

CASES FOR MIDTERMS – LABOR RELATIONS

Cases	Held	Notes
CASES NOT WITHIN THE JURISDICTION OF THE LABOR ARBITER		
Reformist Union of RB Liner Inc. vs. NLRC - 266 scra 713	<p>The very nature of compulsory arbitration makes the settlement binding upon the private respondents, for compulsory arbitration has been defined both as "the process of settlement of labor disputes by a government agency which has the authority to investigate and to make an award which is binding on all the parties," and as a mode of arbitration where the parties are "compelled to accept the resolution of their dispute through arbitration by a third party."^[24]</p> <p>Clearly then, the legality of the strike could no longer be reviewed by the Labor Arbiter, much less by the NLRC, as this had already been resolved.</p>	<p>Definition of compulsory arbitration</p> <p>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 non-compliance thereof or if there is prima facie evidence that the settlement was obtained through fraud, misrepresentation or coercion.</p>
Davao City Water Distric vs. CSC - 201 scra 593	<p>ACCORDINGLY, petitioners are declared "government-owned or controlled corporations with original charter" which fall under the jurisdiction of the public respondents CSC and COA.</p>	<p>The water district is a government agency</p>
Zamoras vs Su – 184 scra 248	<p>The essential requisites of a tenancy relationship are: (1) the parties are the landholder and the tenant; (2) the subject is the agricultural holding; (3) there is consent between the parties; (4) the purpose is agricultural production; (5) there is personal cultivation by the tenant; and (6) there is a sharing of harvests between landlord and tenant.</p> <p>The element of personal cultivation of the land, or with the aid of his farm household, essential in establishing a landlord-tenant or a lessor-lessee relationship, is absent in the relationship between Su and Zamoras, for Zamoras did not cultivate any part of Su's plantation either by himself or with the help of his household.</p> <p>On the other hand, the following circumstances are indicative of an employer-employee relationship between them:</p> <ol style="list-style-type: none"> 1. Zamoras was selected and hired by Su as overseer of the coconut plantation. 2. His duties were specified by Su. 3. Su controlled and supervised the performance of his duties. He determined to whom Zamoras should sell the copra produced from the plantation. 4. Su paid Zamoras a salary of P2,400 per month plus one-third of the copra sales every two months as compensation for managing the plantation. 	<p>Tenancy</p>
Fortune Cement vs NLRC – 193 scra 283	<p>It is of no moment that Valloces, in his amended complaint, seeks other reliefs which would seemingly fall under the jurisdiction of the Labor Arbiter, because a closer look at these — underpayment of salary and non-payment of living allowance — shows that they are actually part of the perquisites of his elective position, hence, intimately linked with his relations with the corporation. The question of remuneration, involving as it does, a person who is not a mere employee but a stockholder and officer, an integral part, it might be said, of the corporation, is not a simple labor problem but a</p>	<p>No jurisdiction on intracorporate controversies</p>

Cases In Labor Relations An Arbitration Experience

Katrin Zwirglmaier



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Cases in Labor Relations John Russell Abersold, Wayne E. Howard, 1967 Presentation of USA case studies of dispute settlements of labour disputes as an illustration of problems in labour relations Bibliographies at the end of chapters

Cases in Labor Relations. An Arbitration Experience, John R. Abersold, Wayne E. Howard,.... John R. Abersold, Wayne E. Howard, 1967

Monthly Labor Review, 1979-09 Publishes in depth articles on labor subjects current labor statistics information about current labor contracts and book reviews

BNA's Employee Relations Weekly, 1983 **Teacher's**

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Review, 1990 **monthly labor review**, 1979 **Industrial & Labor Relations Review**, 1966 *The Labor Arbitration*

Process Robben Wright Fleming, 1965 USA Dispute settlement and individual grievance arbitration incl Dismissal cases

Partly historical Index of case studies pp 225 to 227 **Warburg UN Cat Arbtrtn 3 V CB** Katharine Seide, 1974 *Labor*

Arbitration Reports, 2004 **A Catalogue of the Law Collection at New York University** Julius J. Marke, 1999 Marke

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Plumbers, Gas and Steam Fitters Journal, 1925 Personnel Management Abstracts, 2000 *Catering Industry*

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