

SAMPAGUITA PICTURES, INC., ET AL., PETITIONERS, VS. COURT OF INDUSTRIAL RELATIONS, ET AL., RESPONDENTS.

G.R. No. 16404. October 25, 1960

Ponente: BAUTISTA ANGELO, J.

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BAUTISTA ANGELO, J.:

On February 20, 1959, Sampaguita-Vera Perez Workers' Union (PLUM) and Rafael Barbante, et al., who were all members of said union, filed a petition against the Sampaguita Pictures, Inc., with the Court of Industrial Relations for the payment of their "true and lawful services and compensations pursuant to the Eight-Hour Labor Law on overtime, Sunday and Holiday works and premiums (Com. Act No. 444)" stating that despite repeated demands for the payment of said overtime services the company turned a deaf ear to said demands. Petitioners also stated that on February 6, 1957 the aforesaid union submitted several demands to the company, including their claim for overtime pay, which remained unheeded, and so on February 10, 1957 they served a notice to strike upon the Conciliation Service of the Department of Labor as required by law which had not so far been withdrawn although the dispute between the parties remained subsisting.

On March 24, 1959, the company filed a motion to dismiss alleging that the Court of Industrial Relations has no jurisdiction to act on the case because, apart from the fact that the number of employees interested in the claim is less than thirty-one, the claim merely involves the collection of overtime pay and compensation. On October 2, 1959, the industrial court held that it has jurisdiction, invoking in its favor the case of Monares vs. CNS Enterprises, et al., G. R. No. 11749, decided May 29, 1959, wherein it was held that that court has jurisdiction when the claim involves overtime pay coupled with a prayer for reinstatement.

The company moved to reconsider this ruling invoking in turn in its favor the case of Chua Workers' Union (NLU) vs. City Automotive Company, et al., G. R. No. L-11655, April 29, 1959, wherein it was apparently held that if the claim involves merely one for overtime services and does not involve hours of employment under Commonwealth Act No. 444, the industrial court does not have jurisdiction over the claim. The industrial court stood pat on its ruling, and so the company came to this Court by way of certiorari contending that the industrial court acted in excess of its jurisdiction when it decided to act on the case.

In *Price Stabilization Corporation vs. Court of Industrial Relations, et al.*, 108 Phil., 134, this Court, after analyzing the several decisions rendered by it involving claims for overtime, made the following clarification:

"Analyzing these cases, the underlying principle, it will be noted in all of them, though not stated in express terms, is 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.

"We are aware that in 2 cases (Mindanao Bus Employees Labor Union [PLUM] vs. Mindanao Bus Co. et al., G. R. No. L-9795, prom. December 28, 1957; Gomez vs. North Camarines Lumber Co., Inc., 104 Phil., 294; 56 Off. Gaz., 2630), some statements implying a different view have been made, but we now hold and declare the principle set forth in the next preceding paragraph as the one governing all cases of this nature." (See also Board of Liquidators, et al., vs. Court of Industrial Relations, et al., 108 Phil., 162.)

In the face of the clarification made in the PRISCO case wherein the apparent conflicting rulings of this Court regarding collection of money claims for overtime services had been explained or reconciled, it should now be considered as a settled doctrine that when the complaint involves the recovery of wages for overtime services rendered by an employee or laborer the Court of Industrial Relations has exclusive jurisdiction to act thereon if it appears that there exists between the claimant and respondent an employer-employee relationship, or if such no longer exists, if the complaint includes a prayer for reinstatement to the service. In the instant case, that relationship existed not only when the petition was filed before the Court of Industrial Relations but it even exists up to the present so much so that it was alleged therein that when respondent union and the twenty-eight members who joined in filing the petition filed their demands for improvement of their working conditions and of their wages and were not given any attention, they gave notice to strike to the Conciliation Service of the Department of Labor which was still pending negotiation at the time the present petition was filed before the industrial court. This case, therefore, comes within the purview of our ruling in the PRISCO case and hence the industrial court has jurisdiction over the same.

With regard to the contention that the number of employees who are interested in the instant claim is less than thirty-one as required by Section 4 of Commonwealth Act 103, as amended, the same is of no moment, it appearing that the present petition was filed not only by said employees but also by the union of which they are members.

Wherefore, the order of the industrial court dated October 2, 1959, as well as its resolution dated November 19, 1959, subject of the present petition for certiorari, are hereby affirmed, with costs against petitioners.

Paras, C. J., Bengzon, Padilla, Labrador, Reyes, J.B.L., Barrera, Gutierrez David, and Paredes, JJ., concur.

Order and resolution affirmed.

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