

FLORENTINO R. MATTA, PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND DEVELOPMENT BANK OF THE PHILIPPINES, RESPONDENTS.

G.R. No. L-43280. December 26, 1984

Ponente: CUEVAS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/1e5856554390/>

CUEVAS, J.:

This petition seeks the reversal of the decision dated February 20, 1976, rendered by respondent Workmen's Compensation Commission (now Employees Compensation Commission) in R04-WC, Case No. 166653, denying petitioner's claim for compensation filed pursuant to Section 2 of Act 3428, as amended by Republic Act No. 4119, which provides -

"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 sum and to the person hereinafter specified. x x x"

Petitioner Florentino R. Matta was first employed by the defunct Rehabilitation Finance Corporation (RFC), now respondent Development Bank of the Philippines (DBP), on January 1, 1947 as a chief guard with an annual salary of P2,160.00. He served as such up to May 2, 1960. From May 3, 1960 to July 3, 1960, he was appointed as a collateral clerk. From August 1, 1960 up to his retirement on October 31, 1972, he was an assistant purchasing officer with an annual salary of P5,856.00.[1] His duty as a chief guard was to supervise all the security guards during the day and at nighttime and to see to it that properties of the respondent were taken care of. As a clerk, he composed and typed letters, invoices and correspondences. As an assistant purchasing officer, he took charge of purchasing equipment, materials and supplies for the respondent and assisted in the canvassing of the same.[2]

After passing the pre-employment medical check-up, petitioner was appointed chief guard. He was found physically fit for work and free from any ailment. While in the performance of his official duty as such chief guard, he met an accident on January 18, 1960 when fire broke out at the second floor of the building of the respondent. Petitioner's eyes, while trying to extinguish the fire, were sprayed by a fire extinguisher with its poisonous caustic soda. His face was almost burned including part of his body. He was hospitalized for this injury at the instance of respondent Development Bank of the Philippines. From then on, petitioner experienced blurring of eyes' vision. He was in regular consultation with Dr. Ovidio T. Rous, Jr. and Dr. Conrado Banzon, an EENT specialists. On August 19, 1966, petitioner was admitted at the UST Hospital again at the instance of respondent Development Bank of the Philippines. He was operated for "cataract-bilateral". Petitioner's blurring of eye-vision with cataract on both eyes was coupled with diabetes mellitus and heart ailment. These were all contracted while petitioner was in the employ of the respondent Development Bank of the Philippines.

Petitioner retired from the service, upon advise of his attending physicians on October 3, 1972, at the age of 62 years and 26 days.

On March 30, 1975, petitioner filed a Notice of Injury or Sickness and Claim for Compensation[3] alleging among others that he was forced to retire a ground of disability by reason of the illness he contracted while in the service of private respondent.

On October 2, 1975, respondent Development Bank of the Philippines filed an Answer to Notice and Claim for Compensation[4] stating that it desired to controvert said claim; that the illness of "cataract-bilateral" was not considered compensable and petitioner's work as assistant purchasing officer could not have caused and/or aggravated his illness.

In an Order dated October 23, 1975, petitioner's aforesaid claim for compensation was denied by Acting Referee Gerardo D. Rabanes[5] on the ground that "his duty as Assistant Purchasing Officer is not in anyway related to his illness (loss of eye-vision)".

On appeal to the respondent Commission, the said Order of dismissal and/or denial of claim was affirmed, respondent Commission ruling that -

"The claim is predicated on a service-connected illness diagnosed as "cataract-bilateral" which is not compensable under the Act 3428, as amended, on the ground that said illness is the result of the aging process. Besides, there is no showing in the records of any evidence to support the claim except the self-serving statement found in Item Nos. 14 & 15 of the Notice & Claims, which, under the rules, is not considered as evidence. Therefore, the Commission finds no reason to reverse the findings of the Unit a quo dismissing the claim for lack of merit."

Hence, the instant petition.

Petitioner alleges that his ailment (cataract-bilateral, coupled with diabetes and heart ailment) is work-connected and that the presumption of compensability under the Workmen's Compensation Act should favor him.

Respondent, upon the other hand, maintains that the claim is not compensable because petitioner's illness was not directly caused by his employment, or was either aggravated by or the result of the nature of such employment.

We find the questioned order of dismissal unwarranted and unjustified.

Section 44 of the Workmen's Compensation Act clearly provided that in any proceeding for the enforcement of the claim for compensation, it shall be presumed, in the absence of substantial evidence to the contrary, that the claim comes within its provisions. Said section unequivocally established a presumption of compensability although disputable by substantial evidence. It then becomes the duty of respondent employer to show that the claim does not come within the coverage.[6]

Thus, this Court in a lot of compensation cases has consistently and repeatedly upheld the presumption of compensability. In *Magalona vs. Workmen's Compensation Commission*, 21 SCRA 1199, it was therein ruled that

-

"It is now unquestionable that once the illness supervened at the time of the employment there is a rebuttable presumption that such illness arose out of the employment or was at least aggravated by such employment. Thus, the precise medical cause of the illness is not legally significant, as long as the illness supervened in the course of the employment. The presumption of causation or aggravation then applies. The burden to overthrow the presumption and to dis-connect by substantial evidence the injury or sickness from employment is laid by the statute at the door of the employer. In the case at bar no substantial evidence exists to overcome said presumption."

And finally, in the following recent cases, We reiterated that -

"In any case, whether his claim was based on the first illness in 1959 or the last hospitalization in 1973, it is not disputed that his illness supervened in the course of employment and the same was never controverted by his employer. Hence, under the Workmen's Compensation Act, petitioner is freed from the burden of proving that his illness or injury was caused or aggravated by the nature of his work. In fact, the cause of his ailment is immaterial; what is important is that it occurred or was aggravated in the course of employment and disabled the workman from pursuing his ordinary occupation (G.B. Francisco, Inc. vs. Workmen's Compensation Commission, 87 SCRA 23, 30). The presumption of compensability had already set in x x x 'Because once an illness, subject matter of a compensation claim is shown to have supervened in the course of employment, the said illness either arose out of or at least was aggravated by the nature of claimant's employment; and consequently, the burden to show by substantial evidence the contrary lies with the employer. And the ultimate result of that principle is that the presumption rebuttable at its inception, becomes conclusive upon the failure of the respondent employer to destroy the same' (Enriquez vs. Workmen's Compensation Commission, et al., G.R. No. L-42640, September 28, 1979). (Cañeja vs. ECC, et al., L-46992, March 31, 1980, 96 SCRA 896, 897)

It is undisputed that the deceased contracted his ailment during his employment as epidemiological aide of respondent employer. Accordingly, petitioners have in their favor the disputable presumption that when the illness supervenes, during employment, it is to be presumed that the sickness either arose out of or was at least aggravated by the nature or conditions of his work and is compensable. With this presumption, the burden of proof shifts to the employer and the employee is relieved of the burden to show causation. To the employer then is shifted the burden of proof to establish compensability. In the present case, respondent employer has failed to overthrow by substantial evidence the statutory presumption." (Villason vs. Republic of the Philippines, L-47075, April 8, 1981, 104 SCRA 102)

In the case at bar, petitioner did not only rely on this legal presumption - - that his ailment was caused and/or aggravated by his work - - and therefore legally compensable. The evidence on record shows that petitioner, when first employed by respondent, was found physically and mentally healthy and free from any ailment, but that on January 18, 1960, while then still a chief guard charged among others with the protection of respondent's properties, he met an accident. His eyes were sprayed with "caustic soda" emitting from the fire extinguisher while in the process of putting out the fire that gutted the second floor of respondent's building.[7]

Then too, there is the report[8] of his attending physician, Dr. Ovidio R. Rous, Jr., which shows the following -

"8. Cause of injury or illness: Cataract, bilateral, more serious on the right.

9. (a) Was the injury or illness caused by accident due to and in pursuance of the employment? Yes.

x x x x x x x x

x x x x x

(c) Or aggravated by the employment? Yes.

x x x x x x x x

x x x x x

12. When did you first administer treatment to the sick or injured? Date: July 18, 1960

13. When did you last administer treatment to the sick or injured? Date: July 28, 1966

x x x x x x x x

x x x x x

20. Has the injury resulted in permanent total disability for labor? Yes, because he cannot see what he is doing unless operated and then fitted with glasses.

GENERAL REMARKS

(Please give full explicit details on the case)

Subject consulted undersigned January 18, 1960 because of gradual blurring of vision (cataract) more on the rt. but had advised the subject to undergo eye operation by an eye specialist."[9]

It must be noted that respondent did not pre-sent any evidence to substantiate its contention that petitioner's illness was not work-connected. It was incumbent upon respondent to offset the presumption of compensability of petitioner's claim with stronger and more conclusive evidence.[10]

Moreover, in compensation cases, strict rules of evidence are not applicable. A reasonable work-connection is all that is required or that there was a showing that the risk of contracting the disease is increased by the working conditions.[11] For the test of evidence in compensation cases or the relation of the disease with the employment is probability and not certainty.[12] In fact, the cause of the ailment is even immaterial; what is important is that it occurred or was aggravated in the course of employment.[13]

The contention, therefore, of private respondent that petitioner's illness is not compensable because it is the result of the aging process, is not well-taken. It is a new conjecture. In the case of *Bautista vs. Workmen's Compensation Commission*, 80 SCRA 319, reiterated in the case of *Belatero vs. Workmen's Compensation Commission*, 95 SCRA 608, this Court held that "while we do not discount the possibility that such ailments may be caused by the aging process x x x none-theless that fact alone will not be sufficient to remove the ailment from the periphery of compensable disabling diseases under the Workmen's Compensation Act. The law applies to the young as well as to the aged, and while advancing age may be a contributing factor to the occurrence of an injury, the constant physical and mental exertions, strain and tensions are equally contributing and aggravating causes which render the resulting disabling injury or ailment compensable under the law." In consonance with the spirit of social justice and the humane character of the law, the exact cause of the ailment suffered by the claimant is not significant and the possibility that factors other than the employment, such as advancing age, may have contributed to the development of the ailment, is not a drawback for what is material and decisive is that the employment contributed even in a small degree in causing or aggravating the ailment.[14]

And finally, respondent's alleged controversion was filed only on October 2, 1975,[15] way beyond the period allowed by law. Having received notice of petitioner's ailment, respondent should have filed its notice to controvert the right to compensation on or before the fourteenth day of disability or within ten days after it had knowledge of the illness as required by Section 45 of the Workmen's Compensation Act.[16] The records show that aside from the off and on absence of petitioner starting January 18, 1960, due to the injury or accident that arose in the course of his employment, petitioner was disabled for work for two weeks from July 28, 1966 and one month after August 19, 1966 when he was operated on his right eye. Respondent knew that petitioner was admitted at the UST Hospital on August 19, 1966 for it was even instrumental in petitioner's, admission for operation. No reasonable controversion was however registered by respondent either within fourteen days from disability or within ten days from knowledge of the illness or injury as required by Sec. 45 of the Workmen's Compensation Act. The failure of respondent to comply with the required notice of controversion constituted a renunciation of its right to controvert the claim.

"Considering therefore that the injury sustained by the claimant arose out of and in the course of his employment and respondent company having failed to controvert the right of the claimant within the ten-day period prescribed in Section 45 of the Act, the compensability of the present claim, its reasonableness and

validity is now beyond challenge. The absence of controversion is fatal to any defense that petitioner could interpose. (Regal Auto Works, Inc. vs. Workmen's Compensation Commission, 67 SCRA 207)"

In any event, all doubts in the implementation and interpretation of the labor laws, should always be resolved in favor of the laborers or workers.[17]

WHEREFORE, the decision of the respondent Workmen's Compensation Commission is hereby REVERSED and respondent Development Bank of the Philippines is here-by ordered -

1. To pay petitioner the sum of Six Thousand Pesos (P6,000.00) as disability compensation benefits;
2. To reimburse petitioner's medical and hospital expenses in the amount of P500.00;
3. To pay petitioner Six Hundred Pesos (P600.00) as attorney's fees; and
4. To pay the costs.

SO ORDERED.

Makasiar (Chairman), Concepcion, Jr., Escolin, and Gutierrez, Jr., JJ., concur.

Aquino and Abad Santos, J., no part.

[1] Annex "E", Petition, page 20, Rollo.

[2] Memorandum for the Development Bank of the Philippines, page 4; Page 50, Rollo.

[3] WCC Form No. 1; Annex "A", Petition, page 16, Rollo.

[4] Annex "B", Petition; Page 17, Rollo.

[5] Annex "F", Petition; Page 21, Rollo.

[6] Panaqui vs. Employees' Compensation Commission, 121 SCRA 65; Evangelista vs. Employees' Compensation Commission, 111 SCRA 64; Jimenez vs. Employees' Compensation Commission, 111 SCRA 94.

[7] Annex "C", Petition; Page 18, Rollo.

[8] Annex "D", Petition; Page 19, Rollo.

[9] Annex "D", id.

[10] Felarca vs. Bookman, Inc., 127 SCRA 276; Mariwasa Manufacturing, Inc. vs. Workmen's Compensation Commission, 127 SCRA 306; Gonzaga vs. ECC, 127 SCRA 672; Olbes vs. Workmen's Compensation Commission, 117 SCRA 887.

[11] San Valentin vs. ECC, 118 SCRA 160; Gutierrez vs. Sec. of Labor, 115 SCRA 300.

[12] Acosta vs. ECC, 109 SCRA 216; NHC vs. Work-men's Compensation Commission, 79 SCRA 281.

[13] G.B. Francisco, Inc. vs. Workmen's Compensation Commission, 87 SCRA 22.

[14] Abana vs. Quisumbing, 22 SCRA 1278; Natividad vs. Workmen's Compensation Commission, 85 SCRA 115.

[15] Annex "B", Petition; Page 17, Rollo.

[16] Olbes vs. Workmen's Compensation Commission, *supra*.

[17] Ondoy vs. Ignacio, 97 SCRA 611.

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.