

LEONCIA MAGAT, PETITIONER, VS. THE WORKMEN'S COMPENSATION COMMISSION AND THE REPUBLIC OF THE PHILIPPINES (BUREAU OF PUBLIC SCHOOLS), RESPONDENTS.

G.R. No. L-43705. December 21, 1977

Ponente: MAKASIAR, J.

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MAKASIAR, J.:

This is a petition to review the decision of the Workmen's Compensation Commission reversing the award of the compensation benefits made by the Acting Referee of Regional Office No. 4, Manila, in favor of herein petitioner.

Petitioner was first employed by the respondent Bureau of Public Schools in 1941 as a classroom teacher. "In 1969, claimant began complaining of dizziness, pains on the back of her neck occasioned by general body weakness and blurring of vision. Her attending physician diagnosed her ailment to be malignant hypertension. Despite continuous treatment and medication, her ailment persisted until it reached a point that she could no longer continue rendering further service." And so, on January 14, 1974, upon advice of her attending physician, she retired from the service at the age of 63 years. (Findings of the Acting Referee Reg. No. 4, Workmen's Compensation Section, Manila, Annex A for petitioner, pp. 10, 11, rec.).

The records show that as classroom teacher, petitioner used to work from Monday thru Friday. However, when she became principal teacher, every afternoon and on Saturdays she used to conduct house visitations among her pupils and their respective parents about community development particularly the promotion of the "Green Revolution." In the process, she negotiates an average of one (1) kilometer a day under the hot sun and sometimes in the rain (Annex A for petitioner, p. 10, rec.). Petitioner's last position prior to her retirement was that of principal teacher, with compensation at the rate of Four Thousand One Hundred Eighty-eight (P4,188.00) Pesos per annum; her last leave of absence with pay, was from March 1 to April 3, 1973. She resumed working on April 4, 1973 up to January 13, 1974. On January 14, 1974, she retired from the government service.

On March 18, 1974, petitioner filed her claim for disability compensation benefits. In her Notice of Sickness and Claim for Compensation, petitioner alleged that she was a former classroom teacher in the Bureau of Public Schools; that she was suffering from malignant hypertension since 1969 which caused her to stop working on January 15, 1974; and that she contracted the said sickness in the course of her employment which was aggravated by the nature of her work.

After hearing, the Acting Referee rendered a decision (Annex A, Petition) awarding compensation benefits to petitioner for disability corresponding to the period from January 14, 1974 up to August 18, 1975 or a period of 826/7 weeks pursuant to Section 14 of Act 3428 as amended, and which was computed in the amount of P3,993.64, that is 60% of 80.53 average weekly wage or P48.32 multiplied by 826/7 weeks. However, on review, the respondent Workmen's Compensation Commission reversed the same and ordered the case dismissed for lack of merit.

In disallowing the award for disability compensation benefits, the respondent Commission ruled that:

"Hypertension is commonly a mere symptom of a disease and unless it is complicated by cardio-vascular disease or cerebro-vascular accident, cannot be considered a disabling illness. Claimant had not established any of these complications. Moreover, claimant had retired from the service and for almost one year immediately prior thereto, she was continuously working with respondent. Her service record does not show that she retired due to disability, hence, her claim is not covered by the compensatory provisions of the Workmen's Compensation Act, as amended" (Annex C, Petition, p. 14, rec.).

Petitioner insists that the decision of the Acting Referee (Annex A, Petition) had become final and executory on September 14, 1975 or after the lapse of fifteen (15) days after the respondent Bureau of Public Schools received the said decision on August 29, 1975, it appearing that no motion for reconsideration was filed; neither was there timely appeal interposed by the Bureau of Public Schools. Hence, respondent lost its jurisdiction to review the case.

There is no doubt that the respondent Republic of the Philippines received a copy of the decision of the Acting Referee on August 29, 1975 (Annex A, Petition). There is likewise no doubt that the said respondent Republic of the Philippines did not file either a petition for reconsideration or a notice of appeal with the Acting Referee, within the fifteen-day reglementary period. However, the respondent Republic of the Philippines, under Rule 22 of the Commission, can still file a petition to elevate records and for relief from judgment, which said respondent did on October 10, 1975, citing justifiable grounds therefor. The petition to elevate records was given due course by the Commission in its order of January 6, 1976 (Annex D).

It appears that on March 18, 1974, claimant Leoncia Magat filed with the Workmen's Compensation Unit, Regional Office No. 4, Manila, her claim for disability on the basis of her having been found to be suffering from malignant hypertension, occasioned by dizziness, headaches and of chest oppression and blurring of vision, being contracted during and in the course of her employment in the Bureau of Public Schools as a classroom teacher and later as a principal teacher, per her physician's report by Dr. Lilia Ramos Neis contained in WCC Form No. 4 dated August 29, 1974 (Exhibit B, Original Records). Dr. Neis further stated that the "rigors of teaching children, tension and fatigue, mental as well as physical, may aggravate" her disease contracted since 1969.

The contention of the public respondent that hypertension is merely a "symptom of a disease and unless it is complicated by cardio-vascular disease or cerebro-vascular accident, cannot be considered a disabling illness," is of no moment for the law presumes, in the absence of substantial evidence to the contrary, that a claim is compensable. So rigid is the rule that even where the cause of death is unknown the right to compensation subsists, the underlying philosophy or reason behind the Workmen's Compensation Act is that it is a social legislation designed to give relief to the working man (*Industrial Textile Mfg. Co of the Phil. vs. Florzo, et al.*, L-21969, August 31, 1966, 17 SCRA 1104; *Domingo Vallo vs. WCC & the Republic of the Philippines*, L-41816, Oct. 29, 1976). At any rate, in case of doubt the same should be resolved in favor of the claimant for the reason that the provisions of the Workmen's Compensation Act as a piece of social legislation must be liberally construed to attain the purpose for which it is enacted (*Ramon vs. Poblete, et al.*, 40 O.G. 3474). Thus, it has been held that courts have generally held that a spirit of liberality should characterize the interpretation of the Workmen's Compensation Act, for the reason that it is to be classed as remedial legislation (*Int'l. Harvester Co. vs. Industrial Commission*, 157 Wis. 167, 147 N.W. 53; *Am. Case* 1916 B. 330).

WHEREFORE, THE APPEALED DECISION OF THE RESPOND-ENT WORKMEN'S COMPENSATION COMMISSION IS HEREBY REVERSED AND SET ASIDE AND THE REPUBLIC OF THE PHILIPPINES (BUREAU OF PUBLIC SCHOOLS) IS HEREBY DIRECTED:

A. TO PAY

- (1) CLAIMANT LEONCIA MAGAT THE SUM OF P3,993.63 AS COMPENSATION BENEFITS;
- (2) CLAIMANT'S EXPENSES FOR MEDICAL AND HOSPITAL SERVICES DULY SUPPORTED BY PROPER RECEIPTS;
- (3) THE SUM OF P300.00 AS ATTORNEY'S FEES; AND
- (4) SIXTY-ONE [P61.00] AS ADMINISTRATIVE FEES; AND

B. TO PROVIDE THE CLAIMANT WITH SUCH SERVICES, APPLIANCES AND SUPPLIES AS THE NATURE OF HER DISABILITY AND THE PROCESS OF HER RECOVERY MAY REQUIRE AND THAT WHICH WILL PROMOTE HER EARLY RESTORATION TO THE MAXIMUM LEVEL OF HER PHYSICAL CAPACITY.

SO ORDERED.

Teehankee, (Chairman), Muñoz Palma, Martin, Fernandez, and Guerrero, JJ., concur.

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