SUPREME COURT
EN BANC

SAN MIGUEL BREWERY, INC.,
***Petitioner*,**

-versus-

G.R. No. L-4634
April 28, 1952

THE HON. COURT OF INDUSTRIAL RELATIONS, ET AL.,
***Respondents*.**
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D E C I S I O N

PARAS, *C.J.*:

In Case No. 271-V of the Court of Industrial Relations, the San Miguel Brewery, Inc., filed a petition against the National Labor Union and San Miguel Brewery Employees and Laborers Association, for the purpose of threshing out, among other matters, demand No. 4 presented by the respondents, to the effect that no dismissal, suspension or transfer should be made except for just cause, and that Julian Nocos, Hermogenes de Guzman and Lazaro Tapiador and others who had been dismissed or transferred without cause, be reinstated. On September 17, 1949, the Court of Industrial Relations rendered a decision which, in the portions pertinent to this case, reads as follows:

"Both parties are agreed that there should be no dismissal, suspension or transfer except for just cause. Their only conflict regarding this demand refers to the transfer of Nocus, Guzman and Tapiador. The respondents demand the reinstatement of these laborers to their former positions in the syrup room of the Coca-Cola Plant. They alleged that the transfers were effected because these three men were those responsible for the filing of the petition against the rotation system contemplated by the SMB.

"The petitioner, on the other hand, refuses to consider the reinstatements asked for by the respondents. In justification of its stand, the SMB offered the following evidence: that the Coca-Cola Plant was formally operating on 3 shifts with two bottling lines; that one additional bottling line was installed and the operation was reduced to 2 shifts with three bottling lines; that as a consequence of this change in operation, the personnel working in one of the shifts were reassigned to the additional bottling line with the exception of the crew of one of the shifts of the syrup room which was composed of the abovementioned personnel, because two crews of syrup men were adequate to feed all the three bottling lines; and that for this reason, the transfer of Nocus, De Guzman and Tapiador among others was found to be absolutely necessary.

"On the basis of the records relative to this particular demand, the Court finds that the transfers of the three above-named employees were accomplished for no other purpose than that stated in its evidence. This purpose, the Court believes is valid and justified.

IN VIEW OF THE FACTS ESTABLISHED IN EVIDENCE AND THE CONSIDERATIONS ABOVE MENTIONED, the Court partially denies and partially grants Demands 4 and 7."

On April 15, 1950, the San Miguel Brewery, Inc. dismissed Santos Ortiz allegedly for cause. Whereupon, the National Labor Union and the San Miguel Brewery Employees and Laborers Association filed in July, 1950, in case No. 271-V, a motion praying (1) for the reinstatement of Santos Ortiz, on the ground that he was dismissed

without any just cause and for his union activities in violation of the decision of September 17, 1949, and (2) for the punishment for contempt of the person responsible for the dismissal of Santos Ortiz. The San Miguel Brewery, Inc. questioned the authority of Atty. Eulogio R. Lerum to file said motion in the name of the San Miguel Brewery Employees and Laborers Association, on the allegation that the latter had disauthorized Atty. Lerum and was at any rate already dissolved. Before the matter could be acted upon by the Court of Industrial Relations, Atty. Lerum filed an amended motion on behalf solely of the National Labor Union, reiterating the same allegations in the first motion. This amended motion was docketed as case No. 478-V and assigned to the Second Branch. The San Miguel Brewery, Inc. filed a motion to dismiss, alleging that the case involves only one laborer and therefore does not come within the jurisdiction of the Court of Industrial Relations, there being no dispute which involves more than 30 laborers as provided by section 4 of Commonwealth Act No. 103. The court denied this motion for dismissal. Failing to obtain a reconsideration, the San Miguel Brewery, Inc. appealed by way of the present petition for certiorari.

The petitioner, San Miguel Brewery, Inc., contends that the Court of Industrial Relations has no jurisdiction to entertain the amended motion filed by the National Labor Union, and docketed as case No. 478-V, on the ground that it deals with the dispute over the propriety of the dismissal of only one laborer, Santos Ortiz. The Court of Industrial Relations, in overruling the contention of the petitioner, held as follows:

> "It is true that the case was docketed in Court as Case No. 478-V, apparently an independent action relative to the reinstatement of Santos Ortiz. A careful study of the same records, nevertheless, shows that the instant case is so closely connected with Case No. 271-V between the same parties, that the Court must, of necessity, acquire jurisdiction over it, considering that the jurisdiction of the Court had already attached in Case No. 271-V. The dissolution of 'SAMBELA' is not pertinent to the issues involved in the instant case, the amended motion having been brought in the name of the National Labor Union solely and singly, of which Ortiz is an active member as shown by his sworn statement on the

amended motion. In other words, the jurisdiction of the Court over the amended motion is the same jurisdiction over Case No. 271-V."

In our opinion, the Court of Industrial Relations is correct. The decision in case No. 271-V provided, upon stipulation of the parties, that there should be no dismissal, suspension or transfer except for just cause, and this pronouncement of course included all the laborers employed in the petitioner and then represented by the National Labor Union and the San Miguel Brewery Employees and Laborers Association. One such laborer is Santos Ortiz. The herein respondent National Labor Union, in its amended motion merely seeks the reinstatement of Santos Ortiz by virtue and as a consequence of the decision of September 17, 1949 in case No. 271-V. Said amended motion in essence can be said to be a part of case No. 271-V, as the right sought to be enforced springs from the decision in said case. At any rate, the Court of Industrial Relations may reopen any question involved in a decision at any time during its effectiveness under section 17 of Commonwealth Act No. 103. To adopt the theory of the petitioner, that the dismissal of Santos Ortiz should be the subject-matter of an independent case, (to be ventilated in an ordinary court of justice), would be to frustrate in a way the purposes of the law that created the Court of Industrial Relations.

Furthermore, the Court of Industrial Relations has all inherent powers of a court of justice, provided in paragraph 5 of Rule 124 of the Rules of Court, among which is to compel obedience to its judgments, orders and process, as well as the power to punish direct and indirect contempts as provided in Rule 64 (Sec. 6, Commonwealth Act No. 103) . In addition to this, section 23 of Commonwealth Act No. 103 expressly specifies that in case of non-compliance with any award, order or decision of the Court of Industrial Relations after it has become final, conclusive and executory, the judgment may be enforced by a writ of execution or any other remedy provided by law with respect to enforcement and execution of orders, decisions, or judgments of the court of first instance. It follows from these provisions that the Court of Industrial Relations, in entertaining the motion of the respondent Union as regards the dismissal of Santos Ortiz, is merely called upon to enforce its decision of September 17, 1949 in case No. 271-V. The execution

and enforcement of said decision must necessarily and conveniently be sought and disposed of in the same case.

With reference to the contention of the petitioner assailing the authority of the National Labor Union to represent Santos Ortiz, in view of the dissolution of the San Miguel Brewery Employees and Laborers Association (formerly affiliated to the Union), suffice it to say that under section 17 of Commonwealth Act No. 103, the Court of Industrial Relations may, on application of an interested party, and after due hearing, alter, modify in whole or in part, or set aside any decision, or reopen any question involved therein. The National Labor Union, and even Santos Ortiz for that matter, are certainly interested parties within the meaning of the law. Moreover, the dissolution of the San Miguel Brewery Employees and Laborers Association should not affect the jurisdiction already acquired by the Court of Industrial Relations. In the case of Mortera vs. The Court of Industrial Relations,[*] 45 Off. Gaz. 1714, we made the following pronouncements:

"When petitioners appeared for the first time before the Court of Industrial Relations as members of the Bisig Ng Canlubang (NLU), they appeared as workers of the Canlubang Sugar Estate. When they seceded from said union to form another, they remained to be workers of the Canlubang Sugar Estate. The order of December 11, 1946, prohibiting the workers from striking pending decision of the case was addressed to the workers of the Canlubang Sugar Estate. The splitting workers of the Canlubang Workers' Union into two unions cannot affect the jurisdiction of the court. The members of the Canlubang Workers' Union may even dissolve the union completely but that would not affect the jurisdiction of the court. Otherwise, approval will be given to a scheme by which a workers' union, in case of an adverse decision of the Court of Industrial Relations, may always make a mockery of orders and decisions of said court. Such a result is against the administration of justice and is violative of the principles and the purposes for which Commonwealth Act No. 103 was enacted."

The other point raised by the petitioner is that, even if it be held that the motion is a mere incident to case No. 271-V, the First Branch of the Court of Industrial Relations should have jurisdiction over it,

inasmuch as case No. 271-V was originally assigned to and disposed of by said Branch. The point is not well taken. The assignment of the amended motion to the Second Branch was made by the Presiding Judge, in pursuance of section 1 of Commonwealth Act No. 103, as amended, which provides that the Judges shall act on such matters as the Presiding Judge may designate, and each of them shall have power to preside over the hearing of cases assigned to him and to render decisions thereon. It is already an established doctrine that a court, though composed of several branches, is deemed to be a totality. In the case of Mercado vs. Ocampo, 72 Phil. 318, this Court had already upheld the act of one branch regarding an order of another branch of a court of First Instance:

> "un juez que preside una sala de un juzgado de primera instancia puede modificar o anular la orden que ha dictado otro juez del mismo juzgado, sin que por ello se infrinja el principio de coordinación, y que la norma que debe servir de guía debe ser la de si el juez que dicto la primera orden tenia facultad para modificarla o dejarla sin efecto, en cuyo caso el otro juez que la modifico o anulo debe tener igualmente la misma facultad, y la razon de la doctrina asi sentada consiste sencillamente en que ambos jueces actuan en el mismo juzgado y es el mismo juzgado el que ha modificado o anulado la orden."

WHEREFORE, the order of the Court of Industrial Relations denying the motion to dismiss filed by the petitioner and ordering that the amended motion filed by the respondent Union be set for hearing, is affirmed, and it is so ordered with costs against the petitioner.

Feria, Pablo, Bengzon, Tuason, Montemayor, Reyes and Bautista Angelo, *JJ.*, concur.

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[*] 79 Phil. 345.