

BOHOL LAND TRANSPORTATION CO., PETITIONER VS. BLT EMPLOYEES LABOR UNION, RESPONDENT.

G.R. No. 47661. March 12, 1941

Ponente: LAUREL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-47661/>

LAUREL, J.:

This is a petition for a writ of certiorari to review the decision of the Court of Industrial Relations dated April 20, 1940, and its resolution of July 31, 1940, denying petitioner's motion for reconsideration, in so far as they ordered the reinstatement of the employees David Fernandez and Joaquin Matig-a.

On December 4, 1939, the Secretary of Labor certified to the Court of Industrial Relations that an industrial dispute existed between the petitioner and certain of its employees who were members of the herein respondent, BLT Employees Labor Union, which was forthwith docketed as Case No. 140, and given the title BLT Employees Labor Union vs. Bohol Land Transportation Company. This dispute involved several demands, but with the exception of the controversy relating to the reinstatement of ten employees who were previously dismissed, all the demands were amicably settled between the parties at the preliminary conferences held pursuant to the provisions of the second paragraph of section 4 of Commonwealth Act No. 103. Mr. Vicente Logarta, a special agent of the Court of Industrial Relations, was commissioned on December 6, 1939, to receive the evidence of the parties with respect to the reinstatement of the dismissed employees. On April 20, 1940, the Court of Industrial Relations promulgated its decision in which it ordered the reinstatement of three employees; namely, David Fernandez, Joaquin Matig-a, and Facundo Capuno; and approved the action taken by the petitioner in dismissing the other employees mentioned in the decision. The petitioner agreed to the readmission of Facundo Capuno, but filed a motion for reconsideration with respect to David Fernandez and Joaquin Matig-a. This motion having been denied by the court in its resolution of July 31, 1940, the petitioner now applies to this Court for a writ of certiorari and makes the following assignment of errors:

"I. The Court of Industrial Relations erred in taking cognizance of the dismissal of the employees David Fernandez and Joaquin Matig-a.

"II. The Court of Industrial Relations erred in finding that David Fernandez was dismissed because of his union activities.

"III. The Court of Industrial Relations erred in finding that Joaquin Matig-a was dismissed by reason of his union activities."

Under the first assignment of error, the petitioner impugns the jurisdiction of the Court of Industrial Relations to take cognizance of the dispute relating to the dismissal of David Fernandez and Joaquin Matig-a, for the reason that their dismissal occurred prior to the certification of the dispute to the said court. It is the contention of the petitioner that where such dismissal does not take place during the pendency of an industrial dispute before the Court of Industrial Relations, and, therefore, not cognizable by said court under section 19 of Commonwealth Act No. 103, any dispute regarding the matter does not come within the jurisdiction of the said court for arbitration

and settlement under section 4 of the same Act, as the same stood prior to its amendment by Commonwealth Act No. 559. The dismissal or lay-off might have taken place before the certification of the dispute by the Secretary of Labor to the Court of Industrial Relations, but we are of the opinion this circumstance does not affect the jurisdiction of that court to pass upon and determine the legality or propriety of the dismissal or lay-off if this question is involved in, or arises from, the dispute thus certified for cognizance and adjudication by the Court of Industrial Relations. On the other hand, from the findings made by the Court of Industrial Relations in reference to David Fernandez and Joaquin Matig-a, portions of which findings are quoted hereinbelow, it appears that their dismissal was on account of their union activities. Even limiting the prohibition to union activities of laborers and employees under a strict interpretation, the subject-matter of the present controversy relates to unfair labor practice and is a controversy between employer and employees or laborers properly cognizable by the Court of Industrial Relations as an instrumentality created for the peaceful adjustment of disputes between capital and labor.

The second and third assignments of errors raise purely questions of fact. With respect to David Fernandez, it appears that this employee was dismissed for his alleged abandonment of work and insubordination in refusing to go back to his former job as conductor when ordered to do so by the president of the petitioner company. The Court of Industrial Relations, however, in its decision of April 20, 1940, found the following facts as established in connection with this incident:

"Que David Fernandez y Claudio Torreon, al ser readmitidos al servicio de la recurrida despues de la huelga de agosto 21, 1939, fueron nombrados como auxiliares del Gerente de Trafico. Estuvieron ocupando este puesto hasta el 22 de septiembre, 1939, en que recibieron ordenes de dejar aquel trabajo. En septiembre 24, 1939, o sea, dos dias despues de su suspension, se vieron con el Sr. W. C. Ogan, presidente de la Bohol Land Transportation Company, para preguntarle que iban ellos a hacer en vista de la orden suspendiendoles como "Assistant Dispatchers". El Sr. Ogan les instruyo entonces que volvieran a sus respectivos trucks como conductor, puesto que ocupaban antes de la huelga.

"En aquella conferencia, Fernandez y Torreon solicitaron verbalmente del Sr. Ogan permiso para ausentarse desde el septiembre 25, fecha en que precisamente ambos debian reanudar su trabajo como conductor. Fernandez ratified su solicitud por escrito (Exhibito E de la recurrida).

"En su testimonio Fernandez afirma que el Sr. Ogan le otorgo verbalmente el permiso por el solicitado. Su testimonio no esta negado por el Sr. Ogan ni por cualquiera de los testigos de la recurrida ni hay prueba alguna que tienda a desvirtuarlo. El obrero Fernandez era el presidente de la Junta de Control de los huelguistas, el organismo encargado de las actividades de la huelga y desempeno un papel muy importante en el movimiento unionista en el seno de la compañía recurrida.

"Es evidente, pues, que cuando Fernandez dejo su trabajo el 22 de septiembre, 1939, lo hizo en obediencia a ordenes superiores y si no se presento a trabajar el 25 de septiembre como eran las instrucciones a el dadas por el mismo Mr. Ogan, ello fue porque tenia permiso para ausentarse. No puede la recurrida alegar ninguna razon valida en apoyo de su negativa a readmitir a este obrero a su servicio y el Tribunal no tiene otra alternativa sino declarar que semejante actitud suya esta inspirada por motivos de represalia y por su deseo de deshacerse del obrero Fernandez que fue un elemento valioso para mantener el espiritu de cuerpo, la cohesion y unidad de acción en las filas de los huelguistas en el conflicto de agosto 21, 1939."

As to Joaquin Matig-a, it is alleged by the petitioner that this employee was dismissed due to the suppression of his position as checker at the St. Joseph Junction for reasons of economy and for its having outgrown the necessity and wisdom of its continuance. The Court of Industrial Relations, however, found the contrary to be true as expressed in the following portion of its decision of April 20, 1940:

"El caso de Joaquin Matig-a es fundamentalmente distinto. Esta probado que este obrero es miembro de la

Directiva de la union recurrente. Como tal fue uno de los organizadores de la huelga de agosto 21, 1939, durante la cual asumió la responsabilidad de mantener la paz y el orden entre la gente. Estaba al frente de los choferes y conductores huelguistas y era quien decidía la acción que estos debían tomar durante aquellos días del conflicto.

"Joaquin Matig-a tiene fama, aun entre los funcionarios de responsabilidad en la compañía recurrida, de ser un obrero arrojado. Tan es así que antes de surgir la presente disputa, el Gerente Sr. Castillo le estuvo dando trabajos que sólo un hombre de arrojo y decisión podía hacer y por esta fama llegó a ser el más temido de entre todos los huelguistas.

"Por otro lado también aparece probado que el puesto de 'checker' en el St. Joseph Junction es necesario. Por esa estación pasan todos los pasajeros que vienen del muelle de Tagbilaran. El garage central de la recurrida que también está en Tagbilaran está situado en un sitio aislado y para los propósitos de la distribución y regularización de las horas de viaje de los trucks de la compañía el St. Joseph's Junction es el más adecuado por estar situado en un sitio muy céntrico. En esta encrucijada se detienen, en espera de los trucks que los lleven a sus respectivos destinos, los pasajeros que llegan a la isla y desembarcan en el muelle de Tagbilaran.

"Además, cuando a Matig-a se le dio órdenes para dejar el trabajo no le dijeron que su puesto estaba suprimido. Los records demuestran que el presidente Sr. Ogan le dijo a Matig-a en la mañana del 29 de octubre, 1939: 'Esta Vd. despedido . . . ' Torque yo quiero, queda Vd. despedido; no son necesarios sus servicios en la compañía ...' 'Cuando a Vd. se le dice que saiga, Vd. debe salir'.

"Al tiempo en que Matig-a dejaba al servicio, el puesto de 'checker' en Antequera estaba vacante. No hay ninguna prueba de que este obrero haya sido negligente en sus deberes y haya cometido la más leve falta contra los reglamentos de la recurrida que le haga merecedor de alguna medida disciplinaria."

We have already held in several cases that it is not for this Court to review the findings of fact made by the Court of Industrial Relations in the absence of a showing that it has abused its discretion. (Central Azucarera de Tarlac vs. The Court of Industrial Relations, G. R. No. 46843; Manila Electric Company vs. National Labor Union, G. R. No. 47279; Mindanao Bus Company vs. Mindanao Bus Company Employees, G. R. Nos. 47544 & 47611.) Therefore, the conclusion of the said court that David Fernandez and Joaquin Matig-a were dismissed from the service by the petitioner because of their union activity should not be disturbed.

The writ is denied and the decision appealed from is hereby affirmed, with costs against the petitioner. So ordered.

Imperial, Diaz, Moran, and Horrilleno, 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.