GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS), PETITIONER, VS. COURT OF APPEALS AND GLORIA A. BARRAMEDA, RESPONDENTS.

G.R. No. 126352. September 07, 2001

Ponente: PARDO, J.

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PARDO, J.:

The Case

The case is an appeal via certiorari[1] from a decision of the Court of Appeals[2] which reversed and set aside the decision of the Employees' Compensation Commission[3] (hereafter, "ECC") and the letters-decisions of the Government Service Insurance System[4] (hereafter, "GSIS") which denied respondent Gloria A. Barrameda's claim for compensation benefits under P. D. No. 626.[5]

The Facts

Gloria A. Barrameda (hereafter, "Gloria") started in the government service on July 1, 1971, as a typist in the Court of First Instance of Manila.[6] On January 3, 1985, she transferred to the Sandiganbayan and held the position of "clerk". On July 1, 1989, she was promoted to the position of Clerk III at the same office.[7]

As Clerk III, Gloria would file and keep the records of Associate Justice Augusto M. Amores. All files were kept in old steel cabinets which would jam from time to time because of rust and misalignment of the cabinet's rollers. Part of Gloria's job was to pull out the drawers of the cabinets where the folders of cases with varying thickness and weight were filed. Because sometimes the cabinets would jam, Gloria would have to exert extra effort in pulling and pushing the cabinets' handles.

On August 26, 1992, as Gloria was pushing the drawer of one of the steel cabinets, she felt an excruciating pain in her wrists as the drawer unexpectedly jammed midway. She cried out in pain, calling the attention of her officemates, Court Attorney Paulino P. Santiago and Court Stenographer Elenita C. Jasul.[8]

From then on, Gloria experienced pain in both of her hands and gradually lost grip in both hands and could no longer keep house or carry heavy objects.[9]

On September 14, 1992, Gloria consulted Dr. Efren de los Santos of De Los Santos Medical Center, who diagnosed her condition as "TENDONITIS EXTENSOR POLLICE'S (sic) LONGUS THUMB, BILATERAL." Gloria was placed on medication and therapy.[10]

On March 23, 1993, Gloria filed a claim for compensation benefits with the GSIS[11] in the amount of twenty thousand nine hundred twenty two pesos and ninety one centavos (P20,922.91) broken down as follows: seven thousand five hundred pesos and ninety one centavos (P7,500.91) for medicine;[12] four thousand eight hundred and seventy pesos (P4,870.00) for physiotherapy[13] and eight thousand five hundred and fifty two pesos (P8,552.00) for professional fees.[14]

On April 2, 1993, in a pro-forma letter, the GSIS denied Gloria's claim on the grounds that: First, the ailment is a non-occupational disease, and Second, Gloria did not present any proof that her position as Clerk III at the Sandiganbayan increased the risk of her contracting the disease.[15]

On April 19, 1993, Gloria filed with the GSIS a letter request for reconsideration of the aforementioned letter-decision.[16]

On May 20, 1993, the GSIS denied Gloria's letter-request.[17]

On June 1, 1993, Gloria filed with the GSIS a notice of appeal signifying her intention to appeal the denial of her claim to the ECC.[18]

On September 9, 1993, the ECC board resolved[19] to affirm the decisions of the GSIS.[20] According to the ECC, First, there was no proof that the closing of the steel cabinet's drawers on August 26, 1992 triggered Gloria's ailment as Gloria sought medical assistance a month after the incident. Second, medical research reveals that Gloria's ailment[21] is seen as the result of trauma, rheumatoid arthritis or infection. It is usually the result of strenuous or unaccustomed use of the adjacent joint. From this the ECC concluded that the ailment could not have been contracted in the course of Gloria's employment, and denied her appeal. We quote the dispositive portion of the decision:[22]

> "PREMISES CONSIDERED, the decision appealed from is hereby AFFIRMED, and the instant case is DISMISSED for lack of merit.
>
> "SO ORDERED."

On November 29, 1993, Gloria appealed from the ECC's dismissal of her claim to the Court of Appeals.[23]

On September 6, 1996, the Court of Appeals promulgated a decision finding that there existed substantial evidence to grant Gloria's claim. The Court of Appeals recalled Gloria's tasks as Clerk III of the Sandiganbayan and concluded that such activities were strenuous enough to cause the ailment complained of. However, while the Court of Appeals ruled that the ailment suffered by Gloria was work related, the Court of Appeals found that the amount claimed by Gloria was more than the amount allowed to be reimbursed under the Amended Rules on Employees' Compensation. Thus, the Court of Appeals ruled:[24]

> "WHEREFORE, IN VIEW OF THE FOREGOING, this Petition is hereby GRANTED ordering the GSIS to reimburse petitioner of the proper amount compensable under the rules implementing PD 626.
>
> "SO ORDERED."

Hence, this petition.[25]

The Issue

Whether or not Gloria was entitled to compensation for work related ailment under P.D. No. 626.

The Court's Ruling

We rule in the affirmative, and consequently, find the petition without merit.

Under P. D. No. 626, if an ailment or sickness is not listed as an "occupational disease," the claimant must prove that the risk of contracting the illness suffered was increased by his or her working conditions.[26] The degree of proof required is "substantial evidence." Jurisprudence defines "substantial evidence" as that amount of relevant evidence which a reasonable mind might accept as adequate to justify the conclusion.[27] In the case at bar we find that the evidence met the degree of proof required.

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The affidavits submitted by Gloria as well as certifications with respect to the injuries she suffered and the nature of her work justified her claim.

The following are Gloria's functions as Clerk III in the Sandiganbayan:[28] First, types drafts and final copies of decisions, resolutions, as well as correspondences emanating from the Office of her Justice, and second, files and keeps records of the same.

We agree with the Court of Appeals that it is reasonable to conclude that the aforementioned activities which entail the opening and closing, pushing and pulling of rusty steel drawers, which sometimes jam and misalign; the lifting and filing of voluminous files and expedientes and the typing of various drafts and resolutions caused strain and the overstretching of her wrists' joints and tendons.

Jurisprudence provides that to establish compensability of a non-occupational disease, reasonable proof and not direct proof of a causal connection between the work and the ailment is required. To require proof of actual causes or factors which lead to the ailment would not be consistent with the liberal interpretation of the social justice guarantee in favor of workers.[29]

We thus do not find any error in the Court of Appeals' ruling reversing the decision of the ECC. The ECC, as an agency charged by law to implement social justice must adopt a more liberal attitude in favor of claimants like Gloria when it decided her claim for compensability, especially as in this case, when there was basis for inferring a work-connection to the ailment she suffered. The policy of the State is to give maximum aid and protection to labor.[30]

The Fallo

WHEREFORE, the petition is DENIED and the decision of the Court of Appeals in CA-G.R. SP No. 32703 is AFFIRMED in toto.

No costs.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Puno, Kapunan, and Ynares-Santiago, JJ., concur.

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[1] Filed under Rule 45 of the Revised Rules of Court.

[2] In CA-G.R. SP No. 32703, promulgated on September 6, 1996, Martin, Jr., J., ponente, de Pano, Jr. and Asuncion, JJ., concurring.

[3] In ECC Case No. 6400, dated September 9, 1993

[4] Dated April 2 and May 20, 1993, respectively, signed by Officer in Charge Processing Division I, Employees' Compensation Department, Filomena C. Roque.

[5] The Employees' Compensation and State Insurance Fund.

[6] Petition for Review, Annex "D-1", Service Record in the Judiciary, CA Rollo, p. 32.

[7] Petition for Review, Annex "D", Service Record, CA Rollo, p. 31.

[8] Petition for Review, Annex "J-2", Joint Affidavit, CA Rollo, p. 48.

[9] Petition for Review, Annex "J", Request for Reconsideration, CA Rollo, pp. 46-47, at p. 46.

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[10] Petition for Review, Annex "F", Hospitalization Claim for Payment, CA Rollo, pp. 34-35.

[11] Income Benefits Claim for Payment, Employees Compensation Commission Records, p. 110.

[12] Petition for Review, Annex "G", EC Medical Reimbursement Claim Form, CA Rollo, pp. 36-39.

[13] Petition for Review, Annex "H", EC Medical Reimbursement Claim Form, CA Rollo, pp. 40-42.

[14] Petition for Review, Annex "I", EC Medical Reimbursement Claim Form, CA Rollo, pp. 43-45.

[15] Petition for Review, Annex "B", Letter-Decision of the GSIS dated April 2, 1993, CA Rollo, p. 27.

[16] Petition for Review, Annex "J", Request for Reconsideration, CA Rollo, pp. 46-47.

[17] Petition for Review, Annex "C", Letter-Decision of the GSIS dated May 20, 1993, CA Rollo, p. 29.

[18] Petition for Review, Annex "K", Notice of Appeal, CA Rollo, p. 49.

[19] Board Resolution 93-09-0074, Certified correct by Board Secretary Hilarion H. Magno.

[20] Petition for Review, Annex "A", Decision of the Employees' Compensation Commission, pp. 25-26.

[21] Tendonitis (the inflammation of the synoveal sheats covering the tendon).

[22] Petition for Review, Annex "A", Decision of the Employees' Compensation Commission, pp. 22-24.

[23] Petition for Review, CA Rollo, p. 2.

[24] Petition, Annex "A", Decision of the Court of Appeals, Rollo, pp. 21-31.

[25] On July 15, 1998, we resolved to give due course to the petition (Rollo, pp. 59-60).

[26] Under the "theory of increased risk" discussed in Librea v. Employees' Compensation Commission, 203 SCRA 545, 550 [1991]; Dabatian v. Government Service Insurance System, 149 SCRA 123 [1987].

[27] Western Shipyard Services, Inc. v. Court of Appeals and Santiago Lighterage Corporation, G.R. No. 110340, May 28, 2001.

[28] Petition for Review, Annex "E", Certification, CA Rollo, p. 33.

[29] Narazo v. Employees' Compensation Commission, 181 SCRA 874, 877 (1990).

[30] Lazo v. Employees' Compensation Commission, 186 SCRA 569, 574-575 (1990).

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