

BERNARDO CAYABA, COMPLAINANT, VS. WORKMEN'S COMPENSATION COMMISSION AND PROVINCIAL GOVERNMENT OF ISABELA, RESPONDENTS.

G.R. No. L-43649. January 27, 1981

Ponente: FERNANDEZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/eff373052e16/>

FERNANDEZ, J.:

This is a petition to review the decision of the Workmen's Compensation Commission in RO2-WCU Case No. 6178, entitled "Bernardo Cayaba, Claimant versus Republic of the Philippines (Department of Public Highways and Provincial Government of Isabela), Respondent", affirming the decision of the Special Hearing Officer of Regional Office No. II, Department of Labor, dismissing the claim for disability compensation.[1]

The claimant, Bernardo S. Cayaba, filed a notice of injury and claim for compensation dated March 12, 1975 with Regional Office No. II of the Department of Labor, Tuguegarao, Cagayan against the Provincial Government of Isabela.[2]

The respondent filed its employer's report which admitted the employee-employer relationship with the claimant and stated that the salary of said claimant immediately preceeding his last day of service was P3,000.00 annually.[3]

The Special Hearing Officer of Regional Office No. II dismissed the case for lack of merit on the ground that "the claimant failed to present any proof credible and substantial to support a favorable decision." [4]

The record discloses that the claimant has adduced substantial evidence to show that his claim is compensable. The very decision of the Special Hearing Officer summarizes the evidence presented by the claimant thus:

"At the hearing, claimant assisted by counsel Atty. Sofronio Genaden, took the witness stand and testified that he had served in the government service in the municipal, provincial and national branch (Service records Exhibits "B" and "M"); that, particularly, when he was with the Northern Isabela Emergency Hospital, Cabagan, Isabela, as Clerk I, doing office work, typing reports and filing records, in 1962 up to 1968 because of his going to and coming from work had forced him to walk the distance from his home at Centro, Tumauni, Isabela to Cabagan, Isabela and had to wade in water most often, he contracted rheumatoid arthritis and hypertension, that when he transferred employment to the respondent office as toll clerk, whose duties were to issue toll tickets, collect the corresponding payments and then prepare the collection reports, of the Gamu Ferry, Gamu, Isabela, in 1968 because of his duties he was exposed to colds, sunshine and rain his ailment of rheumatoid arthritis and hypertension became aggravated, hence, he had to inform his superiors, in a letter-resignation dated May 31, 1972 (Exhibit "I") that he wanted to apply for optional retirement under R.A. 1616 which was approved effective June 1, 1972.

"On cross examination respondent's counsel, Asst. Provincial Attorney Villamor dela Cruz elicited from the claimant that the latter during his employ with the respondent had not taken any sick leave of absence; that claimant prepared his claim (Exhibit "D") and placed the date of his illness as June 1, 1972 (Exhibit "1").

"Presented by claimant to testify in his behalf was Dr. Jose T. Cabrera who stated that he know the claimant being a friend of his and having been one of his clerks when he was a resident physician of the Northern Isabela Emergency Hospital, Cabagan, Isabela in 1962; that he issued the Physician's Report of Sickness or Accident (Exhibit "E") wherein he stated and confirmed under oath that he first administered treatment to the claimant Bernardo Cayaba on February 15, 1972 as he had diagnosed him to be suffering from Essential hypertension and rheumatoid arthritis. That he had prescribed medicines to be taken by the claimant but that has no definite knowledge if those he prescribed were bought and taken by the claimant as directed.

"During the proceeding claimant presented receipts to be mark as exhibits for the payment of medicines he bought but withdrew the same at the closing of his evidence.

"Respondent, through its counsel, did not offer any witness to support its controversion but subjected the claimant and his witness to rigid and searching cross examination and meticulously examined the documents offered and submitted as evidence."[5]

The evidence presented by the claimant is not self-serving. He testified during the hearing and was subjected to "rigid and searching cross examination x x x".[6] The respondent did not present any evidence. Hence, the evidence of the claimant was not controverted.

It is a fact that the ailments of the claimant-petitioner supervened during his employment with the Provincial Government of Isabela. Hence there is a disputable presumption that the claim is compensable.[7] The claimant is relieved of his 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 not compensable.[8]

The claimant did not rely on the disputable presumption alone. He presented evidence that his illnesses, hypertension and rheumatoid arthritis, were the result of, and were aggravated by, the nature of his work with the Provincial Government of Isabela.

The respondent has not adduced evidence to rebut the disputable presumption and the evidence presented by the petitioner.

The record shows that the petitioner was forced to ask for retirement at the age of 58 years because of his illnesses of hypertension and rheumatoid arthritis which incapacitated him.

This Court has held that an employee forced to ask for retirement ahead of schedule not because of old age but principally because of his weakened bodily condition due to illness contracted in the course of his employment should be given compensation for his inability to work during the remaining days before his scheduled compulsory retirement, aside from the retirement benefits received by him.[9]

Had the petitioner not been forced to retire because of his illnesses he could have continued to work for seven years more until he reached the age of 65 years. Under the circumstances he is entitled to disability compensation in the amount of P6,000.00 and to be reimbursed of the medical expenses incurred by him upon presentation of supporting receipts.

WHEREFORE, the decision sought to be reviewed is hereby set aside and the respondent Provincial Government of Isabela is ordered to pay the petitioner the amount of SIX THOUSAND PESOS (P6,000.00) as disability benefits; the amount of SIX HUNDRED PESOS (P600.00) as attorney's fees; and to reimburse said claimant of medical expenses supported by proper receipts; and to pay the successor of the Workmen's Compensation Commission the amount of SIXTY-ONE PESOS (P61.00) as administrative fees.

SO ORDERED.

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

[1] Rollo, pp. 25-27.

[2] Rollo, p. 7.

[3] Rollo, p. 12.

[4] Rollo, p. 5.

[5] Rollo, pp. 12-14.

[6] Rollo, p. 14.

[7] Section 44, Workmen's Compensation Commission, Action: Justiniano vs. Workmen's Compensation Commission, 18 SCRA 677.

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

[9] Hernandez vs. Workmen's Compensation Commission, 14 SCRA 219.

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.