

SONIA VILLONES, PETITIONER, VS. EMPLOYEES COMPENSATION COMMISSION, GOVERNMENT SERVICE INSURANCE SYSTEM, AND THE SILAY GENERAL HOSPITAL, RESPONDENTS.

G.R. No. L-44031. February 14, 1980

Ponente: GUERRERO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/17936019160f/>

GUERRERO, J.:

This is a petition for review of the decision of the respondent Employees Compensation Commission dated October 15, 1975 which affirmed the denial of petitioner's claim for compensation by the respondent Government Service Insurance System on the ground that her illness is not an occupational disease, it having been merely aggravated by the nature of her work as a nurse and, therefore, not compensable under Presidential Decree No. 626.

Petitioner was and still is the only nurse in-charge of the emergency room and outpatient department of the Silay General Hospital, Silay City, Philippines, her employment dating back to December, 1965. From October, 1974 and continuously up to July, 1975, petitioner suffered from recurrent functional bleeding, thus prompting her to go on sick leave from her work from April 1, 1975 and up to August 31, 1975, during which period she was hospitalized at the Philippine General Hospital, Manila and underwent operation for "total hysterectomy, bilateral salphingo oophorectomy and lysis of adhesions." Her confinement at the Philippine General Hospital lasted for 17 days, that is, from April 17, 1975 to May 4, 1975.

Petitioner filed with the respondent GSIS her claim for sickness benefit supported by the "Report of Injury/Sickness" signed by Dr. Rogelio B. Cuevas, Chief of the respondent Silay General Hospital, Silay City, and the complete records of her illness. The claim was, however, denied by Mr. Domingo N. Garcia, Assistant General Manager, Medicare-Employees Compensation of respondent GSIS on August 5, 1975 on the ground that her illness is not an occupational disease and that petitioner's duties as a nurse could not have directly caused her illness, at most, her duties could have only aggravated the same.

Petitioner moved for a reconsideration of the denial of her claim for sickness benefits but the same was denied on August 13, 1975, still on the ground that her ailment is not an occupational disease.

On August 20, 1975, petitioner filed an appeal with the respondent Employees Compensation Commission from the decision of the respondent GSIS, the appeal docketed as ECC Case No. 0012, entitled "Sonia Villones, appellant, versus Government Service Insurance System, respondent." As indicated earlier, respondent ECC rendered a decision in the aforesaid ECC Case No. 0012, sustaining the dis-missal of petitioner's claim for sickness compensation benefits, primarily because the ECC "is not convinced that the working conditions of appellant's employment have increased the risk of her contracting her ailment of recurrent functional bleeding." The ECC further ruled that these working conditions could only have aggravated, but definitely could not have caused petitioner's illness, and since aggravation under P.D. No. 626 is not a ground for compensation, petitioner is not entitled to any employee's compensation benefits.

In her petition, petitioner submits for adjudication the following questions, to wit: (1) whether the working conditions under which petitioner was employed could have caused the illness of recurrent functional bleeding; and (2) if the answer to the above is in the affirmative, whether in the particular case of petitioner her working conditions did cause her aforesaid illness and not merely aggravated the same. Petitioner, however, in her Memorandum rests her present appeal on the resolution of the following question: whether or not the illness of petitioner is service-incurred and not merely service-aggravated.

Respondent GSIS contends: (1) that the petitioner has no cause of action against the respondent GSIS which should not have been made a respondent in the first place; (2) that the findings of the respondent ECC sought to be reviewed are findings of facts which are supported by substantial evidence and are no longer open for review; and (3) that petitioner's illness of recurrent functional bleeding could not have been caused by her working conditions.

On the part of the respondent ECC, it is contended that the factual finding of the respondent Commission shows that there was no direct causal link between petitioner's ailment and the working conditions obtaining in her employment and this factual finding of the respondent Commission is deemed conclusive, it being based on substantial evidence.

The factual finding of the respondent Employees Compensation Commission state the following:

"The appellant has been employed as a nurse at the Silay General Hospital, Silay City, since December 1965. As such, her duties consist of attending to emergency cases, giving injections and treatment; moving patients by stretcher and wheel chair to and from the emergency room; "teaching health"; assisting doctors on minor operations and examinations; procuring supplies; sterilizing instruments and doing other aspects of nursing work. From April 1, 1975 to August 31, 1975, she went on leave from her work, presumably due to her ailment, the subject-matter of this claim, which is recurrent functional bleeding. She attributes her increased and prolonged vaginal bleeding to her alleged constant exposure to infection, fatigue due to excess work and stress and strain during emergencies.

On August 5, 1975, her claim for compensation was denied by the respondent System on the ground that her illness is not an occupational disease, it having been merely aggravated by the nature of her work as a nurse and, therefore, not compensable. In its letter of affirmation dated August 13, 1975, following appellant's motion for reconsideration, the respondent held that her recurrent uterine bleeding is actually caused by several diseases that afflicted her reproductive organs, such as chronic cervicitis with squamous metaplasia and surface erosions, endometrial proliferation, cystic follicles of both ovaries, and hydatid cysts of Morgagni of left fallopian tube. In her appeal to this Commission, the appellant insists that while it is true that these several pathologies affecting her reproductive organs were the actual causes of her recurrent bleeding, the working conditions of her employment, such as infection, fatigue and stress and strain, increased the risk of contracting the ailment."

Upon the above finding, the respondent Employees Compensation Commission ruled:

"We are not convinced that the working conditions of appellant's employment have increased the risk of her contracting her ailment of recurrent functional bleeding. We believe that the maladies in her reproductive organs, working alone and independently of the working conditions cited by her, are solely responsible for bringing about the ailment. This is even admitted by the appellant herself in her letter of appeal. These pathologies are not shown by the evidence on record to have been caused by such working conditions that would have otherwise justified a finding of a causal connection between the consequent illness and the work. In fact, it is medically recognized that chronic cervicitis with a squamous metaplasia and surface erosions, which affect the cervix found at the junction of the vagina and the uterus, are caused by frequent sexual contact or by infection of venereal disease; and that endometrial proliferation, which also affects the uterus, and cystic

follicles of the ovaries and hydatid cysts of Morgagni of the fallopian tube, all result from dysfunction of the ovarian and pituitary hormones. This hormonal imbalance is in turn brought about by natural causes and definitely not by infection due to exposure to diseased persons, or by fatigue or by stress and strain. Hence, it is difficult to relate the recurrent functional bleeding of the appellant, which is caused directly by these diseases, to the kind of work she is engaged in.

What surfaces from the facts as established by the evidence on record is that this illness is caused by these diseases of the reproductive organs of the appellant and is merely aggravated by the working conditions cited by her. However, as correctly pointed out by the respondent System, aggravation under Presidential Decree No. 626 has been taken out as a ground for compensation."

In her Letter dated August 7, 1975 requesting reconsideration of the denial of her claim for compensation by the Assistant General Manager, Medicare-Employees Compensation, GSIS, petitioner described the working condition of her employment which increased the risk of contracting her illness, thus –

"I have been working with the hospital for the past ten years and my menstrual bleeding has always been normal meaning it is moderate and lasts only 3 to 5 days.

I am in charge of both the emergency room and the outpatient department. Now with the advent of the new society people have become health conscious and the number of patients have multiplied four times and still I am the only one nurse assigned in the same departments so much so that I have to go back and forth to the emergency room and to the outpatient department and due to the many emergency cases I have to be standing for long hours. Lately due to acute lack of personnel the institution worker assigned with me was transferred to the main building. There was no helper and I have even to push the stretcher and wheelchair and also lift patients bodily up the exami-ning or the emergency table.

Last January 8, 1975 we have so many patients and I have to push the stretcher back and forth to the wards and back to the emergency room and vice-versa. After helping lift a semi conscious patient from the stretcher to the emergency table I started to bleed profusely so much so that I was admitted and given intravenous hemostatics. After discharge I went back to work but every time I exert so much effort in helping patients and also when I am kept standing for so long assisting in emergencies I begin to have profuse bleeding. It became recurrent every time I exerted effort that the doctors in the hospital advised me to stop working and seek treatment. All during the times that I was bleeding on and off I was taking premarin, a hormone add several hemostatics but to no avail because every time I'm extremely busy I begin to bleed. I can honestly say that my illness is directly caused by my employment because I only bleed profusely when there is extra ordinary pressure of work which I have to perform as an emergency room nurse and out-patient and treatment room nurse plus the fact that I have no more institution worker with me. I can honestly conclude that my illness is not a case of aggravation because the illness so named does not exist before but only after the increase of my working condition in the hospital that I have to do so many extra work which I do not usually do before.

All these past years I have normal menstruation. Now Hysterectomy was done due to prolonged and profused bleeding unrelieved by hormones hematinics and hemostatics which proves that it is not hormonal in nature but due to exerting efforts and long standing while doing my duties as emergency room nurse and out-patient nurse whose duties are innumerable and unlimited."

Petitioner reiterates in her Letter of August 20, 1975 appealing to the ECC and stressing that her ailments were not pre-existing, but were acquired by her in the course of employment and that the risk of contracting them were increased by her working condition, that is, constant exposure to infection, fatigue due to excess work, and stress and strain during emergencies.

In affirming the decision of the GSIS which dismissed petitioner's claim, the respondent Employees Compensation Commission committed an error. Respondent ECC's ruling is not correct for under present

jurisprudence as enunciated in *Corrales vs. Employees Compensation Commission*, L-44063, February 27, 1979, 88 SCRA 547, that where the injury or illness accrued prior to January 1, 1975, the same shall be decided under the Workmen's Compensation Act, not under the New Labor Code and that the Employees Compensation Commission is duty-bound to apply the provisions of the Workmen's Compensation Act with respect to claims accruing as in the present case prior to the New Labor Code, as successor to the defunct Workmen's Compensation Commission.

As the record shows, petitioner began suffering from functional bleeding from October, 1974 to July, 1975 as stated in the "Report of Injury/Sickness/Death" signed by Dr. Rogelio B. Cuevas, Chief of the Silay General Hospital. Hence, petitioner's claim for illness compensation accrued in October, 1974. Article 292 of the New Labor Code which requires that Workmen's Compensation claims accruing prior to the New Labor Code shall be filed with the appropriate regional offices of the Department of Labor not later than March 31, 1975, otherwise they shall forever be barred, does not apply to petitioner who filed her claim on July 24, 1975 with the GSIS because the Supreme Court has held repeatedly in a long line of decisions that the prescriptive period for claims which accrued under the Workmen's Compensation Act, as amended, is ten years, it being a right founded on statute. Petitioner's right accrued as early as October, 1974 and, therefore, is a vested right. (*Corrales vs. Employees Compensation Commission*, supra).

Since the law applicable and governing petitioner's claim is the Workmen's Compensation Act, the jurisprudence and the Act itself recognize as ground for compensation illness directly caused by such employment, or either aggravated by or the result of such employment. Thus, Section 2 of the Workmen's Compensation Act, as amended, provides:

"Sec. 2. Grounds for compensation. - When an employee suffers personal injury from any accident arising out of and in the course of his employment, or contracts tuberculosis or other illness directly caused by such employment, or either aggravated by or the result of the nature of such employment, his employer shall pay compensation in the sums and to the persons hereinafter specified. The right to compensation as provided in this Act shall not be defeated or impaired on the ground that the death, injury or disease was due to the negligence of a fellow servant or employee, without prejudice to the right of the employer to proceed against the negligent party."

It is not also disputed that since claimant's illness supervened in the course of or during her employment which began in December, 1965 as shown in her service record as nurse in the Silay General Hospital, a disputable presumption arises that the illness arose out of or was aggravated by her employment and consequently compensable without need of further proof. The burden to overcome such presumption is shifted to the door of the employer which the latter must do so by substantial evidence. (*Caoili vs. Republic and WCC*, L-43006, February 28, 1979, 88 SCRA 736; *Metropolitan Waterworks, et al., vs. WCC*, L-43555, February 28, 1979, 88 SCRA 745; *Manila Times Publishing Co. vs. WCC*, L-42774, February 28, 1979, 88 SCRA 729).

The claim of the petitioner is supported not only by the presumption We have stated above but by clear, convincing and substantial evidence which she has presented. We find in the records Annex "A" (Report of Injury/Sickness/Death) signed by Dr. Rogelio B. Cuevas describing petitioner's sickness as recurrent functional bleeding, stating the date of her illness as from October, 1974 to July, 1975 (which is admittedly during the period of employment of petitioner as Staff Nurse of the Silay General Hospital) and the medical finding that the recurrent functional bleeding or increased and prolonged vaginal bleeding was due to pressure of work while attending to patients in the Outpatient Department and Emergency Room. The records also include the certification of Dr. Josefina Aragon of the Philippine General Hospital, attesting to the hospitalization claim for payment of the petitioner who was admitted in said hospital from April 17, 1975 to May 4, 1975; also the medical

certificate on the history, laboratory examination and prescription given to petitioner by her attending physician, Dr. Wevina Legarda. The above certificates are found in the Records of the case docketed as Case No. 0012 of the Employees Compensation Commission.

The case of *Almaiz vs. Workmen's Compensation Commission*, L-42794, August 31, 1978, 85 SCRA 144, is very similar to the case at bar, where petitioner, Nenita Almaiz, a Senior Resident Physician of the Corazon Locsin Montelibano Memorial Hospital, Negros Occidental, filed a claim for compensation due to her illness diagnosed as Myoma Uteri which necessitated a surgical operation known as panhysterectomy, resulting in the removal of the uterus, both ovaries and tubes, and ultimately depriving the patient of her reproductive system. As Head of the Obstetrics and Gynecology Department, Dr. Almaiz attended to at least 50 to 60 patients everyday and her daily routine required climbing several flights of the stairways from her office at the second floor of the hospital. While on hospital duty, she suffered excruciating stomach pains which her physician diagnosed as Myoma Uteri and certified by the physician as the result of the nature of her employment or due to pressure of work. She went on sick leave and although charged to her sick leave credit, she was granted a maximum compensation of P6,000.00 plus attorney's fees by the Workmen's Compensation Commission.

In said Almaiz case, the Supreme Court said:

"Moreover, the presumption of compensability under Section 44 of the Workmen's Compensation Act has not been overcome, there being no substantial evidence presented by respondent employer to the contrary. A bare denial of the causal link will not suffice. There must be positive proof to show that the illness was caused primarily by factors extraneous to the employment, such as conditions inherent in petitioner's physical constitution and that aggravation thereof was due to circumstances of her personal life and habits, including negligence or fault. In the instant case, petitioner's daily routine as a resident physician, particularly in conducting her regular rounds to some 50 to 60 patients a day in the hospital and her frequent use of the stairways, involve considerable physical exertion and movement that aggravated her illness.

That petitioner's illness supervened in the course of employment is beyond dispute, hence the establishment of a causal link between the nature of employment and the illness is not anymore necessary, for the presumption of causation or aggravation applies. In other words, that the illness arose out of the employment, or was aggravated by or the result of the nature of said employment. The function of a presumption is precisely to dispense with the need for proof, and the burden to overthrow the presumption and to disconnect, by substantial evidence, the injury or sickness from employment, is laid down by the statute at the door of the employer."

We granted compensation to the petitioner in the Almaiz case in the amount of P6,000.00, the maximum amount allowed by law pursuant to Section 18 of the Workmen's Compensation Act, interpreting the same as to include the injury or loss suffered by her (removal of her ovaries, uterus and fallopian tubes) under its coverage within the term "in all other cases of this kind of disability not mentioned in other sections of this Act."

In the case at bar, petitioner Sonia Villones was similarly operated upon for the removal of her ovaries, uterus and fallopian tubes. There is no reason why We should not grant her the same right to recover compensation therefor. She is also entitled to the reimbursement of her expenses for such medical, surgical, and hospital services and supplies as the nature of the injury or sickness may require in accordance with Section 12 of the Workmen's Compensation Act, as amended. Petitioner is also entitled to the benefits provided under Section 13 of the Act, as amended, which provides that "immediately after an employee has suffered an injury or contracted sickness and during the subsequent period of disability, the employer or insurance carrier shall provide the employee with such services, appliances and supplies as the nature of his disability and the process of his recovery may require; and that which will promote his early restoration to the maximum level of his physical capacity x x x."

The evidence submitted by her and found in the records elevated from the ECC, ECC Case No. 0012, consisting of the receipts and the amounts paid by her for hospital bills, medical attendance, surgical operation, clinical and laboratory services, medicines and drugs purchased and nursing attendance total the sum of Three Thousand Six Hundred Fourteen and 15/100 Pesos (P3,614.15) which the petitioner is entitled to reim-bursement.

WHEREFORE, IN VIEW OF ALL THE FOREGOING, the decision appealed from is hereby REVERSED and set aside, and a new one is hereby entered ordering the respondent Government Service Insurance System:

- To pay the petitioner compensation in the amount of Six Thousand Pesos (P6,000.00), the maximum amount allowed by law pursuant to Section 18 of the Act;
- To reimburse petitioner her expenses for medical, surgical, nursing and hospital services, including medicines and drugs in the total amount of Three Thousand Six Hundred Fourteen Pesos and Fifteen Centavos (P3,614.15); and
- To pay the administrative costs.

SO ORDERED.

Teehankee, (Chairman), Makasiar, Fernandez, De Castro, and Melencio-Herrera, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.