

EUGENIO SAGMIT, REGIONAL DIRECTOR, MINISTRY OF LABOR AND EMPLOYMENT, REGIONAL OFFICE NO. V, LEGAZPI CITY, PETITIONER, VS. HON. VICENTE P. SIBULO, PRESIDING JUDGE OF THE REGIONAL...

G.R. No. 64694. November 21, 1984

Ponente: RELOVA, J.

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RELOVA, J.:

In this petition for certiorari, prohibition and mandamus, Director Eugenio Sagmit of Region V, Ministry of Labor and Employment, seeks to annul the orders, dated May 30, 1983 and July 18, 1983, issued by respondent RTC Judge Vicente P. Sibulo of Albay in Civil Case No. 6801; to enjoin said respondent judge, his agent and representative from continuing to assume jurisdiction over said civil case and from enforcing his aforementioned orders; and; to compel respondent judge to dismiss said civil case.

Records show that on September 14, 1981 two employees of private respondent Isabelo Asaytuno, owner and operator of St. Gregory Repair Shop, filed a complaint for recovery of unpaid wages with the Regional Office No. V of the Ministry of Labor and Employment. On October 12, 1981, a third employee filed a similar complaint with the same office.

In a conciliation conference held on October 14, 1981, the parties arrived at an amicable settlement. It was agreed upon that respondent Asaytuno shall pay his obligation by installment. However, after paying one installment, Asaytuno refused to make any further payment. As a consequence, on November 4, 1981, the three employees filed a complaint with the same Regional Office of the Ministry for the payment of the balance due them.

On February 5, 1982, Director Eugenio Sagmit issued an order directing private respondent Isabelo Asaytuno to pay the amount due to his three employees. Instead of paying the balance, Asaytuno filed a petition (Civil Case No. 6801) with the respondent judge seeking prohibition of the enforcement of the order dated February 5, 1982, claiming that petitioner did not have jurisdiction to issue his order because Batas Pambansa Bilang 130 and PD 1691 divested him of his quasi-judicial functions.

Director Sagmit filed a motion to dismiss Civil Case No. 6801 on the ground (1) that the allegation set forth in the petition of Asaytuno has no basis in fact and in law; and (2) that respondent judge has no jurisdiction over the issues raised in the petition it having arisen out of employer-employee relationship and therefore within the exclusive jurisdiction of the Ministry of Labor and Employment.

Respondent judge on May 30, 1983, denied the motion on the ground (1) that the issues raised in the petition call for a legal interpretation and declaration of the rights of the parties under existing laws and which power is presently lodged on the courts of justice; and (2) that the reason raised in said motion is not indu-bitable and cogent.

On July 18, 1983, respondent judge issued an order, thus:

"When this case was called for the hearing of the prayer for the issuance of a preliminary injunction on June 30, 1983, petitioner appeared but respondent failed to appear in spite of notice.

"In support of the prayer for preliminary injunction, petitioner submitted Exhibit 'A', the Motion for Execution; Exhibit 'B', the Order of the MOLE, Region V, complained of; and Exhibit 'C', the copy of the complaint for money claim filed with the MOLE on October 12, 1981.

"A cursory reading of PD 1691 issued May 1, 1980, Batas Pambansa Bilang 130 enacted August 21, 1981, Administrative Order No. 127 of the MOLE dated August 26, 1981, and the documentary evidence submitted, it appears that petitioner is entitled to the relief demanded and the whole or part of such relief consists in restraining the respondent Regional Director from executing the Order complained of; that the commission of the act complained of during the litigation would probably work injustice to the petitioner; that there is no other plain, speedy and adequate remedy in the ordinary course of law; and, that if the act complained of in violation of petitioner's right is not restrained, it will render whatever judgment in this case ineffectual.

"This Court, therefore, upon the petitioner filing of a bond in the amount of P1,500.00, resolves to issue a writ of preliminary injunction upon the public respondent, restraining him or his agents from executing the Order complained of pending final determination of this case." (pp. 35-36, Rollo)

Hence, the filing of instant petition on the issue whether respondent judge has jurisdiction to take cognizance of Civil Case No. 6801, an action to prohibit Director Sagmit from enforcing his order requiring private respondent Isabelo Asaytuno to settle the unpaid wages of three of his employees.

Required to comment, private respondent claims that the power and jurisdiction of petitioner Regional Director to take cognizance of cases which are specifically found in Article 228 of the Labor Code are completely repealed by Section 16 of Batas Pambansa Bilang 130 and PD 1691; that said power and jurisdiction are given back to the National Labor Relations Commission (NLRC) and Labor Arbiters "making it as their exclusive and original jurisdiction by virtue of said PD 1691 (p. 39, Rollo)"; and, that petitioner is not a Labor Arbiter but a Regional Director of the MOLE, Regional Office No. V, Legazpi City and, therefore, he has no jurisdiction to entertain money claims.

We find merit in petitioner's submission considering that the issue is not new. As held in *Getz Corporation Philippines, Inc. vs. Court of Appeals*, 116 SCRA 86, all money claims of workers and all other claims arising from employer-employee relations including moral and exemplary damages are within the exclusive jurisdiction of the Labor Arbiter and the National Labor Relations Commission. Presidential Decree No. 1691 which was enacted on May 1, 1980 restored to the Labor Arbiter and the National Labor Relations Commission (NLRC) exclusive jurisdiction over all money claims and all other claims arising from employer-employee relations, including moral and exemplary damages. The pertinent provision of PD 1691 reads:

"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 all workers, whether agricultural or non-agricultural:

1. Unfair labor practice cases;
2. Unresolved issues in collective bargaining, including those that involve wages, hours of work and other terms and conditions of employment;
3. All money claims of workers, including those based on non-payment or underpayment of wages, overtime compensation, separation pay and other benefits provided by law or appropriate agreement, except claims for employees, compensation, social security, medicare and maternity benefits;
4. Cases involving household services; and

5. All other claims arising from employer-employee relations, unless expressly excluded by this Code.

"(b) The Commission shall have exclusive appellate jurisdiction over all cases decided by Labor Arbiters, compulsory arbitrators, and voluntary arbitrators in appropriate cases pro-vided in Article 263 of this Code" (Italics supplied)

It is clear from the above that the respondent RTC judge has no jurisdiction over the petition filed by private respondent to enjoin petitioner from enforcing his order dated February 5, 1982. Although Article 228 of the Labor Code which gave the Regional Director of the Ministry of Labor and Employment the power to determine which of the cases pending before him for conciliation shall be endorsed to the Labor Arbiter for compulsory arbitration was repealed in Batas Pambansa Bilang 130, it did not have the effect of depriving the Regional Director of the power granted by the other Articles of the Labor Code. Otherwise stated, under Article 227 of the Labor Code, a Regional Director has the power to conciliate labor disputes. Article 227 provides:

"ART. 227. Compromise agreements. Any compromise settlement, including those involving labor standard laws, voluntarily agreed upon by the parties with the assistance of the Bureau or the regional office of the Department of Labor, shall be final and binding upon the parties. The National Labor Relations Commission or any court shall not assume jurisdiction over issues involved therein except in case of noncompliance thereof or if there is prima facie evidence that the settlement was obtained through fraud, misrepresentation, or coercion."

ACCORDINGLY, the petition is GRANTED and the orders, dated May 30, 1983 and July 18, 1983, issued by respondent judge are hereby SET ASIDE. Respondent judge is directed to dismiss Civil Case No. 6801.

SO ORDERED.

Teehankee (Chairman), Melencio-Herrera, Plana, Gutierrez, Jr., and de la Fuente, JJ., concur.

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