

ARCADIA VISTAL, PETITIONER, VS. EMPLOYEES' COMPENSATION COMMISSION, GOVERNMENT SERVICE INSURANCE SYSTEM (DEPARTMENT OF EDUCATION, CULTURE & SPORTS), RESPONDENTS.

G.R. No. 79009. July 20, 1990

Ponente: MEDIALDEA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-79009/>

MEDIALDEA, J.:

This petition seeks to reverse the decision dated January 7, 1987 of the Employees' Compensation Commission in ECC Case No. 2679 entitled *Arcadia Vistal v. Government Service Insurance System* (Ministry of Education, Culture and Sports) which dismissed petitioner's appeal for lack of jurisdiction, the same having been filed beyond the ten-year prescriptive period for filing. The pertinent ruling of the ECC is herein quoted, to wit:

"In the case at bar, appellant contracted her ailments early 1973 long before the Decree came into effect in 1975. Hence, her case is covered by the old workmen's compensation law. Nonetheless, she could not pursue her case under the old law because her cause of action had already prescribed, because she filed her claim on September 9, 1983 ten (10) years after her cause of action accrued." (ECC Decision, p. 2; Rollo, p. 17)

Vistal was an elementary grades teacher of the MECS Division of Bohol who retired on June 3, 1974 at the age of 61. On September 9, 1983, she filed a claim for disability benefits under the present employees' compensation law for her PTB, essential hypertension and rheumatoid arthritis which she allegedly contracted sometime in 1973. The respondent GSIS denied her claim as follows:

"Our records show that you have retired from the government service effective June 3, 1974. We wish to inform you that the GSIS as an administering agency of the Employees' Compensation Program under the aforementioned Decree, has jurisdiction only for claims of government employees who were still in the service on or after January 1, 1975." (ECC Decision, p. 2; *supra*.)

Vistal filed the present petition for certiorari principally based on the grounds that her cause of action is covered by the Workmen's Compensation Act (Act 3428) and that her ailments are compensable. The Solicitor General, the GSIS and the ECC all agree with petitioner that her claim is governed by the Workmen's Compensation Act. Indeed, the governing law is determined by the date on which the claimant contracted his illness. Thus, where an ailment supervened before the new employees' compensation law took effect, the governing law is the old Workmen's Compensation Act. On the other hand, where an ailment occurred after January 1, 1975, the new law on employees' compensation applies. This is so provided in Article 208 of P.D. 442, as amended by P.D. 626 and Section 1(c), Rule 111 of the Rules implementing P.D. 626, which are herein quoted:

"Art. 208. Applicability. - This Title shall apply only to injury, sickness, disability or death occurring on or after January 1, 1975 (P.D. 626, as Amended).

"Only injury or sickness that occurred on or after January, 1975 and the resulting disability or death shall be compensable under these Rules." (Sec. 1(c), Rule 111, Amended Rules on Employees Compensation)

Whether or not petitioner's claim has already prescribed, the Solicitor General is of the view that the same had been filed well within the ten-year prescriptive period. The law and jurisprudence limit the period of filing of any cause of action under the Workmen's Compensation Act (WCA) to ten (10) years. This is so because any claim under the WCA creates an obligation. Pursuant to Article 1144 of the Civil Code, an action upon an obligation created by law must be brought within ten years from the time such right of action accrues. Even the respondent ECC admits that it erred in applying the provisions of Article 1144 of the Civil Code on prescriptive period.

Respondents' record shows that petitioner's ailments accrued in 1973 without any specific date being stated therein. Accordingly, under the time-honored doctrine that any doubt must be resolved in favor of the worker, petitioner's claim for compensation, filed on September 9, 1983, must be construed as having been filed within the allowable period of ten (10) years from accrual of cause of action.

Whether or not petitioner's claim is compensable or not, the Solicitor General likewise maintained the same view as that of petitioner. He argues that since there is no dispute that petitioner contracted pulmonary tuberculosis, essential hypertension and rheumatoid arthritis during her employment as a teacher, the same being admitted in the ECC decision of January 7, 1987, it may be concluded that such ailments, having been contracted while employed are caused directly or indirectly by the nature of the duties of a teacher or that the risk of contracting the same is aggravated by the working habits necessitated by the demands of job efficiency.

Under the Workmen's Compensation Act, an employee is entitled to compensation benefits when he contracts an illness directly caused by such employment, or aggravated by or the result of the nature of such employment (Section 2, Act No. 3428, amended). Moreover, the principle of presumption of compensability, although rebuttable by substantial evidence to the contrary, obtained under said law (Section 44, Act 3428, as amended).

In any event, it has been held that tuberculosis may be considered an occupational disease or work-connected in such occupations as that of a teacher, laborer, driver, land inspector and other similar occupations; hence compensable (See *Laginlin v. Workmen's Compensation Commission*, G.R. L-45785, March 21, 1988, 159 SCRA 91).

Noteworthy also is the case of *Reyes v. Republic of the Philippines*, G.R. L-48122, February 21, 1989 wherein petitioner's claim for compensation was denied by the Workmen's Compensation Commission on the ground that rheumatoid arthritis combined with essential hypertension had not disabled her from working. In reversing the decision, this Court held that the retirement of a public school teacher on the ground of disability could not have been approved had she not complied with the conditions for optional retirement that she is physically incapacitated to render efficient service. Optional retirement of claimant for disability benefits is an indication of physical incapacity to render efficient service. In the case at bar, petitioner also retired at the age of 61. It is clear, therefore, that petitioner's ailments are compensable.

As to who should be legally bound to pay the claim, respondent GSIS avers that its jurisdiction covers only claims governed by the new employees' compensation law (P.D. 442, as amended by P.D. 626) in view of the explicit provision of Article 208 of said law that the same "shall apply only to injury, sickness, disability or death occurring on or after January 1, 1975." Inasmuch as the case had been adjudged compensable under Workmen's Compensation Act, under which law the employers themselves are the ones primarily and principally liable to pay the claims of their own employees, this Court held in *Corales v. ECC*, G.R. L-44063, November 29, 1983, 126 SCRA 136 as follows:

"In the light of the foregoing, in the cases of *Corales*, *Villones*, *Caneja* and *Barga* and other similar cases where the decisions had already become final and executory, the GSIS shall remain liable to pay the respective petitioners-claimants the decreed awards in the said cases, without prejudice to the right of the Government

Service Insurance System to reimbursement from the respective employers of the claimants or petitioners, because said cases were adjudged compensable pursuant to the Workmen's Compensation Act as they cover ailments initially contracted prior to the effectivity of the New Labor Code, even if said cases were filed after the effectivity of said Code.

In all other cases where the decisions decreed awards under the Workmen's Compensation Act for ailments initially contracted prior to the effectivity of the New Labor Code, although the claims were filed thereafter, but said decisions have not yet become final, the awards shall be paid by the respective employers of the claimants."

In *Mallari v. Employees' Compensation Commission and Government Service Insurance*, G.R. 88204, February 26, 1990, Third Division (Minute Resolution) this Court upheld the position of the GSIS when it ordered the employer of petitioner therein, the Integrated National Police, to pay the permanent total disability benefits, the medical and hospital expenses duly supported by proper receipts, the attorney's fees and the administrative costs, petitioner's ailment being compensable under the old Workmen's Compensation Act.

ACCORDINGLY, this petition for certiorari is hereby GRANTED and the decision of the Employees Compensation Commission is hereby SET ASIDE. The Department of Education, Culture and Sports is hereby ORDERED:

1. To pay petitioner the sum of SIX THOUSAND (P6,000.00) PESOS as maximum compensation under the law;
2. To pay petitioner P600.00 as attorney's fees; and
3. To pay the administrative costs.

SO ORDERED.

Narvasa, (Chairman), Cruz, Gancayco, and Griño-Aquino, JJ., concur.

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.