not be reinstated because they are dismissed allegedly for cause;
- The Court of Industrial Relations erred in not ordering respondent to reinstate Daniel and Bienvenido Montoya as of the date of their dismissal.

Petitioner contends that the letters Exhibits L and M mentioned in the decision of the Court of Industrial Relations never existed, or, if they ever existed, they did not reach the herein appellants Bienvenido and Daniel Montoya, and that the Montoyas never returned to work because they were not notified of said letters, and therefore they are entitled to be reinstated.

Answering the foregoing contentions, respondent claims that the testimony of Manuel Sadde and Exhibit O fully refute them, Sadde having testified that he notified the Montoyas about the letters Exhibits L and M as he so communicated it to the respondent by means of his letter Exhibit O. And, more specifically, respondent contends that the question of notification of Exhibits L and M to the Montoyas is one of fact which cannot be reviewed by this Court pursuant to the provisions of Section 15 of Commonwealth Act No. 103, as amended, and Section 2 of Rule 44 of the Rules of Court.

Upon examination of the petition, we find alleged therein that "the Court of Industrial Relations committed an error in not finding that the Montoyas never received any call from the respondent or the management of respondent's firm asking them to return to work after they were unjustly dismissed," and that "it committed abuse in evaluating the evidence on record which justifies the interposition of the corrective powers of this Court as held

in the case of *Lakas ng Pagkakaisa sa Peter Paul vs. CIR and Peter Paul Corporation*." These allegations taken together with the aforequoted assignments, of error clearly show that the question raised by the petitioner is purely a question of fact and not of law, which, as argued correctly by the respondent, cannot be entertained by this Court. But petitioner claims that when there is abuse by the Industrial Court in the evaluation of evidence presented in a case, it justifies the exercise of the corrective powers of this Court, citing the case of *Lakas ng Pagkakaisa sa Peter Paul vs. CIR and Peter Paul Corporation*, 96 Phil., 63, 50 Oil. Gaz., No. 11, 5300, where we held:

"The failure of the Court of Industrial Relations to consider the facts on record concerning these 'helpers', is an infringement of cardinal primary rights of the petitioner, and justifies the interposition of the corrective powers of this Court (*Ang Tibay vs. Court of Industrial Relations and National Labor Union*, 69 Phil., 635).

""(2) Not only must the party be given an opportunity to present his case and to adduce evidence tending to establish the rights which he asserts but the tribunal must consider the evidence presented. (Chief Justice Hughes in *Morgan vs. U.S.* 298 U.S. 468, 56 S Ct 906, 80 Law Ed. 1288). In the language of this Court in *Edwards vs. McCoy*, 22 Phil., 598, 'the right to adduce evidence, without the corresponding duty on the part of the board to consider it, is vain. Such right is conspicuously futile if the person or persons to whom the evidence is presented can thrust it aside without notice or consideration.'"

We find, however, that the foregoing case is not applicable to the case at bar because, according to the allegations in the petition and the answer thereto and especially the decision appealed from, the lower court committed no abuse in the aforesaid case No. 769-V for it had carefully considered all the evidence presented before reaching the conclusion that the Montoyas failed to return to work despite the fact that they were properly recalled. The record of said case No. 769-V clearly shows that the parties had been given all the opportunities to present their evidence and that all the evidence presented was properly considered and weighed by the court before the decision appealed from was rendered.

Wherefore, the petition under consideration is hereby dismissed, without pronouncement as to costs.

Paras, C. J., Bengzon, Padilla, Monternayor, Reyes, A. Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., and Felix, 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.