

LEODEGARIA BAUTISTA, PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND THE REPUBLIC OF THE PHILIPPINES, DEPARTMENT OF EDUCATION AND CULTURE (BUREAU OF PUBLIC SCHOOLS), RESPONDENT

G.R. No. L-42885. November 23, 1977

Ponente: MUÑOZ PALMA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/6c375ed92e63/>

MUÑOZ PALMA, J.:

Leodegaria Bautista, petitioner-claimant in this proceeding, was appointed teacher in 1938 by the Bureau of Public Schools with assignment in Barrio Cabacungan Elementary School, municipality of Dulag, province of Leyte, and served continuously as such until she retired on March 23, 1975 at the age of 60 years, 5 months and 20 days as she was suffering from coronary arteriosclerosis which disabled her from continuing with her teaching. (pp. 20-21, rollo)

A claim for compensation against the Bureau of Public Schools was filed with Regional Office No. 9 of the Workmen's Compensation Unit, Tacloban City, and copy of said claim was sent on April 4, 1975, to the Office of the Solicitor General which did not file any controversion to the claim in behalf of the employer Bureau. (p. 12, *ibid.*)

A hearing was held by the Acting Referee, Mr. Fernando T. Collantes, during which the claimant and respondent Bureau were represented by counsel, and the parties agreed on the following stipulations:

xxx xxx xxx

"1. Employer-employee relationship;

"2. Salary in the amount of P4,303.00 per annum;

"3. That claimant has been assigned in Dulag, Leyte as public school teacher; and

"4. That claimant has retired under the Disability Retirement Plan." (p. 12, *ibid.*)

On August 15, 1975, the Hearing Officer rendered his decision with the following dispositive portion:

xxx xxx xxx

"WHEREFORE, premises considered judgment is hereby rendered in favor of the claimant Leodegaria Bautista as against the respondent Republic of the Philippines, Bureau of Public Schools and it is hereby ordered that respondent should pay:

"1. To the claimant Leodegaria Bautista the amount of SIX THOUSAND (P6,000.00) PESOS (maximum) as compensation benefits under Secs. 14 and 18 of the Act, as amended.....;

"2. To the claimant the additional amount of TWO HUNDRED EIGHTY ONE & 99/100 (P281.99) PESOS as

reimbursement of the duly receipted medical expenses and evaluated hospital and medical bills by the CRMO pursuant to Sec. 13 of the act as amended;

"3. To Atty. Leon Tumandao the amount of THREE HUNDRED (P300.00) PESOS as attorney's fee pursuant to Sec. 31 of the Act; and

"4. To this office the amount of SIXTY ONE (P61.00) PESOS as administrative fee pursuant to Section 55 of the Act." (pp. 15-16, *ibid.*)

Copy of this decision was received by the Office of the Solicitor General on September 1, 1975 (p. 17, *ibid.*). A motion for reconsideration dated September 17, 1975, but postmarked September 23, 1975, was received by the referee who however denied it for lack of merit in an Order of October 22, 1975. (p. 19, *ibid.*) In the same Order the record of the case was elevated to the Commission for review.

On December 16, 1975 the respondent Commission set aside the award of the hearing officer and "absolved respondent Bureau from any liability under the Act as amended." (pp. 20-22, *ibid.*)

Leodegaria Bautista now submits that (1) the decision of the Workmen's Compensation Commission is null and void as it was rendered seven days after the decision of the acting referee, Atty. Collantes, had become final and executory, and (2) claimant is entitled to receive compensation for a disability caused by an ailment which supervened and was aggravated in the course of her employment as a public school teacher.

There is merit in petitioner's allegations.

1. It is not disputed that the 15-day period within which to seek a reconsideration of the referee's decision had elapsed when respondent employer's motion for reconsideration was filed.[1] Nor was there a petition for relief from judgment filed with the Commission en banc.[2] The record of the case was perfunctorily elevated to the Commission upon the denial of the employer's motion for reconsideration; by that time, however, and at that stage of the proceedings the referee's decision had become final and executory.

To restate the ruling of this Court in the recent case of *Soliven vs. Workmen's Compensation Commission, et al.*,[3] a decision of the Workmen's Compensation Commission reversing that of the hearing referee is null and void when it is rendered after the referee's decision had become final and executory for failure of the employer to appeal the same and to file a petition for relief from judgment within the reglementary period.

Respondent Bureau contends in its memorandum filed with the Court that the hearing officer's decision was null and void and could not have attained finality as the "hearing officer had no jurisdiction to hear the claim for compensation in view of the absence of any employer-employee relationship between respondent Bureau of Public Schools and the claimant at the time she filed her claim for compensation as she was then retired." [4]

It is however correctly claimed by petitioner that respondent employer is now estopped from invoking the absence of employer-employee relationship for the simple reason that during the hearing below the Bureau was represented by Assistant City Fiscal Jose F. Sano and Assistant Provincial Fiscal Joventino Isidro who admitted and agreed on a stipulation of facts among which was the existence of employer-employee relationship between the parties.[5]

An equally valid point is that petitioner's right to claim disability compensation arose only from the time she was disabled to work and had to retire prematurely by reason of her ailment. Necessarily, the claim for compensation for total permanent disability could be filed only after retirement from the service. But so long as petitioner's action had not prescribed,[6] respondent Commission had jurisdiction to act on her claim even if at the time of the filing thereof the employer-employee relationship had terminated, for what vests jurisdiction is the fact that the illness which caused the disability supervened and/or was aggravated in the course of her teaching job. In other

words, the employment was coeval with the ailment, and with the two coexisting, an alleged absence of employer-employee relationship at the time of the filing of the claim is untenable as a defense.

1. Anent the issue of compensability, the employer herein cannot evade liability on the ground that "claimant's (herein petitioner) ailments were degenerative in nature, and were caused by the aging process." (p. 52, rollo) Not having controverted this claim for compensation, the employer suffers the legal consequences of non-controversion "loss of non-jurisdictional defenses and ultimate admission of compensability." [7]

2. Moreover, the Workmen's Compensation Act which governs the present situation expressly provides in its Section 44 that in the absence of substantial evidence to the contrary it shall be presumed that a claim comes within the provisions of this Act. Under this declaration of a benign sound public policy, an employee is freed from the burden of proving that his illness or injury was caused or aggravated by the nature of his work; all that is expected of him is to establish the employer-employee relationship and the occurrence of the injury at the time such relationship existed, after which the burden is shifted to the employer to overthrow by substantial evidence the pre-sumed link between the injury and the work of the employee.

Thus, under the presumption of compensability established by the law, the Court awarded compensation benefits to employees who in the ordinary course of their employment suffered ailments of the heart, such as: a disease of the coronary artery whereby an artery supplying blood to the muscular walls of the heart is blocked by a clot; [8] myocardial infarction, [9] cardiac enlargement, [10] coronary thrombosis, acute heart failure, or heart attack. [11]

Coronary arteriosclerosis is a condition characterized by a hardening and thickening of the arteries which supply blood to the heart muscle. [12] While We do not discount the possibility that such ailment may be "caused by the aging process" as claimed by respondent employer, nonetheless 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 tension in teaching children of tender age for a period of almost 37 years are equally contributing and aggravating causes which render the resulting disabling injury or ailment compensable under the law.

"* * * an accident exists when a man undertaking work is unable to withstand the exertion required to do it, whatever may be the degree of exertion used or the condition of the workman's health." *Devlin v. Department of Labor and Industries*, 194 Wash. 549, 78 P. 2d 959, cited in *McCormick Lumber Co. v. Department of Labor and Industries, et al.*, 1941, 108 P. 2d 807, 812.

WHEREFORE, the decision of respondent Commission is set aside and the award granted to petitioner, Leodegaria Bautista, quoted in page 2 hereof is hereby ordered immediately executory.

So Ordered.

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

[1] Sec. 50, Workmen's Compensation Act as amended provides that "Fifteen days after the promulgation of the decision the same shall become final unless previously appealed."

See also Sections 1 & 4, Rule 19, Rules of the Work-men's Compensation Commission.

[2] See Sections 2 & 3, Rule 22, *ibid.*

[3] L-44763, June 30, 1977. See also *Quintos and others vs. Republic of the Philippines, et al.*, L-46249-52, August 31, 1977.

[4] p. 49, rollo

[5] pp. 12 & 59, 60, *ibid*.

[6] In *Manila Railroad Co. vs. Perez and the Workmen's Compensation Commission*, 1965, 14 SCRA 504, and *Vallo vs. WCC, et al.*, 1976, 73 SCRA 623, the Court held that compensation under the Workmen's Compensation Act as amended is a liability vested by statute which prescribes in ten years pursuant to Article 1144 (2) of the Civil Code.

[7] *Justo vs. WCC, et al.*, L-43681, Jan. 31, 1977; *Bael, et al. vs. WCC, et al.*, L-42255, Jan. 31, 1977; *Bihag, et al. vs. WCC, et al.*, L-43162, Feb. 28, 1977; *Despe vs. WCC, et al.*, L-42828, Feb. 28, 1977; *National Housing Corporation vs. WCC and Vda. de Niones, et al.*, L-37907, September 30, 1977

[8] *Lopez vs. WCC, et al.*, L-42582, Oct. 21, 1977

[9] *Caling vs. WCC, et al.*, L-43209, May 3, 1977

[10] *Sudario, Jr. vs. R.P.*, L-44088, Oct. 6, 1977

[11] *Cuyno, Jr. vs. WCC, et al.*, L-44271, Sept. 22, 1977; *Evangelista vs. WCC, et al.*, L-43572, June 30, 1977; *Catibog vs. WCC, et al.*, L-43416, Dec. 8, 1976, 74 SCRA 243;

Talip vs. WCC, et al., L-42574, May 31, 1976, 71 SCRA 218, citing *Visayan Stevedore & Transportation Co. vs. WCC, al.*, 1974, 59 SCRA 89

[12] *Schmidt's Attorney's Dictionary of Medicine*, 1965 Sup., p. 96

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.