

Title: Jebsens Maritime, Inc., Sea Chefs Cruises Ltd./Effel T. Santillan vs. Lordelito B. Gutierrez

Facts:

1. **Employment and Incident**: Lordelito B. Gutierrez was hired as a Third Cook by Jebsens Maritime, Inc. for Sea Chefs Cruises Ltd. On June 19, 2014, he experienced severe pain in his right paralumbar area while onboard the vessel.
2. **Medical Examination**: On June 27, 2014, an MRI scan in Kiel, Germany, diagnosed him with Disc Prolapse L4-L5. He was medically repatriated on July 2, 2014.
3. **Post-Repatriation Diagnosis**: Examined by the company physician in the Philippines, he was diagnosed with L4-L5 Herniated Nucleos Pulposus, underwent therapy sessions, and was declared fit to work on September 9, 2014.
4. **Failed Re-engagement**: Post-diagnosis, his re-engagement application was denied due to failing the pre-employment medical examination, citing a high probability of illness recurrence.
5. **First Complaint**: Gutierrez, on November 28, 2014, filed a complaint for continuation of medical treatment, underpayment of sick leave pay, payment of sickness allowance, and attorney's fees. Labor Arbiter Napiza dismissed the complaint on June 16, 2015.
6. **Second Complaint**: On July 3, 2015, Gutierrez filed another complaint claiming total permanent disability benefits, medical expenses, moral and exemplary damages, and attorney's fees. He was declared permanently unfit for sea duty by his physician Dr. Runas on January 29, 2015.
7. **Third Doctor Evaluation**: Both parties agreed to refer the matter to a third doctor, Dr. Santiago, who also found Gutierrez unfit for sea duty.
8. **Labor Arbiter's Ruling in the Second Case**: LA Sosito ruled in favor of Gutierrez, awarding him permanent disability benefits and attorney's fees.
9. **NLRC's Ruling**: NLRC reversed LA Sosito's decision, dismissing the case on grounds of res judicata.
10. **Court of Appeals Ruling**: CA ruled in Gutierrez's favor, stating the two cases had different causes of action and reliefs sought. It reinstated LA Sosito's decision.
11. **Petition to the Supreme Court**: Petitioners contended res judicata's applicability and challenged Gutierrez's entitlement to disability benefits.

Issues:

1. **Res Judicata**: Whether the dismissal of the first case barred the second case for total permanent disability benefits.
2. **Entitlement to Permanent Disability Benefits**: Whether Gutierrez is entitled to total

and permanent disability benefits despite the fit-to-work certification by the company-designated physician.

3. **Validity of the Third Doctor's Opinion**: The legitimacy and binding nature of the third doctor's assessment.

Court's Decision:

1. **Res Judicata**: The Court held that res judicata did not apply because:

a. **Different Causes of Action**: The second case dealt with a different issue—entitlement to permanent disability benefits arising after being declared fit to work but then denied re-engagement due to health reasons.

b. **Non-Existence of Second Cause of Action during the First Filing**: The cause of action in the second case emerged after the first case had been filed and dismissed.

2. **Entitlement to Disability Benefits**: The Court found Gutierrez entitled to disability benefits:

a. Section 20(A)(3) of the POEA-SEC allows for settling disputes between conflicting medical findings by referring to a third doctor.

b. The third doctor's findings aligned with the seafarer's personal physician, indicating a work-related illness that rendered Gutierrez permanently unfit for duty.

3. **Third Doctor's Opinion**: The Court validated Dr. Santiago's assessment, emphasizing the agreed referral and the failure of petitioners to co-participate not invalidating the process.

Doctrine:

- **Res Judicata**: Does not apply if subsequent cases have distinct causes of action and reliefs.

- **POEA-SEC**: A seafarer can seek a second medical opinion beyond the company-designated physician and refer to a mutually agreed third doctor to resolve conflicting findings, with the third doctor's decision being final and binding.

Class Notes:

- **Res Judicata**: Principle preventing repeated litigation; requirements include finality, jurisdiction, identity of parties, and cause of action.

- **POEA-SEC Provisions**: Medical treatment obligations (Sec 20(A)(2-3)), disability benefit entitlements (Sec 20(A)(6)), and disability ratings (Sec 32).

- **Disability Benefits**: Total and permanent disability entitles seafarers to \$60,000.00 under POEA-SEC.

- **Attorney's Fees & Interest**: Award consistent with the Civil Code and subject to a 6%

annual interest rate from judgment finality until full payment.

Historical Background:

This case is within the context of protections extended to Filipino seafarers under the POEA-SEC and labor laws. It emphasizes the importance of medical assessments in disputes on fitness for work, highlighting the procedural right to seek secondary and tertiary medical opinions in navigating issues between seafarers and maritime employers. The judicial decisions inform how elements of *res judicata* are narrowly construed when evolving health conditions lead to subsequent, distinct claims.