

FILOMENA BARCENAS, PETITIONER, VS. THE NATIONAL LABOR RELATIONS COMMISSION (NLRC), REV. SIM DEE, THE PRESENT HEAD MONK OF THE MANILA BUDDHA TEMPLE, MANUEL CHUA, IN HIS CAPACITY ...

G.R. No. 87210. July 16, 1990

Ponente: MEDIALDEA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-87210/>

MEDIALDEA, J.:

This petition for review on certiorari (which We treat as a special civil action for certiorari) seeks to annul the decision of the National Labor Relations Commission dated November 29, 1988, which reversed the decision of the Labor Arbiter dated February 10, 1988 in NLRC-NCR Case No. 12-4861-86 (*Filomena Barcenas v. Rev. Sim See, etc., et al.*) on the ground that no employer-employee relationship exists between the parties.

Petitioner alleged in her position paper the following facts:

In 1978, Chua Se Su (Su, for short) in his capacity as the Head Monk of the Buddhist Temple of Manila and Baguio City and as President and Chairman of the Board of Directors of the Poh Toh Buddhist Association of the Phils. Inc. hired the petitioner who speaks the Chinese language as secretary and interpreter. Petitioner's position required her to receive and assist Chinese visitors to the temple, act as tourist guide for foreign Chinese visitors, attend to the callers of the Head Monk as well as to the food for the temple visitors, run errands for the Head Monk such as paying the Meralco, PLDT, MWSS bills and act as liaison in some government offices. Aside from her pay and allowances under the law, she received an amount of P500.00 per month plus free board and lodging in the temple. In December, 1979, Su assumed the responsibility of paying for the education of petitioner's nephew. In 1981, Su and petitioner had amorous relations. In May, 1982, or five months before giving birth to the alleged son of Su on October 12, 1982, petitioner was sent home to Bicol. Upon the death of Su in July, 1983, complainant remained and continued in her job. In 1985, respondent Manuel Chua (Chua, for short) was elected President and Chairman of the Board of the Poh Toh Buddhist Association of the Philippines, Inc. and Rev. Sim Dee (Dee, for short) was elected Head Buddhist Priest. Thereafter, Chua and Dee discontinued payment of her monthly allowance and the additional P500.00 effective 1983. In addition, petitioner and her son were evicted forcibly from their quarters in the temple by six police officers. She was brought first to the Police precinct in Tondo and then brought to Aloha Hotel where she was compelled to sign a written undertaking not to return to the Buddhist temple in consideration of the sum of P10,000.00. Petitioner refused and Chua shouted threats against her and her son. Her personal belongings including assorted jewelries were never returned by respondent Chua.

Chua and Dee, on the other hand, claimed that petitioner was never an employee of the Poh Toh Temple but a servant who confined herself to the temple and to the personal needs of the late Chua Se Su and thus, her position is co-terminous with that of her master.

On February 10, 1988, the Labor Arbiter rendered a decision, the dispositive portion of which states:

"WHEREFORE, premises considered, judgment is hereby rendered in favor of the complainant Filomena Barcenas, and the respondent corporation is hereby ordered to pay her the following:

"1. P26,575.00 backwages from August 9, 1986 up to date hereof;

"2. P14,650.00 as separation pay;

"3. P18,000.00 as unpaid wages from August, 1983 up to August 8, 1986; and

"4. P10,000.00 moral damages.

"Complainant's charge of unfair labor practice is hereby dismissed for lack of merit.

"SO ORDERED."[1]

Respondents appealed to the National Labor Relations Commission which, as earlier stated, reversed the above decision of the Labor Arbiter. Hence, this instant petition.

A painstaking review of the records compels Us to dismiss the petition.

At the outset, however, We agree with the petitioner's claim that she was a regular employee of the Manila Buddhist Temple as secretary and interpreter of its Head Monk, Su. As Head Monk, President and Chairman of the Board of Directors of the Poh Toh Buddhist Association of the Philippines, Su was empowered to hire the petitioner under Article V of the By-laws of the Association which states:

"x x x (T)he President or in his absence, the Vice President shall represent the Association in all its dealings with the public, subject to the Board, shall have the power to enter into any contract or agreement in the name of the Association, shall manage the active business operation of the Association, shall deal with the bank or banks x x x."[2]

Respondent NLRC represented by its Legal Officer[3] argues that since petitioner was hired without the approval of the Board of Directors of the Poh Toh Buddhist Association of the Philippines, Inc., she was not an employee of respondents. This argument is specious. The required Board approval would appear to relate to the acts of the President in representing the association "in all its dealings with the public." And, even granting that prior Board approval is required to confirm the hiring of the petitioner, the same was already granted, albeit, tacitly. It must be noted that petitioner was hired in 1978 and no whimper of protest was raised until this present controversy.

Moreover, the work that petitioner performed in the temple could not be categorized as mere domestic work. Thus, We find that petitioner, being proficient in the Chinese language, attended to the visitors, mostly Chinese, who came to pray or seek advice before Buddha for personal or business problems; arranged meetings between these visitors and Su and supervised the preparation of the food for the temple visitors; acted as tourist guide of foreign visitors; acted as liaison with some government offices; and made the payment for the temple's Meralco, MWSS and PLDT bills. Indeed, these tasks may not be deemed activities of a household helper. They were essential and important to the operation and religious functions of the temple.

In spite of this finding, her status as a regular employee ended upon her return to Bicol in May, 1982 to await the birth of her lovechild allegedly by Su. The records do not show that petitioner filed any leave from work or that a leave was granted her. Neither did she return to work after the birth of her child on October 12, 1982, whom she named Robert Chua alias Chua Sim Tiong. The NLRC found that it was only in July, 1983 after Su died that she went back to the Manila Buddhist Temple. Petitioner's pleadings failed to rebut this finding. Clearly, her return could not be deemed as a resumption of her old position which she had already abandoned. Petitioner herself supplied the reason for her return. She stated:

"... (I)t was the death-bed instruction to her by Chua Se Su to stay at the temple and to take care of the two boys and to see to it that they finish their studies to become monks and when they are monks to eventually take over the two temples as their inheritance from their father Chua Se Su." [4]

Thus, her return to the temple was no longer as an employee but rather as Su's mistress who is bent on protecting the proprietary and hereditary rights of her son and nephew. In her pleadings, the petitioner claims that they were forcefully evicted from the temple, harassed and threatened by respondents and that the Poh Toh Buddhist Association is a trustee corporation with the children as cestui que trust. These claims are not proper in this labor case. They should be appropriately threshed out in the complaints already filed by the petitioner before the civil courts. Due to these claims, We view the respondents' offer of P10,000.00 as indicative more of their desire to evict the petitioner and her son from the temple rather than an admission of an employer-employee relations.

Anent the petitioner's claim for unpaid wages since May, 1982 which she filed only in 1986, We hold that the same has already prescribed. Under Article 292 of the Labor Code, all money claims arising from employer-employee relations must be filed within three years from the time the cause of action accrued, otherwise they shall forever be barred.

Finally, while petitioner contends that she continued to work in the temple after Su died, there is, however, no proof that she was re-hired by the new Head Monk. In fact, she herself manifested that respondents made it clear to her in no uncertain terms that her services as well as her presence and that of her son were no longer needed. [5] However, she persisted and continued to work in the temple without receiving her salary because she expected Chua and Dee to relent and permit the studies of the two boys. [6] Consequently, under these circumstances, no employer-employee relationship could have arisen.

ACCORDINGLY, the decision of the National Labor Relations Commission dated November 29, 1988 is hereby AFFIRMED for the reasons aforestated. No costs.

SO ORDERED.

Narvasa, (Chairman), Cruz, Gancayco, and Griño-Aquino, JJ., concur.

[1] Rollo, p. 20.

[2] Rollo, p. 90.

[3] In the resolution of August 9, 1989, the Office of the Solicitor General was granted leave to be excused from representing NLRC as he maintains a position different from that taken by it. (Rollo, pp. 76 and 81).

[4] Memorandum for the petitioner, Rollo, p. 114.

[5] See petition, Rollo, p. 7.

[6] Rollo, p. 114.

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.