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TIME: 8:28

Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

JULIETA T. VERZONILLA,
Petitioner,

G.R. No. 232888

Present:

- versus -

CARPIO, J., Chairperson,*
CAGUIOA,**
J. REYES, JR.,
LAZARO- JAVIER, and
ZALAMEDA, JJ.

**EMPLOYEES’
COMPENSATION
COMMISSION,**
Respondent.

Promulgated:

14 AUG 2019

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MANCABALOG-----X

RESOLUTION

CAGUIOA, J.:

Before the Court is a Petition for Review on Certiorari¹ under Rule 45 of the Rules of Court assailing the Decision² dated October 28, 2016 (Assailed Decision) and Resolution³ dated July 6, 2017 (Assailed Resolution) of the Court of Appeals (CA) Special Tenth Division and Former Special Tenth Division, respectively, in CA-G.R. SP No. 134846.

Facts

Reynaldo I. Verzonilla (Reynaldo) was employed as a Special Operations Officer (SOO) III in the Quezon City Department of Public Order and Safety since June 1, 1999 until his death on July 5, 2012: As such, he performed the following functions:

* On official leave.
** Designated Acting Chairperson per Special Order No. 2688 dated July 30, 2019.
¹ *Rollie*, pp. 9-32.
² *Id.* at 34-40; Penned by Associate Justice Zenaida T. Galapate-Laguilles with Associate Justices Florido S. Macalino and Leoncia R. Dimagiba concurring.
³ *Id.* at 43-44.

1. Assist the Special Operations Officer V in conducting seminars, training and [dry runs] on disaster preparedness and first aid techniques relative to rescue and relief operations.
2. Assist the immediate supervisor in enhancing public awareness on disaster preparedness through tri-media information campaign.
3. Conduct hazard, vulnerability, and risk assessment within the city.
4. Attend meetings, seminars, and trainings on disaster prevention and preparedness.
5. Render fieldwork in times of urgent need and coordinate with other government agencies/offices.⁴

Pursuant to a Memorandum dated June 29, 2012, Reynaldo attended the training “on the use of the Rapid Earthquake Damage Assessment System (REDAS) software” on July 1-6, 2012 in Tagaytay City. Prior to this, he attended several other seminars.⁵

On July 5, 2012, Reynaldo died due to “cardio pulmonary arrest, etiology undetermined” at UniHealth-Tagaytay Hospital and Medical Center, Inc. (UTHMCI). His Discharge Summary/Clinical Abstract⁶ shows that he complained of abdominal pain and chest pain. Records show that Reynaldo was previously diagnosed with hypertension in 2002.⁷

Thereafter, petitioner Julieta Verzonilla (Julieta), the surviving spouse of Reynaldo, filed a claim for compensation benefits before the Government Service Insurance System (GSIS) under Presidential Decree (PD) 626.⁸ In a letter dated April 26, 2013,⁹ the GSIS denied the claim of Julieta, stating that based on the documents submitted, the ailment of Reynaldo was not connected

⁴ Id. at 72.

⁵ Including the following:
September 19-23, 2011

February 28-29, 2012

March 21-23, 2012

March 8, 2012

March 27-29, 2012

April 16-27, 2012

May 16-18, 2012

June 8, 2012

June 18 -20, 2012

July 1-6, 2012

June 18, 19 and 20, 2012,

– PH-US Balikatan 2012 CPX Initial Planning Conference and the Actual Exercise

– Bahn Communications, Inc. eGIS Planning and Kick-off Workshop

– ASEAN Training Course on Disaster Risk Reduction (DRR) and Climate Change Adaptation (CCA)

– Info Bahn Communications, Inc. eGIS Orientation (Capability Building Training)

– PH-US Balikatan 2012 – Unilateral Exercise

– PH-US Balikatan 2012 CPX

– 3-Day Training of Trainers (TOT): Philippine Disaster Risk Reduction and Management System

– ER Hardcore Core Concepts of the Basics

– Forum on Partnership Building for DRRM & CCA

– Mainstreaming Disaster Risk Reduction into Local Development Planning Process through the Provision and Training on the Use of REDAS Software. (Id. at 75-76)

– DILG Forum on Partnership Build for Disaster, Risk Reduction and Management and Climate Change in Tagaytay City (Id. at 11-12)

⁶ Id. at 98.

⁷ Id. at 101.

⁸ FURTHER AMENDING CERTAIN ARTICLES OF PRESIDENTIAL DECREE NO. 442 ENTITLED “LABOR CODE OF THE PHILIPPINES,” dated December 27, 1974.

⁹ *Rollo*, p. 96.

to his work and that no evidence was found that his duties as SOO III increased the risk of contracting said ailment.¹⁰ Julieta moved for a reconsideration of the denial but the same was denied in the GSIS decision dated May 24, 2013.¹¹

Julieta elevated her claims to the Employees' Compensation Commission (ECC). In a decision dated August 7, 2013,¹² the ECC affirmed the decision of the GSIS, noting that while cardiovascular disease is listed as an occupational disease under Annex "A" of the Amended Rules on Employees Compensation (EC), it is still subject to the conditions therein set. According to the ECC, Julieta failed to satisfy these conditions. Further, the ECC held that Julieta failed to provide substantial evidence to show reasonable connection between the cause of death of Reynaldo and his work and working conditions.¹³

Hence, Julieta filed a Petition for Review with the CA. In the Assailed Decision, the CA agreed with the ECC that Julieta failed to prove, by substantial evidence, that the conditions for compensability of cardiovascular diseases were met¹⁴ or that Reynaldo's risk of contracting the disease was increased by his working conditions.¹⁵ The CA noted that while Reynaldo was diagnosed to be hypertensive, no evidence was submitted to show that this hypertension was controlled or that his heart disease worsened by the nature of his work.¹⁶ The CA held as well that there was no showing that Reynaldo was performing strenuous activities prior to his death.¹⁷ The CA, thus, disposed of the case as follows:

WHEREFORE, premises considered, the instant *Appeal* is **DENIED**. The appealed *Decision* dated August 7, 2013 by the Employees' Compensation Commission in ECC Case No. GM-19162-0705-13 is hereby **AFFIRMED**.

SO ORDERED.¹⁸

Julieta filed a motion for reconsideration but the same was denied in the Assailed Resolution. Hence, the present recourse.

In assailing the findings of the CA, Julieta avers that: 1) there is a reasonable work connection between Reynaldo's hypertension, cardiac arrest and abdominal pain, on the one hand, and the pressures of his work, on the other;¹⁹ 2) PD 626 is a social legislation, the purpose of which is to provide

¹⁰ Id.

¹¹ Id. at 97.

¹² Id. at 59-62.

¹³ Id. at 61.

¹⁴ Id. at 38.

¹⁵ Id. at 39.

¹⁶ Id.

¹⁷ Id.

¹⁸ Id. at 40.

¹⁹ Id. at 19-20.



meaningful protection to the working class,²⁰ hence, doubts on compensability must be resolved in favor of labor;²¹ and 3) Annex “A” of the Amended Rules on EC requires the concurrence of only one of the conditions set forth and that paragraphs (a) and (b) of said conditions were satisfied in the present case.²²

Issue

Whether the CA erred in affirming the ECC’s denial of Julieta’s claim for EC benefits in connection with the death of her late husband Reynaldo.

Ruling

There is merit in the petition.

Article 165 (1) of Title II, Book IV on Employees’ Compensation and State Insurance Fund of the Labor Code, as amended by Section 1, PD 626, as amended, defines “sickness” as “**any illness definitely accepted as an occupational disease listed by the Commission, or any illness caused by employment, subject to proof that the risk of contracting the same is increased by working conditions.**”

This is reiterated in the Amended Rules on EC, which implements PD 626 and which requires that, “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 [the] 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.”²³

In plainer terms, to be entitled to compensation, a claimant must show that the sickness is either: (1) a result of an occupational disease listed under Annex “A” of the Amended Rules on EC under the conditions Annex A sets forth; or (2) if not so listed, that the risk of contracting the disease is increased by the working conditions.²⁴

Annex “A” of the Amended Rules on EC lists cardiovascular disease as an “Occupational and Work-Related Disease” subject to certain conditions, thus:

18. CARDIO-VASCULAR DISEASES. **Any** of the following conditions:

a. If the heart disease was known to have been present during employment, there must be proof that an acute exacerbation was clearly precipitated by the unusual strain by reasons of the nature of his/her work.

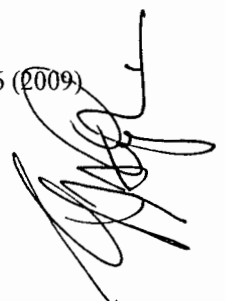
²⁰ Id. at 20.

²¹ Id. at 27-28.

²² Id. at 23-26.

²³ Amended Rules on Employees’ Compensation, Rule III, Section 1 (b).

²⁴ *GSIS v. Raoet*, 623 Phil. 690, 698-699 (2009); see also *GSIS v. Vicencio*, 606 Phil. 120, 125-126 (2009) and *GSIS v. Capacite*, 744 Phil. 170, 176 (2014).



b. The strain of work that brings about an acute attack must be of sufficient severity and must be followed within 24 hours by the clinical signs of a cardiac insult to constitute causal relationship.

c. If a person who was apparently asymptomatic before being subjected to strain at work showed signs and symptoms of cardiac impairment during the performance of his/her work and such symptoms and signs persisted, it is reasonable to claim a causal relationship subject to the following conditions:

1. If a person is a known hypertensive, it must be proven that his hypertension was controlled and that he was compliant with treatment.

2. If a person is not known to be hypertensive during his employment, his previous health examinations must show normal results in all of the following, but not limited to: blood pressure, chest X-ray, electrocardiogram (ECG)/treadmill exam, CBC and urinalysis.

d. A history of substance abuse must be totally ruled out.
(Emphasis supplied)

It is well to recall that the first law on workmen's compensation, Act No. 3428, worked upon the presumption of compensability which means that if the injury or disease arose out of and in the course of employment, it was presumed that the claim for compensation fell within the provisions of the law. PD 626 abandoned this presumption.²⁵ Hence, for the sickness and resulting disability or death to be compensable, the claimant has the burden of proof to show, by substantial evidence, that the conditions for compensability is met.²⁶

Hence, in the present case, the fact that cardiovascular disease is listed as an occupational disease does not mean automatic compensability. Julieta must show, by substantial evidence, that any of the conditions in item number 18 of the Amended Rules on EC was satisfied or that the risk of Reynaldo in contracting his disease was increased by his working conditions.

Julieta hinges her claim on paragraphs (a) and (b) of item number 18 of the ECC Board Resolution. She does not dispute that Reynaldo had a pre-existing hypertension, having been diagnosed with such in 2002. However, she claims that this illness, as well as the abdominal pain that Reynaldo suffered, was aggravated by the strenuous conditions of his work as SOO III, which ultimately led to his death.²⁷

²⁵ *GSIS v. Cuanang*, 474 Phil. 727, 738 (2004).

²⁶ See *Gatus v. SSS*, 655 Phil. 550, 558 (2011).

²⁷ *Rollo*, pp. 22-23.



To support her claim, Julieta lays down the series of alleged strenuous work Reynaldo was subjected to, quoting thus:

x x x Mr. Verzonilla comes (sic) from Manila as his death certificate would show. He therefore had to travel in perhaps about two (2) hours or more including traffic, to get to Tagaytay. Starting July 1, he started attending that day-long seminar. It cannot be denied that seminars, especially one for earthquake assessment, would also involve some physical activities. Then on the 4th day, Mr. Verzonilla and company went to at least five (5) different places in Tagaytay for the use of the [Global Positioning System (GPS)] system. Inclusive of travel, this activity lasted for at least two and a half hours (2 1/2 hours). Thereafter, he continued on with attending the lectures for that day until 7:30 p.m. [a]nd then this was followed by a program which lasted at least until 10:00 [p.m.] Not long after, he suffered a cardiac arrest and at 1:25 a.m. of July 5, 2012, he died. His death occurred in less than x x x 24 hours since his last strenuous activities in that seminar.

And prior to this particular seminar, Mr. Verzonilla was also made to attend a Seminar on Partnership Build for Disaster, Risk Reduction and Management Climate Change also in Tagaytay City which lasted from June 18-20, 2012.²⁸

The CA, in affirming the ECC decision denying the claim of Julieta, ruled out paragraph (c), item 18 of the ECC Board Resolution, thus:

Here, though it was shown that Reynaldo was diagnosed to be hypertensive, it also appears that his last consultation with Dr. Alonso was on December 22, 2003. There was no evidence adduced to show that his hypertension was controlled and that he was compliant with the treatment given, if any.²⁹

Moreover, the CA pronounced that “although cardiovascular disease is a listed occupational disease, its compensability, nonetheless, requires compliance with all [the] conditions set forth in the rules,”³⁰ giving the impression that Julieta is bound to prove the concurrence of ALL of the conditions in item number 18. This is mistaken. A simple reading of the law shows that a claimant is required to prove merely the existence of “**any**” of the conditions mentioned in the subject item, hence, only at least one thereof.

Indeed, it appears that the CA failed to appreciate whether Reynaldo’s case falls under the paragraphs of Item 18 other than paragraph (c) thereof. Of particular importance is paragraph (b) which speaks of a situation wherein the strain of work of the employee which caused an attack was severe and was followed within 24 hours by signs of a cardiac insult. To the Court’s mind, if the CA considered the foregoing, it would have not been so precipitate in dismissing Julieta’s claim.

²⁸ Id. at 25.

²⁹ Id. at 39.

³⁰ Id.



Julieta makes a valid point that from the evidence presented, substantial proof was shown that Reynaldo's cardiac arrest falls under, at least, paragraph (b) of item 18. This merely requires that: 1) the strain of work that brings about an acute attack must be of sufficient severity and 2) it must be followed within 24 hours by the clinical signs of a cardiac insult. The series of strenuous activities Reynaldo underwent prior to his heart attack is undisputed. Likewise, that the cardiac arrest and the resulting death happened within 24 hours from such strain of work is clearly shown.

There is likewise substantial proof to support that Reynaldo's pre-existing heart disease was exacerbated by the stresses of his work. Part of Reynaldo's job was to conduct and attend trainings and seminars and conduct hazard, vulnerability and risk assessments.³¹ His job required him to render several hours of field work and, hence, spend stressful and long hours travelling. Barely two weeks prior to his death, he attended a two-day out-of-town seminar. He, in fact, died while in Tagaytay City, on the last day of a five-day seminar. He spent his last living hours going to five different places and enduring hours of travel time. Upon his return to the hotel, he had to conduct another lecture and attend a program which ended at about 10:00 p.m. About three hours thereafter, he suffered the cardiac arrest which took his life.³² Hence, up to his death, Reynaldo was continuously exposed to stresses of his work which, at least, contributed to his death.

In arriving at this conclusion, the Court stresses that in determining the compensability of an illness, it is not necessary that the employment be the sole factor in the growth, development, or acceleration of a claimant's illness to entitle him to compensation benefits.³³ **It is enough that his employment contributed, even in a small degree, to the development of the disease.**³⁴ Moreover, the degree of proof in establishing at least a small work-connection is merely substantial evidence. The Court has pronounced in *GSIS v. Capacite*:³⁵

x x x the case of *GSIS v. Vicencio* x x x particularly states:

It is well-settled that the degree of proof required under P.D. No. 626 is merely substantial evidence, which means, "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. What the law requires is a reasonable work-connection and not a direct causal relation. It is enough that the hypothesis on which the workman's claim is based is probable. Medical opinion to the contrary can be disregarded especially where there is some basis in the facts for inferring a work-connection. Probability, not certainty, is the touchstone. It is not required that the employment be the sole factor

³¹ Id. at 72.

³² Id. at 25.

³³ *GSIS v. Raoet*, supra note 24 at 703.

³⁴ Id.

³⁵ Supra note 24.

in the growth, development or acceleration of a claimant's illness to entitle him to the benefits provided for. It is enough that his employment contributed, even if to a small degree, to the development of the disease.³⁶
(Emphasis supplied)

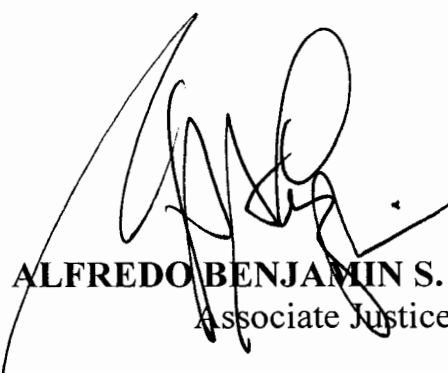
In sum, the Court is convinced that Julieta was able to adduce substantial evidence to support her claims for compensation benefits in relation to her late husband's death.

On a final note, it is well to recall that the constitutional guarantee of social justice towards labor demands a liberal attitude in favor of the employee in deciding claims for compensability.³⁷ This holds true despite PD 626's abandonment of the presumption of compensability under the previous Workmen's Compensation Act. The Court has ruled, thus:

Presidential Decree No. 626, as amended, is said to have abandoned the presumption of compensability and the theory of aggravation prevalent under the Workmens Compensation Act. **Despite such abandonment, however, the present law has not ceased to be an employees' compensation law or a social legislation; hence, the liberality of the law in favor of the working man and woman still prevails,** and the official agency charged by law to implement the constitutional guarantee of social justice should adopt a liberal attitude in favor of the employee in deciding claims for compensability, especially in light of the compassionate policy towards labor which the 1987 Constitution vivifies and enhances.³⁸
(Emphasis and underscoring supplied)

WHEREFORE, premises considered, the petition is **GRANTED**. The Assailed Decision dated October 28, 2016 and Resolution dated July 6, 2017 of the Court of Appeals in CA-G.R. SP No. 134846 are **REVERSED**. The respondent Employees' Compensation Commission is hereby ordered to award death benefits due petitioner in relation to the death of Reynaldo I. Verzonilla. The award of death benefits shall earn interest at the rate of 6% per annum from the date of extrajudicial demand until finality of this Decision and the total amount thereof as of the finality of this Decision shall earn 6% interest per annum from such date until full payment.

SO ORDERED.


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

³⁶ Id. at 177-178.

³⁷ See *GSIS v. Vicencio*, supra note 24 at 126.

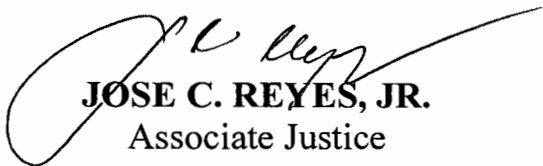
³⁸ *Castor-Garupa v. ECC*, 521 Phil. 311, 321 (2006).


WE CONCUR:

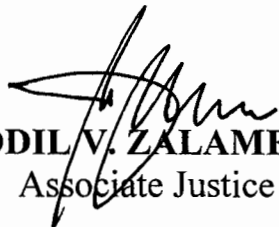
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ANTONIO T. CARPIO

Associate Justice
Chairperson

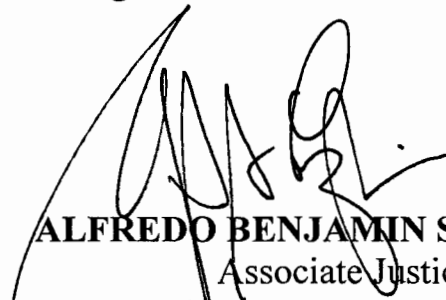

JOSE C. REYES, JR.
Associate Justice


AMY C. LAZARO-JAVIER
Associate Justice


RODIL V. ZALAMEDA
Associate Justice

ATTESTATION

I attest that the conclusions in the above Resolution had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
Acting Chairperson, Second Division

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Acting Chairperson's Attestation, I certify that the conclusions in the above Resolution had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


LUCAS P. BERSAMIN
Chief Justice