

**MARIA C. ROLDAN, PETITIONER, VS. REPUBLIC OF THE PHILIPPINES
(BUREAU OF PUBLIC SCHOOLS), AND THE WORKMEN'S
COMPENSATION COMMISSION AND/OR THE SECRETARY OF LABOR,
DEPARTMENT OF L...**

G.R. No. L-45618. February 15, 1990

Ponente: GANCAYCO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/7ac2b1f7f56c/>

GANCAYCO, J.:

The issue in this case is whether or not the now defunct Workmen's Compensation Commission (WCC for brevity) can review and reverse a decision of the Assistant Chief and Acting Referee of the same commission which has become final and executory.

The facts of this case are related in the questioned decision of the said referee dated August 7, 1975 as follows:

"This is a claim for disability compensation benefits filed with this Office by claimant on June 27, 1974 under Act 3428, as amended, due to her ailments of hypertension and weak heart allegedly contracted in the course of employment and/or aggravated by the nature of such employment with the respondent disabling her for labor.

On June 28, 1974, transmittal letters were duly served to respondent, Bureau of Public Schools, and to the Office of the Solicitor General.

Due to the controversion of the claim by the respondent, the same was heard on the merits, and after a perusal of the evidence on record, both testimonial and documentary, the following sequence of facts was established:

The claimant had worked with the respondent from September 12, 1938 up to December 15, 1971 as classroom teacher and then as head teacher. Due to the outbreak of World War II, claimant had to stop working on December 18, 1941 and was reinstated only on April 16, 1945 as classroom teacher in the Division of Ilocos Sur. As classroom teacher, she handled subjects in the elementary level such as Arithmetic, Reading, Writing, Social Studies, Health & Science, Language, Arts, English, Music, Work Education, and Good Manners & Right Conduct. Aside from teaching academic subjects, claimant had homeworks to do such as preparation of lesson plans for the subjects to be taught, teaching aids and devices, writing boardwork and reading subject matter and references. She did all these during night time usually from 8:00 P.M. to 10:30 P.M. She also attended to problems of students, did some home visitations and attended seminars and meetings.

After long years of devoted service as classroom teacher, the claimant was promoted to the position of head teacher on November 24, 1971. As head teacher, she supervised teachers of the school where she was assigned; looked after the upkeep of the school ground and rooms; proposed plans in the construction of buildings, fences, gates, toilets and recommended repair work needed; helped deliberate on plans and execute district undertakings; and attended seminars, conferences, workshops in the school district and division level. In addition to these duties, claimant also taught some subjects like Social Studies, Language, Reading and Home Economics. Her schedule of duty was from 7:30 up to 11:30 in the morning and from 1:30 up to 5:00 o'clock in the afternoon, Monday to Friday. Her last annual salary was P4,632.00 (Exhibit "B").

In the course of employment sometime in 1966, the claimant experienced the symptoms of hypertension like fainting spells, recurrent dizziness, headache and hard breathing, which notwithstanding thereof, she continued to work. In 1969, the recurrence of her ailment became more frequent and appeared with more severity compelling her to consult a physician. She consulted Dr. Alfredo A. Cadena on September 12, 1969 who, after taking the history of the case and subjecting her to a thorough medical examination, diagnosed her ailment as hypertension and weak heart due to complication of her hypertension (Exhibit "C"). Her blood pressure then was 182/96. She was administered different medicines among which are: Serpasil injections and tablets, Complamin Lasix injections, Aldomet, Indocid tablets, Cordilant tablets and Peritrate tablets (Exhibit "D"). With the help of these medicines, the claimant was able to perform her regular duties. However, due to stresses and strains of her duties, her ailments aggravated despite continuous medications such that when the manifestations of body weakness became prevailing, she was compelled to retire from the service. On December 16, 1972, the claimant was effectively retired at the early age of 56.

In support of her case, the claimant presented the Physician's Report of Sickness or Accident dated May 30, 1974 and marked as Exhibit "C". In this report, Dr. Alfredo A. Cadena ventured the opinion that the claimant's ailments were caused by her employment and aggravated by the nature of such employment and it was upon his advice that claimant retired from the service in order to have enough rest which is necessary for her treatment. In the medical certificate, marked as Exhibit "D", he issued in favor of claimant, he stated that claimant has been improved (sic) and her blood pressure ranges 182-146/96-84. Due to recurrence of her ailments, the claimant is still under the medical care of Dr. Alfredo A. Cadena and in the course of her treatment, she has incurred expenses for medicines and professional fees but failed to keep the receipts."^[1]

As aforesaid, Mr. Ignacio B. Valera, Assistant Chief and Acting Referee of the WCC in due course rendered said decision, the dispositive part of which reads as follows:

"WHEREFORE, premises considered, judgment is hereby rendered in favor of the claimant and against the respondent Republic of the Philippines (Bureau of Public Schools):

- To pay claimant, Maria C. Roldan, thru this Office the sum of SIX THOUSAND PESOS (P6,000.00) as disability compensation benefits;

- To pay Atty. Miguel A. Inocencio, counsel of record for the claimant, the sum of THREE HUNDRED PESOS (P300.00) as attorney's fee; and,

- To pay this Office the sum of SIXTY-ONE PESOS (P61.00) as administrative fee pursuant to Section 55 of the Act as amended.

SO ORDERED."^[2]

A copy of said decision was received by the office of the Solicitor General on September 25, 1975. On February 4, 1976 the Solicitor General in behalf of the Republic of the Philippines filed a petition to elevate the records for relief from judgment to the WCC. Acting on the petition on February 12, 1976, a decision was rendered by the WCC reversing the decision of the referee and dismissing the case for lack of merit without costs.

Hence, the herein petition for review which was filed by petitioner on February 23, 1977 alleging that the WCC exceeded its jurisdiction in having reviewed the decision of the Regional Referee which had already become final and executory.

The petition is impressed with merit. Section 1, Rule 19 and Sections 1 and 3, Rule 22 of the Rules of the WCC provide as follows:

"SECTION 1. When and With Whom Filed. — A party who is not satisfied with the decision or order on the merit of the Hearing Officer or Referee may, within fifteen (15) days from receipt of notice thereof, file with the Hearing Officer or Referee having control of the case a petition for review or motion for reconsideration of said decision or order.

xxx xxx xxx

"SECTION 1. Petition to Elevate Records for Relief from Judgment. — When a decision, award, or order on the merit has been rendered or issued by the Chief of the Unit or Hearing Officer or Referee in a case, and the aggrieved party thereto by fraud, accident, mistake or excusable negligence, has been unjustly deprived of a hearing therein or has been prevented from taking an appeal, he may file a petition with the Commission praying that the records be elevated to said commission for review and the questioned decision, award or order be set aside.

xxx xxx xxx

"SEC. 3. Time for Filing Petition; Contents and Verification. — The petition under Section 1 hereof must be verified, filed within thirty (30) days after the petitioner learns of the decision, award, or order or other proceedings sought to be set aside and not more than three (3) months after such decision or award was entered or such proceedings were taken, and must be accompanied with affidavits showing the fraud, accident, mistake or excusable negligence relied upon and the facts constituting the petitioner's good and substantial cause of action or defense, as the case may be. x x x"[3]

These rules were promulgated by the WCC pursuant to the provision of Section 7-A of the Workmen's Compensation Act giving it, as a quasi judicial body, the power to promulgate such rules and regulations governing its internal functions.

Under the said rules of the WCC such an award of the Referee of the Commission becomes final and executory when no appeal or motion for reconsideration is filed with the Commission within the fifteen (15)-day reglementary period.[4] However, under Sections 1 and 3 of Rule 22 of the aforesaid rules, a petition to elevate the records for relief from judgment may be filed with the WCC within thirty (30) days after the petitioner learns of the decision, award or order and other proceedings sought to be set aside and not later than three (3) months after such decision or award was entered or such proceedings were taken, and must be accompanied with affidavits showing the fraud, accident, mistake or excusable negligence relied upon and the facts constituting the petitioner's good and substantial cause of action or defense as the case may be.

In this case the Solicitor General admittedly learned of the decision of the referee on September 25, 1975 but he filed the petition for relief from judgment only on February 4, 1976, way beyond the thirty (30) day period provided for by the Rules after petitioner learned of the decision and also beyond the three (3) month-period after the decision was rendered by the Referee on August 7, 1975 as provided for by the Rules.

Moreover, the excuse advanced by the Solicitor on his failure to appeal or file a motion for reconsideration from the questioned decision within the reglementary period is as follows:

"That due to the volume and pressure of work of the undersigned Solicitor who has to attend to the preparation of government briefs assigned to him, preparation of pleadings as well as the daily attendance of cases plus the fact that the undersigned Solicitor was on a vacation leave of absence from December 5 to 19, 1975 to attend to the funeral rites of his father-in-law in Cotabato City, the decision in question was not acted upon immediately or within the period required for filing a Motion for Reconsideration."[5]

The volume and pressure of work of the Solicitor in-charge of the case does not constitute such fraud, accident, mistake or excusable negligence as to warrant the relief from judgment contemplated under the Rules of the

Commission. There are many other members or associates in the Office of the Solicitor General to whom the case may be reassigned to file the motion for reconsideration or appeal. While it cannot be denied that the said Office is swamped with work, some system can always be devised to give priority to cases like this. Indeed, there is no cogent reason why in such a big law office with so many lawyers at its beck and call, even a simple petition for relief from judgment could not have been prepared within a three (3) month-period from the time the judgment was rendered or within thirty (30) days from the time it learned of the judgment.

The Court, therefore, finds that the public respondent WCC acted without jurisdiction when it took cognizance of the petition for review for relief from judgment and in reversing a final and executory decision rendered by a referee of the same office.

In the decision of the said referee the following findings and conclusions were made:

"The issue to be resolved is whether or not this case is compensable under Section 2 of the Workmen's Compensation Act, as amended.

Section 2 — Grounds for Compensation — When an employee x x x x contracts tuberculosis or other illness directly caused by his 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.

xxx xxx xxx

From the foregoing facts established by the claimant, it is evident that in 1938 when claimant entered the employ of respondent, the former was in good health and free from any ailment. It was only after her employment with the respondent for a number of years or in the year 1966 that she first experienced symptoms of her ailment, thus, there is no question that the ailments of the claimant occurred during and in the course of her employment and was even aggravated by the nature of such employment disabling her for labor.

When it is established that the claimant's ailment occurred during and in the course of her employment, it is presumed that the nature of her employment is the cause of her ailment, and the burden to overthrow the presumption and to disconnect the causal relation between the ailment and the nature of her employment is laid by statute on the employer by sufficient evidence. In the case at bar, respondent failed to present a single piece of evidence.

Premised on the foregoing considerations, we find merit to this present claim, as the illness of the claimant of hypertension and weak heart which resulted in her disability for labor occurred during and in the course of her employment with the respondent herein and further aggravated by the nature of such employment, hence, compensable under the law.

Forthwith, under Section 14 of the Workmen's Compensation Act, as amended, the claimant is entitled to compensation for temporary total disability equivalent to sixty per centum of her average weekly wage for the entire period of her incapacity for labor. She has been disabled since December 16, 1972 or a period of 137 weeks. Sixty per centum of her average weekly wage of P89.11 (P4,632.00, annual salary, + 52 weeks) is P53.46 and for 137 weeks, she is entitled P9,324.02.

Likewise, she is entitled to compensation for non-scheduled disability pursuant to Section 18 of the Act, equivalent to 50% of her average weekly wage specified above. The claimant, as per actual findings of our Compensation Rating Medical Officer has suffered 25% non-scheduled disability. Fifty per centum of claimant's average weekly wage is P44.55 and for a period of 52 weeks (208 weeks times 25%, NSD), claimant is entitled to P2,316.00.

Accordingly, under Sections 14 & 18 of the Act, claimant is entitled to the total compensation P11,640.62 which, however, shall be reduced to P6,000.00, the maximum compensation allowed by law.

Under Section 13 of the same Act, claimant is not entitled to reimbursement of medical expenses for failure to support the same.

Under Section 31 of the same Act, claimant's counsel of record is entitled to 5% of the award or the sum of P300.00 as attorney's fee, chargeable against the respondent."^[6]

We agree. The said findings of facts and conclusions are binding on this Court. The travails of a poor classroom teacher who worked throughout her life in the service of the nation who in the process contracted hypertension and heart ailment should now be put to rest by giving her the just compensation corresponding to her claim.

WHEREFORE, the petition is GRANTED and the questioned decision of the Workmen's Compensation Commission dated February 12, 1976 is hereby REVERSED AND SET ASIDE and the decision of the Assistant Chief and Referee, Ignacio B. Valera dated August 7, 1975 is hereby reinstated, and declared final and executory. This decision is immediately executory.

SO ORDERED.

Narvasa, (Chairman), Cruz, Griño-Aquino, and Medialdea, JJ., concur.

[1] Pages 12 to 14, Rollo.

[2] Page 16, Rollo.

[3] Pages 58 to 59, Rollo.

[4] Ramos vs. Republic, 69 SCRA 576 (1976); Section 1, Rule 19, Rules of the WCC.

[5] Pages 17 to 18, Rollo.

[6] Pages 14 to 15, Rollo.

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.