

REPUBLIC OF THE PHILIPPINES REPRESENTED BY EMPLOYEES' COMPENSATION COMMISSION, PETITIONER, VS. PEDRO MARIANO, RESPONDENT.

G.R. No. 139455. March 28, 2003

Ponente: QUISUMBING, J.

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QUISUMBING, J.:

Subject of this petition for review on certiorari is the decision,[1] dated July 26, 1999, of the Court of Appeals in CA-GR SP No. UDK-2898. It reversed the decision of the Employees' Compensation Commission (ECC), dated October 23, 1998, in ECC Case No. MS-9677-498, which had affirmed the ruling of the Social Security System (SSS) denying herein respondent Pedro Mariano's claim for compensation benefits under Presidential Decree No. 626.[2]

The pertinent facts, as summarized by the Office of the Solicitor General (OSG), are as follows:

For an eleven-year period starting January 1983, respondent Pedro Mariano was an employee of LGP Printing Press. During his employment, Mariano worked in various capacities, including that of a machine operator, paper cutter, monotype composer, film developer, and supervisor of the printing press.[3]

Sometime in February 1994, Mariano's service abruptly ended when he could no longer perform any work due to a heart ailment. An electrocardiograph test revealed that he was suffering from "Incomplete Right Bundle Branch Block." [4]

Mariano filed a claim for employee's compensation benefit with the SSS. In its medical evaluation dated April 15, 1997, SSS denied his claim on the ground that there was no causal connection between his ailment and his job as film developer.[5]

On July 1, 1997, the SSS forwarded the record of respondent's case to the ECC. In a letter dated September 12, 1997, the ECC remanded respondent's case to the SSS for reception of additional documentary evidence.

On February 9, 1998, the SSS directed respondent to submit the following: (1) complete clinical abstract if he was confined; and (2) records of consultation due to hypertension.[6]

Meanwhile, respondent had consulted Dr. Rogelio Mariano, whose diagnosis showed he was suffering from Parkinson's disease and hypertension, as per the medical certificate dated April 20, 1998.[7]

The SSS once again submitted respondent's case records to the ECC for review.

On October 23, 1998, the ECC, through Executive Director Teofilo E. Hebron, dismissed respondent's claim. Hebron ruled that the respondent had failed to establish a causal connection between Parkinson's Disease and the working conditions at the printing press.[8] On respondent's claim for compensation for Essential Hypertension, the ECC found that respondent had failed to adduce sufficient evidence to establish that his ailment had caused impairment of any of his body organs, which in turn could permanently prevent him from engaging in a gainful

occupation.

Aggrieved, respondent elevated the matter to the Court of Appeals in CA-G.R. SP No. UDK-2898.

On July 26, 1999, the appellate court rendered a judgment reversing the decision of the ECC, decreeing as follows:

WHEREFORE, the decision appealed from is hereby REVERSED and SET ASIDE. Accordingly, respondents Employees' Compensation Commission (ECC) and Social Security System (SSS) are ordered to pay petitioner's claim for compensation benefits under P.D. 626.[9]

In holding for the respondent, the Court of Appeals found that the nature of petitioner's work at LGP resulted in his exposure to various toxic chemicals, which is a possible cause of Parkinson's Disease. As to his hypertension, the appellate court ruled that the respondent's duties as machine operator and paper cutter involved physical pressure and restlessness, since he was required to meet urgent deadlines for rush print orders. This in turn caused respondent to suffer from stress and anxiety. In sum, the appellate court held that respondent had substantially established the connection between the cause of his ailments and the nature of his work.

Hence, the instant petition, anchored on the following assignment of errors:

I.

THE DECISION OF THE COURT OF APPEALS SOUGHT TO BE REVIEWED IS NOT IN ACCORDANCE WITH LAW, PARTICULARLY SECTION 1 (B), RULE III OF THE RULES IMPLEMENTING THE PROVISIONS OF TITLE II, BOOK IV OF THE LABOR CODE.

II.

THE COURT OF APPEALS ERRED IN RULING THAT THERE EXISTS A CAUSAL CONNECTION BETWEEN RESPONDENT'S PARKINSON'S DISEASE AND THE WORKING CONDITIONS AT THE PRINTING PRESS.[10]

The sole issue for our resolution is: Did the Court of Appeals err in reversing the ECC decision and in ordering petitioner to pay respondent his claim for compensation benefits?

For the petitioner, the OSG contends that the rule implementing P.D. No. 626 does not list Parkinson's Disease as an occupational ailment, hence, it is not compensable. The OSG takes the view that the evidence on record does not establish that the risk of contracting said ailment was increased by the nature of respondent's work. Thus, said the OSG, it was error for the Court of Appeals to declare the ailment compensable. Additionally, the OSG avers that private respondent failed to submit the documents that the ECC required to support his claim for disability benefits.

Respondent counters that the nature of his functions at LGP clearly brought about the onset of Parkinson's Disease. Moreover, assuming arguendo, that Parkinson's Disease is non-compensable, his other ailment - Essential Hypertension - is covered by P.D. No. 626. He contends that the risk of contracting Essential Hypertension was increased by his job at LGP.[11]

Workmen's Compensation cases are governed by the law in force at the time the claimant contracted his illness.[12] In the instant case, the applicable rule is Section 1 (b),[13] Rule III, of the Rules Implementing P.D. No. 626. Under said Rule, for the sickness to be compensable, the same must be an "occupational disease" included in the list provided, with the conditions set therein satisfied; otherwise, the claimant must show proof that the risk of contracting it is increased by the working conditions.[14] What kind and quantum of evidence would constitute an adequate basis for a reasonable man (not necessarily a medical scientist) to reach one or the

other conclusion, can obviously be determined only on a case-to-case basis.[15] For reasons herein elaborated, we agree with the appellate court that respondent Pedro Mariano has substantially proved his claim to compensability.

First, as to Parkinson's disease, while it is true that this disease is not included in the list of compensable diseases under the law then prevailing, it was found by the Court of Appeals that the conditions prevailing at LGP largely led to the progression of the ailment. The respondent's functions entailed constant exposure to hazardous or toxic chemicals such as carbon disulfate, carbon monoxide, or manganese. As the ECC itself admitted in its judgment, the exposure to these toxic substances is among the possible causes of this disease.[16] Where it was established that the claimant's ailment occurred during and in the course of his employment, it must be presumed that the nature of the claimant's employment is the cause of the disease.[17]

Second, even if we were to assume that Parkinson's Disease is not compensable, there can be no question that Essential Hypertension is a compensable illness, following our ruling in *Government Service Insurance System v. Gabriel*,[18] that hypertension and heart ailments are compensable illnesses. The respondent herein was diagnosed to have developed Incomplete Right Bundle Branch Block,[19] a disease caused by a delay in the depolarization of the right ventricle.[20] Right Bundle Branch Block is an intraventricular conduction defect common in individuals with otherwise normal hearts as well as in many diseased processes, including ischemic heart disease, inflammatory disease, infiltrative disease, cardiomyopathy, and postcardiotomy.[21] We note that respondent was also diagnosed as having hypertension and a medical certification was issued to that effect.

In *Ijares v. Court of Appeals*,[22] which involved a claim for disability benefits due to hypertension, this Court gave probative value to the medical findings of the examining physician. A doctor's certification as to the nature of the claimant's disability normally deserves full credence. No medical practitioner will, in the normal course of things, issue certifications indiscriminately, considering the doctor's awareness of the serious and far-reaching effects that a false certification would have on a claim filed with a government agency and of its implications upon his own interests as a professional.[23]

In upholding respondent Mariano's claim, the Court of Appeals found that among the various jobs the respondent performed were those of a machine operator, paper cutter, monotype composer,[24] and later as supervisor, most of which are physical and stressful in character. In established cases of Essential Hypertension, the blood pressure fluctuates widely in response to emotional stress and physical activity.[25] Given the nature of his assigned job and the printing business, with its tight deadlines entailing large amounts of rush work, indeed the emotional and physical stress of respondent's work at the printing press caused, and then exacerbated, his hypertension. On this score, we hold that the Court of Appeals did not err in liberally construing the rules implementing P.D. No. 626. In matters of labor and social legislation, it is well established that doubts in the interpretation and application of the law are resolved liberally in favor of the worker and strictly against the employer.

While the SSS and ECC may be commended for their vigilance against sustaining unjustified claims that would only drain funds meant for deserving disabled employees, respondent Mariano's case does not fall in that class. Said agencies ought to realize, in our view, that strict interpretation of the rules should not result in the denial of assistance to those in need and qualified therefor. Workers whose capabilities have been diminished, if not completely impaired, as a consequence of their service, ought to be given benefits they deserve under the law. Compassion for them is not a dole-out, but a right.[26]

WHEREFORE, the instant petition is DENIED. The assailed decision of the Court of Appeals, dated July 26, 1999, in CA-G.R. SP No. UDK-2898 is AFFIRMED.

No pronouncement as to costs.

SO ORDERED.

Bellosillo (Chairman), Mendoza, Austria-Martinez and Callejo, Sr., JJ., concur.

[1] Penned by Associate Justice Artemio G. Tuquero, with Associate Justices Eubulo G. Verzola and Elvi John S. Asuncion, concurring. Rollo, pp. 58-62.

[2] Labor Code, Book IV, Title II.

[3] CA Rollo, p. 25.

[4] Id. at 45.

[5] Rollo, pp. 10-11.

[6] Id. at 11.

[7] CA Rollo, p. 35.

[8] Rollo, p. 11.

[9] Id. at 62.

[10] Id. at 13.

[11] Id. at 73.

[12] *Loot v. Government Service Insurance System*, G.R. No. 86994, 30 June 1993, 224 SCRA 54, 58.

[13] SECTION 1. Grounds. – ...

(b)

For the sickness and the resulting disability or death to be compensable, the sickness must be the result of an occupational disease listed under Annex “A” of these Rules with the conditions set therein satisfied, otherwise, proof must be shown that the risk of contracting the disease is increased by the working conditions.

[14] *Government Service Insurance System v. CA*, G.R. No. 126352, 7 September 2001, 364 SCRA 624, 629.

[15] *Riño v. Employees’ Compensation Commission*, G.R. No. 132558, 9 May 2000, 331 SCRA 596, 602-603, citing *Sante v. Employees’ Compensation Commission*, G.R. No. 84415, 29 June 1989, 174 SCRA 557, 565.

[16] CA Rollo, p. 40.

[17] *Roldan v. Republic*, G.R. No. 45618, 15 February 1990, 182 SCRA 230, 236. See also *Diopenes v. GSIS*, G.R. No. 96844, 23 January 1992, 205 SCRA 331, 334.

[18] G.R. No. 130379, 21 June 1999, 308 SCRA 705, 713.

[19] CA Rollo, p. 45.

[20] Right Bundle Branch Blocks (RBBB) <<http://user.gru.net/clawrence/vccl/chpt5/rbbb.htm>>, 1/15/03.

[21] L. TIERNEY, JR. ET. AL (EDS.) CURRENT MEDICAL DIAGNOSIS AND TREATMENT, 400 (38[th] International Ed., 1999).

[22] G.R. No. 105854, 26 August 1999, 313 SCRA 141.

[23] Id. at 151-152.

[24] CA Rollo, p. 25.

[25] L. TIERNEY, JR. ET. AL., loc. cit. 431.

[26] Diopenes v. GSIS, supra at 335-336.

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