

LOURDES R. RAMOS AND REYNALDO RAMOS, PETITIONERS, VS. OUR LADY OF PEACE SCHOOL, REV. FELICIANO MANALILI AND HONORABLE JUDGE REYNALDO P. HONRADO, PRESIDING JUDGE, BRANCH XXV, COU...

G.R. No. 55950. December 26, 1984

Ponente: MELENCIO-HERRERA, J.

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MELENCIO-HERRERA, J.:

This is a Petition to review the respective Orders of respondent Judge, dismissing petitioners' Complaint for damages, and denying reconsideration.

Briefly, the antecedent facts are as follows:

In the beginning of school year 1973-74, Our Lady of Peace School, through its Director, Reverend Feliciano Manalili, private respondents herein (the School, for short), employed Lourdes R. Ramos (hereinafter referred to as petitioner, for short), a Bachelor of Science in Commerce graduate, without benefit of a written contract. Petitioner claimed that she was hired as Registrar, while respondent School contended that she was hired as a teacher.

For the next school year, 1974-75, petitioner signed a Teacher's Contract for Grade IV to expire at the end of that term on May 1, 1975. The School did not renew the contract at its expiration. On June 6, 1975, claiming that her services were terminated on May 19, 1975 without just cause nor previous clearance from the Ministry of Labor and Employment (MOLE), petitioner filed a Complaint for reinstatement and backwages against private respondents with MOLE, Regional Office, Branch IV.

On December 29, 1975, that Office adjudged that petitioner had been arbitrarily dismissed and ordered her reinstatement, thus:

"WHEREFORE, premises considered, respondents are hereby ordered to reinstate complainant Lourdes Ramos within ten (10) days from receipt hereof, with full back-wages to be computed from the date she was arbitrarily dismissed up to the date of her actual reinstatement and without loss of pay, seniority rights and other privileges.

"Respondents are further ordered to renew complainant teacher's contract retroactive to the opening of school year 1975-76.

x x x "

The National Labor Relations Commission, and after it, the Secretary of Labor, affirmed the judgment on appeal both times by the School.

The Office of the President, to which the School thereafter appealed, also affirmed the appealed judgment in a Decision, the dispositive portion of which reads:

"WHEREFORE, the appealed decision of the Secretary of Labor is hereby affirmed with the modification that complainant should be as she is hereby ordered reinstated to her former position of Registrar with full backwages from June 1975 until actually reinstated, minus the amount she already received by virtue of the writ of execution issued in this case.

"SO ORDERED."

A subsequent Motion for Reconsideration filed by the School was denied for lack of merit.

Pursuant to the Decision of the Office of the President, petitioner was appointed as a bookkeeper/accountant because private respondents, had, in the meantime, abolished the Office of the Registrar as evidenced by petitioner's Letter to the NLRC Sheriff dated November 17, 1978.[1]

On November 14, 1979, petitioner, assisted by her husband, filed this complaint for actual, moral and exemplary damages against the School in the then Court of First Instance of Rizal, Branch XXV (Civil Case No. 35165), presided by respondent Judge, claiming that respondent School "ha(d) acted arbitrarily, whimsically and in evident bad faith in effecting the unjustified dismissal of plaintiff Lourdes Ramos from her job as Registrar of defendant school," and in failing to reinstate her as Registrar.

The School moved to dismiss principally on the ground that the lower Court had no jurisdiction over the nature and subject of the action.

Initially, the lower Court issued an Order of denial. However, on reconsideration sought by the School, respondent Judge issued the challenged Order dismissing the complaint, holding "that the matter under consideration does not fall within the domain of the powers conferred in it (Court)."

Thus, this petition for review on the sole legal issue of whether or not the suit for damages filed below is within the jurisdiction of a judicial tribunal.

At the outset, it must be stated that since this is a direct appeal to this Court on a pure question of law, coupled with the fact that the Decision of the Office of President had long since become final and executory, the finding that petitioner was, in fact, appointed as Registrar and that she had been arbitrarily dismissed should no longer be disturbed.

Upon the evidence and the law, we affirm respondent Judge's Order of dismissal of the damages suit, based on the following considerations:

1. It is clear that petitioners' complaint for damages arising out of her illegal dismissal and the failure by the School to reinstate her stemmed from an employer-employee relationship. Consequently, the controversy comes within the ambit of the Labor Code.[2]
2. Petitioners' cause of action accrued when she was unjustly terminated on May 19, 1975. At that time, jurisdiction to award damages arising from an employer-employee relationship was vested in the Labor Arbiters of the Regional Offices (Art. 217 [3] [5]),[3] (Garcia vs. Hon. Antonio Martinez, et al., 84 SCRA 577[1978]). It was incumbent upon petitioner, therefore, to have included her claim for damages in her complaint filed before the MOLE for backwages and reinstatement arising out of her unjustified dismissal. Not having done so, petitioner may not belatedly seek redress from a civil Court, which was bereft of jurisdiction over her money claims.
3. Neither can petitioner's case fall within the interregnum from May 1, 1978, when P.D. No. 1367 transferred jurisdiction over claims for damages arising from an employer-employee relationship to the regular Courts,[4] up to May 1, 1980, when P.D. No. 1691 returned said jurisdiction to the Labor Arbiters,[5] inasmuch as petitioner's cause of action had accrued before 1978, or in 1975, and she had filed her complaint before MOLE

on June 6, 1975 when Labor Arbiters had full authority and jurisdiction to make awards for damages. The new legislation, P.D. No. 1367, enacted during the pendency of the case below, did not have the effect of divesting the Labor Arbiter of jurisdiction over the case below of which he had already taken cognizance. As we held in *Bengzon vs. Inciong*, 91 SCRA 248 (1979).

"The rule is that where a court has already obtained and is exercising jurisdiction over a controversy, its jurisdiction to proceed to the final determination of the cause is not affected by new legislation placing jurisdiction over such proceedings in another tribunal. The exception to the rule is where the statute expressly provides, or is construed to the effect that it is intended to operate as to actions pending before its enactment. Where a statute changing the jurisdiction of a court has no retroactive effect, it cannot be applied to a case that was pending prior to the enactment of the statute. We find the principles applicable to the case at bar. To require petitioner to file a separate suit for damages in the regular courts would be to sanction split jurisdiction, which is prejudicial to the orderly administration of justice."

WHEREFORE, the assailed Order of respondent Judge, dated April 7, 1980, dismissing the complaint for damages and attorneys' fees is hereby affirmed.

SO ORDERED.

Teehankee (Chairman), Plana, Gutierrez, Jr., and De la Fuente, JJ., concur.

Relova, J., no part.

[1] Rollo, p. 61.

[2] Article 217, as amended.

[3] "Art. 217. Jurisdiction of Labor Arbiters and the Commission. -

(a) The Labor Arbiters shall have exclusive jurisdiction to hear and decide the following cases involving all workers, whether agricultural or non-agricultural:

x x x

(3) All money claims of workers involving non--payment or underpayment of wages, overtime or premium compensation, maternity or service incentive leave, separation pay, and other claims arising from employer-employee relation, except claims for employee's compensation, social security and medicare benefits, and as provided for in Article 128 of this Code;

x x x

(5) All other cases arising from employer--employee relation unless expressly excluded by this Code (Labor Code).

[4] Section 1. (a) The Labor Arbiters shall have exclusive jurisdiction to hear and decide the following cases involving all workers, whether agricultural or non--agricultural:

x x x

(3) All other cases arising from employer--employee relations duly indorsed by the Regional Direct-ors in accordance with the provisions of this Code; Provided, that the Regional Directors shall not indorse and Labor Arbiters shall not entertain claims for moral or other forms of damages (P.D. 1367).

[5] Article 217. Jurisdiction of Labor Arbiters and the Commission. -

(a) The Labor Arbiters shall have the original and exclusive jurisdiction to hear and decide the following cases involving workers, whether agricultural or non--agricultural:

x x x

(3) All money claims of workers, including those based on non-payment or underpayment of wages, over-time compensation, separation pay and other benefits provided by law or appropriate agreement, except claims for employees compensation, social security, medicare and maternity benefits;

(5) All other claims arising from employer-employee relationship, unless expressly excluded by this Code (P.D. No. 1691).

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