

**\*\*Title: Cabatan v. Southeast Asia Shipping Corp. and Maritime Management Services: Non-Compliance with Post-Employment Medical Examination Requirements\*\***

**\*\*Facts:\*\***

Reynaldo P. Cabatan was employed as an oiler by Southeast Asia Shipping Corp. (SEASCORP) for Maritime Management Services from 2006 to 2010. Before deployment on January 30, 2010, he was certified fit for duty. During his duty aboard the M/V BP Pioneer, on March 29, 2010, while carrying heavy equipment in restricted conditions, Cabatan felt severe pain in his scrotal/inguinal area due to the vessel's movement amidst big waves. Continuing his duty, he later sought medical attention from the ship's doctor, who attributed the pain to tiredness and ruled out severe conditions.

Upon contract completion and repatriation on May 25, 2010, Cabatan rested but experienced persistent pain. During a medical exam for redeployment in June, abnormalities were found in his lumbar spine. Further tests revealed lumbar spine issues, requiring surgery costing P473,000. He sought financial assistance from SEASCORP, which was unheeded.

On March 1, 2011, Cabatan filed a claim for disability benefits, moral and exemplary damages, and attorney's fees against the respondents. The Labor Arbiter ruled favorably to Cabatan, awarding him disability compensation. The National Labor Relations Commission (NLRC), however, upon appeal, reversed the decision, citing non-compliance with the mandatory post-employment medical examination within three days.

Cabatan petitioned the Court of Appeals (CA), asserting his exemption from the three-day rule since his contract ended due to completion, not medical grounds. The CA denied his appeal, reaffirming his non-compliance, which barred his claim. Cabatan's motion for reconsideration was denied, prompting his petition to the Supreme Court.

**\*\*Issues:\*\***

1. Whether the CA erred in not considering the ship doctor's Report of Illness as proof of work-related injury during employment.
2. Whether the three-day reporting requirement under the 2000 POEA-SEC is an absolute bar to claims for disability benefits in all circumstances.

**\*\*Court's Decision:\*\***

1. **\*\*Report of Illness Consideration:\*\***

- The Supreme Court upheld the CA's decision, noting that the key issue was Cabatan's

failure to prove the injury as recorded during the term of his employment. The Supreme Court found the report from the ship doctor only mentioned scrotal/inguinal discomfort, not lumbar issues. Thus, the records provided no substantial evidence tying the lumbar problems to his work.

2. **Three-Day Reporting Requirement:**

- Relating to whether the requirement could be bypassed, the Supreme Court noted that it acts as a safeguard for employers to verify the cause of injury or illness soon after repatriation. The Court emphasized that, except in cases of physical incapacitation, missing this requirement leads to forfeit of benefits claims. Cabatan could not establish valid exclusion from this rule as his return was not for medical reasons.

**Doctrine:**

The Supreme Court reiterated that the three-day post-employment medical examination requirement in Section 20(B) of the 2000 POEA-SEC is crucial for establishing the work-relatedness of an injury or illness. Non-compliance, unless justified by physical incapacitation, results in forfeiting disability claims.

**Class Notes:**

- **Key Concepts:** Post-employment Medical Examination; Work-related Injury; POEA-SEC Compliance.
- **Statutory Provision:** Section 20(B) of the 2000 POEA-SEC.
- **Application:** A seafarer must report for a post-employment medical examination within three days of repatriation to claim disability benefits unless physically incapacitated.
- Examination outcomes post the three-day period are not automatically connected to service-related duties.

**Historical Background:**

The case reflects the standing rules under the 2000 POEA-SEC governing seafarers' compensation claims, emphasizing the contractual importance of the post-employment medical examination's time frame. It highlights the tension between seafarers seeking compensation for injuries sustained during employment and the protective measures employers have against retrospective, unverified claims. This case joined the rich tapestry of precedents dealing with labor issues in a rapidly globalizing maritime industry, reflecting both the legal and human elements intricately involved.