

WACK WACK GOLF & COUNTRY CLUB, INC., PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND ANTONIO VALENTIN, RESPONDENTS.

G. R. No. L-9641. May 24, 1957

Ponente: BENGZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/da6a853a1ce2/>

BENGZON, J.:

The case. The Wack Wack Golf and Country Club, Inc. has brought up for review the award of the Workmen's Compensation Commission requiring it to compensate its former chief cook, Antonio G. Valentin, for disability resulting from illness contracted and/or aggravated while working in its employment.

The issue is mainly whether Republic Act 772 governs the situation, or whether, as petitioner contends, the applicable statute is Act No. 3428 as amended by Commonwealth Act 210.

The facts. Antonio G. Valentin entered petitioner's employ in 1935 and worked as cook until December 1941.

In May 1947 he was re-employed and continued rendering service up to April 15, 1952, when because of illness (tuberculosis) he was told to go on leave and was given four month's vacation with pay. His salary was P200 a month or P46.62 a week. At the end of his leave, his ailment had not yielded to the medical treatment and attendance provided him by the Club. So he was dismissed in August 1952 even as he received the equivalent of two months' salary as separation pay.

Thereafter, in September 1952, he filed a claim with the respondent Commission. The disease was not compensable, asserted the Club, because it did not arise out of and in the course of employment. Anyway, it added, the Compensation Law did not include this employee because he was receiving a weekly salary of more than 42 pesos, and the Workmen's Compensation Act excluded from its operation those "whose remuneration paid by an employer, exclusive of overtime pay, is in excess of P42 per week." (Section 39 (5) as amended by Commonwealth Act 210.)

After considering the testimony of several physicians, the Commission declared that "claimant's illness (tuberculosis) was caused or aggravated by the nature of his employment" and inasmuch as his separation was due to such illness he should be awarded disability benefits. As to the alleged exclusion based on the employee's weekly pay, the Commission declined to follow the above statutory provision (section 39 [6]) because it had been repealed by Republic Act 772 [1] which took effect on June 20, 1952, and because this employee was separated from the service on August 16, 1952, i.e., after the approval and passage of said Republic Act.

We gave due course to this petition for certiorari, mainly because petitioner insisted, and argued, that Republic Act 772 had no application, inasmuch as Antonio Valentin had contracted pulmonary tuberculosis sometime prior to April 17, 1952 i.e. before the approval of said law.[2]

Discussion. There is no dispute about the dates of employment, leave on account of illness, and separation. There is also no question that Republic Act 772 contains no provision making it applicable to claims, the causes of

action of which accrued prior to its enactment.

Now then, it is clear that if Valentin should be compensated it is because he contracted tuberculosis, or it was aggravated, during his employment and on account of his work. But when did he contract such illness or when was it aggravated? Obviously before April 17, 1952 when he went on leave owing to his illness. It could not have been aggravated by his work after that date, because he never worked in petitioner's establishment after April. [3] Wherefore, the injury or event on which this claim for compensation rests, happened on or before April 17, 1952. From that time he was disabled; evidently a man afflicted with phthisis couldn't or shouldn't continue cooking for the Club. At that time employees receiving weekly compensation of more than 42 pesos were expressly excluded from the benefits of the Workmen's Compensation Act. The elimination of such exclusion from the statutes on June 20, 1952 can not render compensable facts or events which were not compensable when they happened. The nonretroactivity of Republic Act 772 was noted in *Amedo vs. Olabarrieta*, 95 Phil., 33.

"In harmony with the established principle that legislative enactments, in the absence of a clearly expressed intent to the contrary, will be deemed to be prospective, and not retrospective, workmen's compensation acts have been held not to apply to injuries which occurred before the law went into effect." (58 Am. Jur. "Workmen's Compensation", section 33.)

"With respect to time, the right for compensation for an injury, under the workmen's compensation acts is governed, in the absence of any provision to the contrary, by the law in force at the time of the occurrence of such injury." (58 Am. Jur. "Workmen's Compensation", section 78.)

The ruling must therefore be issued that, inasmuch as the law in April 1952 excluded from the Workmen's Compensation Act those employees receiving more than 42 pesos per week, Valentin's claim should have been rejected. We are not called upon to discuss the reasons for such exclusion, nor to justify it. The words being definite, we have to follow the statutory directive. Nevertheless let it be noted that the Club extended valuable assistance to its employee in his misfortune. It spent more than 2,000 pesos for his medicine and laboratory and doctor's fees, besides giving him vacation and separation pay amounting to P1,200.

Judgment. Wherefore in line with our ruling we hereby reverse the Commission's award and absolve the petitioner from all liability. So ordered.

Padilla, Montemayor, Reyes, A., Bautista Angelo, Concepcion, Reyes, J. B. L., Endencia, and Felix, JJ., concur.

[1] "It is to be noted that under the old law, if the remuneration of an employee or laborer, exclusive of overtime pay, is in excess of forty two pesos a week, such employee or laborer is not deemed an "employee" or "laborer" under the Act and, therefore, the employer is not liable for injuries or death suffered by such employee or laborer. This provision of the old law was amended by Republic Act No. 772 so as to make all employees or laborers, irrespective of the amount of remuneration, entitled to the benefits of the Act." (Francisco Labor Laws p. 821, 822.)

[2] It urged other grounds, which need not be mentioned.

[3] It seeing that "aggravation" of illness was for the first time inserted in the statute by Republic Act 772 (Francisco op. cit. p. 842.) We will not now comment on the point.

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.