

PRODUCERS BANK OF THE PHILIPPINES, PETITIONER, VS. THE NATIONAL LABOR RELATIONS COMMISSION, PRODUCERS BANK EMPLOYEES ASSOCIATION, ELEUTERIO YAP, FERDINAND LAZO, ROBERT TAN, ALBE...

G.R. No. 76001. September 05, 1988

Ponente: SARMIENTO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-76001/>

SARMIENTO, J.:

Assailed in this motion for reconsideration is the resolution of this Court dated May 25, 1988[1] dismissing the petition for review on certiorari[2] on the ground that the same raises essentially factual issues and in view of the absence of any showing that the findings[3] of the National Labor Relations Commission were not supported by substantial evidence and that the National Labor Relations Commission acted with grave abuse of discretion.

The petitioner anchors its motion on the following grounds:

I

RESPONDENT NLRC EXCEEDED ITS JURISDICTION AND GRAVELY ABUSED ITS DISCRETION IN RENDERING ITS ASSAILED DECISION IN THAT -

a)

THE DECISION OF LABOR ARBITER VIRGINIA SON WHICH RESPONDENT NLRC MODIFIED IS ITSELF SUPPORTED BY SUBSTANTIAL EVIDENCE CONFIRMING PRIVATE RESPONDENTS' USE OF VIOLENCE DURING THE STRIKE.

b)

THE GOVERNING LAW WHICH RESPONDENT NLRC MISAPPLIED CATEGORICALLY IMPOSES DISMISSAL UPON EMPLOYEES GUILTY OF ILLEGAL ACTS IN THE COURSE OF A STRIKE.

The sole issue raised is whether or not the National Labor Relations Commission acted with grave abuse of discretion when it modified the Decision[4] dated March 12, 1985 of the Labor Arbiter.[5]

The petitioner maintains that the dismissal of its petition was unwarranted. It argues that the very basis of the NLRC's decision was the findings of the Labor Arbiter, that the strike of October 1, 1984 was illegal, as the same was attended by violence, coercion, intimidation, destruction of properties, and other unlawful acts which were all properly substantiated by it and which were not controverted by the respondents, hence, they were deemed to have been established.[6] It avers that on appeal the function of the National Labor Relations Commission, if it finds the Labor Arbiter's decision to be supported by substantial evidence, is to affirm the same.[7] It asserts further that when the public respondent modified the Labor Arbiter's decision and ordered the immediate

reinstatement of the respondents, it acted with grave abuse of discretion, as it in effect violated the provisions of sub-section (e) of Art. 265 (now Art. 264)[8] of the Labor Code. The petitioner-movant submits that the coercive picketing by private respondent cannot be viewed in isolation from the overall illegal conduct of the strikers and the climate of violence that characterized the strike, that the coercive picketing contributed to the heated strike atmosphere which induced the commission of other unlawful acts by strikers, who were ordered dismissed; and without such coercive picketing on the part of the respondent, the acts of grave threats, coercion, and malicious mischief on the part of the other strikers would not have happened.[9]

We have held in a long line of decisions that the findings of fact of the Department (Ministry) of Labor and the National Labor Relations Commission are entitled to great respect, unless the said findings and the conclusions made therefrom are not supported by substantial evidence.[10]

By "grave abuse of discretion" is meant, such capricious and whimsical exercise of judgment as is equivalent to lack of jurisdiction. The abuse of discretion must be grave as where the power is exercised in an arbitrary or despotic manner by reason of passion or personal hostility and must be so patent and gross as to amount to an evasion of positive duty or to a virtual refusal to perform the duty enjoined or to act at all in contemplation of law (G.R. No. 59880, George Arguelles [Hda. Emma Arguelles v. Romeo Yang, etc.], September 11, 1987).[11]

Considering all the foregoing, we hold that no grave abuse of discretion was committed by the National Labor Relations Commission, and therefore we find no cogent reason to justify a reconsideration of our resolution.

WHEREFORE, the petitioner's motion for reconsideration is hereby DENIED, for lack of merit. This denial is FINAL.

SO ORDERED.

Melencio-Herrera, and Medialdea[*], JJ., concur.

Paras, J., no part. Son is a partner in law firm of petitioner's counsel.

Padilla, J., no part due to existing lessor-lessee relationship with petitioner.

[1] Rollo, 99.

[2] Rollo, 1-a.

[3] Rollo, 14.

[4] Rollo, 30.

[5] Penned by Virginia Son, Labor Arbiter.

[6] Rollo, 101-102.

[7] Rollo, 103.

[8] "No person engaged in picketing shall commit any act of violence, coercion or intimidation, or obstruct the free ingress to or egress from the employer's premises for lawful purposes, or obstruct public thoroughfares.

[9] Rollo, 104.

[10] Franklin Baker of the Phils. vs. Hon. Cresencia B. Trajano, et al., No. 75039, Jan. 28, 1988 citing: (Kapisanan ng Manggagawa sa Camara Shoes, et al. v. Camara Shoes, 2nd Heirs of Santos Camara, et al., No. 50985, January 30, 1982, 111 SCRA 477 [1927]; International Hardwood and Veneer Co. of the Philippines v.

Leonardo, No. 57429, October 28, 1982, 117 SCRA 679 [1982]; Pan-Phil-Life, Inc. v. NLRC, No. 53721, July 29, 1982, 114 SCRA 866 [1982]; Pepsi-Cola Labor Union-BR LU-TUPAS Local Chapter N-896 vs. NLRC, No. 58341, June 29, 1982, 114 SCRA 930 [1982]; Egyptair v. NLRC, No. 63185, February 27, 1987, 148 SCRA 125 [1987]; RJL Martinez Fishing Corp. vs. NLRC, G.R. Nos. 63550-51, January 31, 1984, 127 SCRA 455 [1984]; and Reyes v. Phil. Duplicators, G.R. No. 54996, November 27, 1981, 109 SCRA 489 [1981].

[11] Id., G.R. 75039; Dulos Realty and Development Corp. v. CA., et al., G.R. No. 76668, Jan. 28, 1988, citing Emma Arguelles vs. Romeo Yang, etc., September 11, 1987; Placida Peza, et al. vs. Hon. Federico Alikpala, G.R. No. L-29749, April 15, 1988; Robert Young, etc. vs. The Hon. Julio A. Sulit, Jr., et al., G.R. 57839, June 27, 1988.

[*] Designated to sit as a member of the Second Division to participate in the consideration and resolution of this case.

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.