

SOCIAL SECURITY SYSTEM, PETITIONER, VS. COURT OF APPEALS (11TH DIVISION) AND MANUEL G. RAMOS, RESPONDENT.*G.R. No. 46192. August 29, 1989*

Ponente: NARVASA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-46192/>**NARVASA, J.:**

Once again the Court is presented with yet another plea for a review and reversal of conclusions of fact of the Court of Appeals. Once again, as in innumerable instances in the past, that plea will be spurned.

The proceedings at bar were commenced by a petition filed with the Social Security System (SSS) by Felicisima Orcino against Manuel G. Ramos, an architect.[1] Her petition sought the payment to her by Ramos, as alleged employer of her deceased son, Emeterio Orcino, of an amount equivalent to the death benefits that would otherwise have been payable to her by the System but for the culpable omission of Ramos to register Emeterio with said System as his covered employee. The petition described Ramos as an architect-builder and averred that Emeterio, until his demise,[2] had been working for the former, initially as a laborer, and later as a foreman; that because her son's death was the result of a work-induced ailment, she had claimed death benefits under the Workman's Compensation Act from Ramos and a certain Ms. de Jesus, the owner of the construction being undertaken by Ramos at the time; that she had received on account of this claim the sum of P4,192.00 as death compensation benefit -- for which she had signed a document acknowledging receipt thereof as "full payment of the balance of all ** claims under the Workman's Compensation Act and or any other laws resulting from the death of ** Emeterio Galang while he was under the employ of Mrs. de Jesus and/or Mr. Manuel G. Ramos," as well as in consideration of the "dismissal of the case ** filed with the (MOLE)"¹ -- and on the same occasion, a further sum of P3,600.00 -- for which she had executed another document entitled "Receipt and Quitclaim" confessing receipt of the amount in consideration of "the dismissal of any case filed with the Social Security System ** in connection with (the) claim for benefits under the Social Security Act resulting from the death of (Emeterio Galang) on account of his previous employment by Mrs. de Jesus and/or Mr. Manuel G. Ramos **."²

In his answer Ramos denied being a builder or contractor. He alleged that his vocation was exclusively that of an architect; that as regards construction projects of his clients, his participation therein was limited to supervision and administration, or when specifically requested, recruiting workers for employment by his clients; that Emeterio Galang had indeed previously worked for him, but only for a year, intermittently, and in some capacity or another; that Emeterio had died after completion of the residence of Ramos' client, Ms. de Jesus; that his death was not the result of a "work-induced ailment;" and that on Ramos' intercession, Ms. de Jesus had paid Ramos P4,192.00 and P3,600.00, from considerations purely of charity and not from any acknowledgment of the existence of an employment relationship between them.³

The SSS itself filed a petition-in-intervention basically to allege what its records reveal, i.e., that Ramos had registered as an employer in 1966 but Emeterio Galang's name did not appear in his SSS Form R-1A, I.D. 03-36236; that from 1956 to May, 1966, Ramos had not submitted any R-3 form (monthly collection list); that from June, 1966 to June, 1967, Emeterio's name had not been included in any R-3 form submitted by Ramos,

either; and that from July, 1967 to 1971, Ramos had not submitted any R-3 form at all.⁴

Reacting to the petition-in-intervention, Ramos declared that Emeterio's name did not appear in his SSS Form R-1A for the simple reason that he had never been his employee; and he had not submitted any R-3 forms to the SSS during the periods stated because he had no employees then.⁵

The SSS rendered judgment in due course. It held Ramos liable, on account of his failure to register Emeterio as his employee for coverage, to pay death benefits by way of damages to petitioner Felicisima Vda. de Orcino, as well as back contributions for the corresponding period of Emeterio's employment, including penalties due thereon pursuant to law. The judgment however allowed Ramos to deduct from the aggregate of his liabilities the sum of P3,600.00 which he had paid to Ms. Orcino.¹

The judgment was, on appeal by Ramos, reversed by the Court of Appeals.² The Appellate Tribunal analyzed and assessed the evidence relied upon by the SSS for its verdict in favor of Ms. Orcino, i.e., the testimony of Orcino herself and the documents proffered in support thereof, and pronounced them inadequate to establish the existence of an employer-employee relationship between Emeterio and Ramos. It considered material portions of her testimony as plainly hearsay, dealing with matters which clearly she could not know of her own personal knowledge. The decision also deemed other portions of her testimony, and the exhibits ostensibly corroborative thereof, as obviously inaccurate as they tended to show, in relation to Ramos' proofs, that Emeterio Galang had been hired by Ramos at a time when the latter was still a student, or employed in a Government office or a private firm, and not yet engaged in private practice on his own as an architect. The decision finally declared as sufficiently demonstrated by the evidence, the fact that except for one year, Ramos had never hired any employee, those that he had recruited, including Emeterio Galang, having in truth been employed by the owners of the structures being constructed under Ramos' administration, said owners having paid their wages; and the further fact that during the time material to the inquiry, Ramos had exercised his profession purely as an architect and had never had any financial outlay for hiring laborers or employees.³

In the appellate proceedings instituted in this Court by the SSS, the latter assails as erroneous the conclusion of the Court of Appeals, that there existed no employer-employee relationship between Emeterio Galang, Jr. and M. G. Ramos and that it was the latter's client, Ms. de Jesus, who was in fact Emeterio's employer.

The SSS obviously would have this Court review and reverse factual findings of the Court of Appeals. This, of course, the Court cannot and will not do. A review of factual findings of the Court of Appeals, as was observed in a 1987 case,⁴ "is not a function ordinarily undertaken by this Court, the rule admitting only a few exceptions recognized in decisional law. The principle is consistent with the Rules of Court which categorically provide that a petition for review on certiorari must raise 'only questions of law' to be 'distinctly set forth' in the petition. Even then, the review sought will be denied if the questions raised are 'too unsubstantial to require consideration' or if the Court is not convinced of the existence of 'special and important reasons' to warrant review."

On the basis of the Appellate Court's conclusions of fact made after an assessment of the evidence on record -- particularly that no employment relationship had been adequately proven between respondent Ramos and the decedent, Emeterio Galang, and that the former was not an independent contractor but an architect, pure and simple, designing structures for particular clients and, in behalf of said clients, recruiting workers and supervising the construction of the structures thus designed, Ramos cannot be held liable for death or other compensation to Galang's heirs resulting from his failure to register Galang as his employee. What was said by this Court in 1933, in *Catalla v. Tayabas Lumber Co.*,¹ may well be said now:

"We regret to be compelled to decide the question against the claimant-appellee's claim. This case should be decided not from a sympathetic point of view which the working class well deserves, but in accordance with

the proven facts and the law applicable thereto. Where there is no doubt that the deceased was not an employee or laborer, and there is not even a contractual or juridical relation between the parties, the claim for compensation should be denied."

The Court's attention is drawn by the SSS to the two (2) documents earlier mentioned,² evidencing payments to Ms. Felicisima Orcino on October 18, 1972 of the sum of P4,192.00 --- representing "full payment of the balance of all ** claims under the Workman's Compensation Act and/or any other laws resulting from the death of ** Emeterio Galang while he was under the employ of Mrs. de Jesus and/or Mr. Manuel G. Ramos" -- and the amount of P3,600.00 -- in consideration of "the dismissal of any case filed with the Social Security System ** in connection with (the) claim for benefits under the Social Security Act resulting from the death of (Emeterio Galang) on account of his previous employment by Mrs. de Jesus and/or Mr. Manuel G. Ramos**."³ These writings, it is theorized, constitute persuasive proof of the existence of the employment relationship between Emeterio Galang and respondent Ramos. They do not. The documents are signed only by Ms. Orcino herself and her lawyer. They are subscribed neither by respondent Ramos nor his client, Ms. de Jesus (in the construction of whose residence Galang was one of the workers at the time of his death). They cannot consequently be deemed admissions of either respondent Ramos or Ms. de Jesus. It is noteworthy, moreover, that as found by the Court of Appeals, a finding not shown to be unsupported by the evidence or otherwise erroneous, the payments in question were made out of considerations of pity and charity and not from a consciousness of a legal duty to do so.

WHEREFORE, the petition for review on certiorari is DENIED, and the judgment of the Court of Appeals is AFFIRMED. No costs.

SO ORDERED.

Cruz, Gancayco, Griño-Aquino, and Medialdea, JJ., concur.

[1] Docketed as SSS Case No. 2327

[2] On May 29, 1971

1 Rollo, p. 19

2 Id., pp. 57, 58

3 Id., pp. 58-59

4 Id., pp. 59-60

5 Id., p. 60

1 Id., p. 57

2 The appeal was docketed as CA-G.R. No. SP-04953-R, and the judgment, promulgated on May 11, 1977, was written for the Court by Puno, J., and concurred in by Escolin and Lood, JJ.

3 Id., pp. 63-64

4 Cu Bie, et al. v. IAC, et al., 154 SCRA 599; SEE also Apex Investment and Financing Corp., et al. v. IAC, et al., G.R. No. 69723, Oct. 18, 1988; Knecht v. CA, et al., 158 SCRA 80 [1988]; Estate of Rodolfo Jalandoni v. CA, et al., 144 SCRA 334 [1987]

1 55 Phil. 835

2 SEE footnote 2 at page 2, supra

3 Italics supplied

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.