

VICENTE C. GALANG, PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND SAN MIGUEL CORPORATION, RESPONDENTS.

G.R. No. L-41893. August 27, 1976

Ponente: MARTIN, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/329c029b8aff/>

MARTIN, J.:

Petition for review of the decision of the Workmen's Compensation Commission disallowing the claim for disability benefits of the petitioner in WCC Case No. 154250 (79-XXIX).

Petitioner was employed as a laborer by private respondent San Miguel Corporation for twenty-four (24) years from 1946 up to March 8, 1970 with a daily wage of P12.95. His work consisted mainly of loading beer boxes on trucks and on ships at the pier. In the early part of February, 1970, he became sick. His attending physician diagnosed his illnesses as "Hypertrophic Rheumatoid Arthritis, Essential Hypertension, Articular Arthritis and Ulcer (Chronic)." Due to his ailments, he was constrained to apply for retirement under the Health, Welfare and Retirement Plan of private respondent effective March 8, 1970. His application for retirement was duly approved. On June 14, 1974, he filed a notice of sickness and claim for compensation with the Workmen's Compensation Unit, Regional Office No. 4, Department of Labor, Manila. In due time private respondent controverted the claim on the ground that petitioner's illnesses have no causative relation with his employment.

On April 24, 1975, the Hearing Officer rendered his decision based on the affidavit and other documents submitted by the parties, the dispositive portion of which reads:

"WHEREFORE, decision is hereby entered in favor of the claimant and the respondent is ordered to pay:

- a) To the claimant, thru this office, the total amount of SIX THOUSAND PESOS (P6,000.00) as compensation benefits;
- b) To claimant's legal counsel Atty. Alfonso Osias, the amount of THREE HUNDRED PESOS (P300.00) as attorney's fee pursuant to Section 31 of the Act, as amended; and
- c) To this Office, the amount of SIXTY ONE PESOS (P61.00) as administrative cost, pursuant to Section 55 of the Act, as amended."

A motion for reconsideration of the foregoing decision was denied. On appeal to the Workmen's Compensation Commission, the latter reversed the aforesaid decision and dismissed the claim of petitioner for lack of merit.

Petitioner now comes before Us, by way of the present petition^[1] charging the respondent Commission with grave abuse of discretion:

- (a) In reversing the decision of the Hearing Officer/Referee dated April 24, 1975 by holding that there is no substantial proof to justify a finding of compensability in favor of the claimant-petitioner; and
- (b) In ruling that said claimant-petitioner was not disabled while employed with private respondent or was not

suffering from disabling sickness.

In reversing the decision of the Hearing Officer the respondent Commission sustained the claim of the private respondent that the petitioner was not suffering from any disabling illnesses at the time he retired from the service; that the physician's report on the alleged illnesses of petitioner is not a substantial proof that he was in fact suffering from and actually disabled for work on or before March 8, 1970, the effective date of his retirement; that his supposed illnesses "Hypertrophic Rheumatoid Arthritis, Essential Hypertension, Articular Arthritis and Ulcer (Chronic)" are not per se disabling and that when the petitioner retired, he was paid the corresponding retirement benefits in the amount of P7,000.49 under its Health and Welfare Retirement Plan which could be the moving factor that made him retire aside from his desire to stay healthy and live longer.

The records show that petitioner had been working with private respondent for more than 24 years as a laborer by loading beer boxes in trucks and in ships at the pier. The very nature of his work subjected him to severe physical exertion and exposed him to the elements. In the early part of February, 1970 he became ill. His attending physician found him to be suffering from "Hypertrophic Rheumatoid Arthritis, Essential Hypertension, Articular Arthritis and Ulcer (Chronic)." According to the physician's report his illnesses were aggravated by the very nature of his work. The fact cannot be disputed then that the illnesses of petitioner have set in during the course of his employment. It is a well settled doctrine that once it is shown that the illness supervened during employment there is the legal presumption that the illness arose out of or at least aggravated in the course of his employment and the burden shifts to the employer to overthrow by substantial evidence, the presumption that the sickness or injury arose out or was aggravated by the employment.[2] Once the sickness or injury is shown to have supervened in the course of employment, the claimant is relieved from proving causation.[3] In the case at bar, petitioner has established thru the report of his attending physician that his ailments, namely "Hypertrophic Rheumatoid Arthritis, Essential Hypertension, Articular Arthritis and Ulcer (Chronic)" were aggravated by the nature of his employment. On the other hand private respondent has not adduced any evidence to show otherwise. All that private respondent pointed out to the respondent Commission was that petitioner was not incapacitated at the time that he retired from the service on March 8, 1970; that the supposed illnesses of petitioner could have taken place after he was already retired and that the petitioner himself admitted in his application for retirement that his decision to retire was prompted by his "desire to stay healthy and live longer."

A careful scrutiny of the context of the letter of petitioner reveals that:

"The writer regrets very much this decision he had reached but he was actually prompted to retire early (24 years service only) because of a feeling that his strength is gradually sagging due to his work. Much as he desires to stay a little longer more just to reach even the 25th year of his service, his other desire, however, to stay healthy and live longer overwhelms it."

It is thus clear from the foregoing that the compelling reason of the petitioner in applying for retirement was his declining state of health. This was explicitly supported by his affidavit (Annex J, Petition):

"7. That my illness/disability arose out of and in the course of my employment with respondent and was aggravated by the nature of my work as laborer of respondent lifting heavy loads such as boxes of beer everyday over 20 years;

"8. That I took medicines for the treatment of my disability, but just the same it became worst until I could no longer perform my work as laborer so that I was forced to apply for retirement on February 26, 1970 as evidenced by a xerox copy of my letter-application for retirement;

"9. That by reason of the fact that I was really suffering from disability which was contracted in the course of my employment with respondent, my application for retirement due to disability was approved by respondent

under the Health, Welfare and Retirement Plan of the company effective March 8 and I was even paid retirement benefits by the company, x x x;"

In fact it was due to his disability that he was awarded disability benefits by the Social Security System. Accordingly the petitioner should be entitled to compensation under Section 2 of the Workmen's Compensation Act.[5] Considering that petitioner was forced to retire from the service due to his disability to continue with his work with private respondent, he should be entitled to disability compensation benefits authorized by the Workmen's Compensation Act for persons suffering from permanent disability.[6]

WHEREFORE, the decision of the respondent Workmen's Compensation Commission is hereby reversed and the award made by the Labor Hearing Officer reinstated and restored.

No pronouncement as to costs.

SO ORDERED.

Teehankee, (Chairman), Makasiar, Muñoz Palma, and Concepcion, Jr.,[*] JJ., concur.

[1] page 16, Rollo.

[2] Maria Cristina Fertilizer Corp. vs. WCC, 60 SCRA 228; Talip vs. WCC and Phil. Packing Corp., G.R. No. L-42574, May 31, 1974; Simeon vs. Republic (Supreme Court), G.R. No. L-42510, June 30, 1976; Magalona vs. WCC & Nassco, L-21848, Dec. 31, 1967, citing ITEMCO vs. Florzo, supra. Also Vda. de Acosta vs. WCC, L-19772, Oct. 31, 1964.

[3] Magalona vs. WCC & Nassco, supra, citing Justiniano vs. WCC, L-22774, November 21, 1966; citing also Agustin vs. WCC, L-19957, Sept. 29, 1964.

[4] Par. 2 of Letter.

[5] "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 person hereinafter specified. x x x."

[6] "SEC. 14. Total disability. - In case the injury or sickness causes temporary total disability for labor, the employer shall, during such disability, pay to the injured employee a weekly compensation equivalent to sixty per centum of his average weekly wage but not less than fourteen pesos per week, except in the case provided for in the next following paragraph. No compensation shall be allowed for the first three calendar days of incapacity resulting from an injury except the benefits provided for in the preceding section; but if the incapacity extends beyond that period, compensation shall be allowed from the first day of such incapacity. Such weekly payments shall in no case continue after the disability has ceased, nor shall the aggregate sum paid as compensation exceed in any case six thousand pesos. But no award of permanent disability shall take effect until after two weeks have elapsed from the date of injury.

In the case of an employee whose average weekly wages are less than fourteen pesos per week, the weekly compensation shall be the entire amount of such average weekly wages, but if the disability is permanent, the compensation shall be fourteen pesos in such case, in the event that the total disability begins after a period of partial disability, the amount of compensation due for the latter and for any other disability shall not exceed the maximum amount of six thousand pesos."

[*] Designated to sit in the First Division.

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.