

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

Cerveceria India, Inc. v. Union Independiente De Trabajadores De La Cerveceria India, Inc.

437 F. Supp. 129 (D.P.R. 1977) · Decided October 3, 1977

SUMMARY

The court considered an employer's request for a preliminary injunction under the Boys Market doctrine to enjoin a work stoppage arising from a union-directed refusal to comply with an inspection rule. The court declined to exercise jurisdiction because related contempt and injunctive proceedings were pending before the Supreme Court of Puerto Rico and could resolve the issues presented. The complaint and counterclaim were dismissed without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Puerto Rico
WRITING FOR THE COURT	Toledo, Chief Judge
JURISDICTION	Puerto Rico
DECIDED	October 3, 1977
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought an action under section 301 of the Labor Management Relations Act seeking a preliminary injunction against a work stoppage allegedly violating a collective bargaining agreement. After issuing and extending a temporary restraining order, the court considered the parties' submissions concerning a preliminary injunction and dismissed the complaint and counterclaim without prejudice.
STANDARD OF REVIEW	Discretionary determination concerning whether to refrain from exercising jurisdiction in light of a parallel state-court proceeding and considerations of wise judicial administration.
PRECEDENTIAL VALUE	Published federal district court opinion

TOPICS

- labor law
- collective bargaining
- injunctions
- federalism
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the federal court should issue a preliminary injunction against the work stoppage under the Boys Market doctrine.
2. Whether the federal court should refrain from exercising jurisdiction because related proceedings concerning the same inspection dispute and the employer's alleged contempt were pending before the Supreme Court of Puerto Rico.
3. Whether the complaint and counterclaim should be dismissed without prejudice rather than dismissed under a traditional abstention doctrine.

HOLDINGS

1. The court declined to determine whether the prerequisites for a Boys Market injunction were satisfied because it refrained from assuming jurisdiction over the dispute.
2. The court exercised its discretion to refrain from assuming jurisdiction because the ongoing Puerto Rico Supreme Court proceedings encompassed the issues in the federal case and implicated that court's authority to enforce its prior order.
3. The court dismissed the complaint and counterclaim without prejudice but expressly stated that it was not dismissing the case under the traditional forms of the abstention doctrine.

KEY QUOTATIONS

"However, our reading of the Boys Market decision and preeminent concerns of federalism lead us to conclude that we lack jurisdiction in the present case." (131)

"We deem it most advisable in the exercise of our discretion, to refrain from assuming jurisdiction in the present case." (131)

"Wherefore, in view of all the above, the complaint and counterclaim filed in the instant case shall be dismissed without prejudice." (132)

FACTUAL BACKGROUND

In 1973, Cervceria India established an inspection system requiring employees' bags, vehicles, and packages to be inspected before entering the plant. An arbitrator ruled that the company lacked authority under the then-existing collective bargaining agreement to establish the system, and the Supreme Court of Puerto Rico enforced that award on July 11, 1974. After the 1973 agreement expired, the parties entered a new agreement containing identical arbitration, no-lockout, and no-strike provisions. On September 1, 1977, the company implemented a similar inspection rule, employees refused to comply at the union's direction, and a work stoppage resulted.

PROCEDURAL HISTORY

The union had previously obtained enforcement by the Supreme Court of Puerto Rico of an arbitration award concerning the employer's inspection system. After the employer implemented a similar inspection rule under a

new collective bargaining agreement, employees refused to comply and a work stoppage followed. The employer filed this federal action seeking injunctive relief under Boys Market. While the federal action was pending, the union sought contempt-related relief and an injunction in the Supreme Court of Puerto Rico concerning the employer's alleged violation of that court's prior order. The federal court declined to proceed and dismissed the complaint and counterclaim without prejudice.

DISPOSITION

dismissed

CASES CITED

- The Boys Market, Inc. v. Retail Clerks Union, 398 U.S. 235, 90 S. Ct. 1583, 26 L. Ed. 2d 199 (1970)
- Kerotest Mfg. Co. v. C-O-Two Fire Equipment Co., 342 U.S. 180, 183, 72 S. Ct. 219, 221, 96 L. Ed. 200 (1952)
- Columbia Plaza Co. v. Security National Bank, 173 U.S. App. D.C. 403, 525 F.2d 620 (1975)
- Colorado River Water Conservation District v. United States, 424 U.S. 800, 96 S. Ct. 1236, 47 L. Ed. 2d 483 (1976)