

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

G.R. No. L-43127. February 28, 1980

Ponente: FERNANDEZ, J.

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FERNANDEZ, J.:

This is a petition to review the decision of the Workmen's Compensation Commission in ROX-WC Case No. 530-75 entitled "Crisanto Macatol, Claimant, versus, Republic of the Philippines (Bureau of Public Schools), Respondent", affirming the decision of the Regional Office No. X dismissing the claim and absolving from liability the Republic of the Philippines (Bureau of Public Schools).[1]

On November 29, 1974, Crisanto Macatol filed with Regional Office No. X, Department of Labor, at Cagayan de Oro City, a claim for compensation arising from his illness of CVA Cerebral Hemorrhage which he allegedly incurred during his employment with the Bureau of Public Schools as the principal in Anakan Elementary School, Gingoog City.

The Regional Office dismissed the claim for failure of the claimant to submit his supporting affidavits and/or supporting documents and on the ground that the sick leave application submitted by him did not show the illness which he suffered. The claimant filed a motion for reconsideration to which were attached the affidavit of Araceli Awitan Macatol, a Medical Benefits Voucher and the medical certificates issued by Dr. Evelyn P. Clarete and Dr. Bayani M. Mingcay. The motion for reconsideration was denied.[2]

The claimant appealed to the Workmen's Compensation Commission which affirmed the order of the Regional Office.

The facts, as found by the Workmen's Compensation Commission, are that Crisanto Macatol, petitioner, served as a school teacher since 1935 and was later promoted as principal teacher of the Anakan Elementary School at Gingoog City; that on August 25, 1974, he became disabled for work due to an illness diagnosed as CVA Cerebral Hemorrhage; that the service record of the claimant shows that he went on sick leave with pay from August 25, 1974 up to October 24, 1974; that on October 25, 1974, the petitioner retired from the service, having reached the compulsory age of 65 years; that the petitioner contracted the illness complained of during his employment with the Bureau of Public Schools; and that by reason of said illness, he had to go on sick leave of absence.[3]

The very decision of the Workmen's Compensation Commission shows that the illness of the petitioner supervened during his employment with the Bureau of Public Schools; that due to said illness which was diagnosed as CVA Cerebral Hemorrhage, he had to go on sick leave from August 25, 1974 up to October 24, 1974; and that he never was able to report back to work.

It is a fact that the illness of the petitioner supervened during his employment with the Bureau of Public Schools.

Hence, there is a disputable presumption that the claim is compensable.[4] The claimant is relieved of the duty to prove causation as it is then legally presumed that the illness arose out of the employment. To the employer is shifted the burden of proof to establish that the illness is non-compensable.[5]

The petitioner did not rely on the disputable presumption alone. He presented evidence that he acquired his illness as a result of the nature of his employment as teacher and later as principal of the Anakan Elementary School at Gingoog City.

The evidence shows that the illness of the petitioner resulted in total disability; that as of September 16, 1975, the petitioner had not recovered from his illness; that he was even unable to attend to his own personal hygiene or needs; that he had to be accompanied to the comfort room and reminded of his meals; that he had lapses of memory so that he could not even remember some of the names of his children; that he could not recognize his friends, relatives or former co-teachers; and that he suffered from incoherent thought so that he could not conduct an intelligent conversation for a period of five (5) or ten (10) minutes.

The medical certificates both dated September 15, 1975 of Dr. Bayani M. Mingcay and Dr. Evelyn Pepito Clarete show that Crisanto Macatol continued to be paralyzed in his left body; that he had poor memory and had interrupted thought; and that his condition was the result of the CVA Cerebral Hemorrhage he suffered on August 23, 1974.[6]

In as much as the petitioner had been totally disabled by his illness of CVA Cerebral Hemorrhage which supervened during his employment with the Bureau of Public Schools, he is entitled to the maximum compensation of P6,000.00 allowed by the Workmen's Compensation Act.

WHEREFORE, the decision of the Workmen's Compensation Commission sought to be reviewed is hereby set aside and the respondent, Republic of the Philippines (Bureau of Public Schools), is ordered:

- 1) To pay the petitioner the amount of Six Thousand Pesos (P6,000.00) as disability compensation;
- 2) To pay said petitioner the amount of Six Hundred Pesos (P600.00) as attorney's fees; and
- 3) To pay the successor of the Workmen's Compensation Commission the amount of Sixty-One Pesos (P61.00) as administrative fee.

SO ORDERED.

Teehankee, (Chairman), Makasiar, Guerrero, De Castro, and Melencio-Herrera, JJ., concur.

[1] Rollo, p. 12.

[2] Memorandum for the Petitioner, Rollo, p. 38.

[3] Decision, Rollo, p. 12.

[4] Section 44, Workmen's Compensation Act; Justiniano vs. Workmen's Compensation Commission, 18 SCRA 677.

[5] Balanga vs. Workmen's Compensation Commission, et al., 83 SCRA 721.

[6] Rollo, pp. 39-40.

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