



Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
**EMPLOYEES' COMPENSATION COMMISSION**  
4<sup>th</sup> & 5<sup>th</sup> Floor, ECC Bldg., 355 Sen. Gil J. Puyat Avenue, City of Makati

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**EXCERPTS FROM THE MINUTES OF THE THIRD (2<sup>nd</sup>) REGULAR  
COMMISSION MEETING, EMPLOYEES' COMPENSATION COMMISSION,  
SERIES OF 2010, convened at the Boardroom, 5<sup>th</sup> Floor, ECC Bldg.,  
355 Sen. Gil J. Puyat Avenue, Makati City,  
on Friday, 26<sup>th</sup> day of February 2010 at 12:00 Noon**

**BOARD RESOLUTION NO. 10-02-03**

**POLICY ON RETURNING THE SUSPENDED EC PERMANENT TOTAL  
DISABILITY (PTD) BENEFITS**

**WHEREAS**, Article 192 (b) of P.D. 626, as amended, partly provides:

*"ART. 192. Permanent Total Disability. (b) The monthly income benefit shall be guaranteed for five years, and shall be suspended if the employee xxx fails to present himself for examination at least once a year upon notice by the System xxx"*

**WHEREAS**, the existing rules do not provide guidelines on whether the suspended EC PTD benefits would be automatically forfeited or returned to the employee upon compliance with the requirement;

**WHEREAS**, this Commission finds the need to promulgate a policy to prevent any confusion and conflict in the interpretation of the law;

**WHEREAS**, upon consultation with the Medical Evaluation and Underwriting Department of the GSIS and the Medical Program Division of the SSS, the Secretariat has discovered that the practice of both Systems is to lift the suspension upon compliance and to return the suspended EC PTD benefits to the employee;

**WHEREAS**, this Commission upholds the practice of both Systems which is in accordance with the policy of the State to construe social legislations liberally in favor of the beneficiaries of the Employees' Compensation Law;

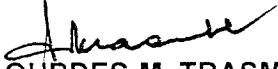
**ON MOTION DULY MADE AND SECONDED**

This Commission **RESOLVES, AS IT HEREBY RESOLVES**, to adopt as a policy that:


1. *Non-compliance of the employee to present himself for examination at least once a year upon notice by the System shall result in the postponement of granting of EC PTD benefits;*
2. *Compliance with the said requirement shall lift the suspension and the obligation of the System to return the suspended EC PTD benefits automatically arises.*

This Commission **RESOLVES, AS IT HEREBY RESOLVES FINALLY**, that copies of this Resolution be duly furnished the SSS and the GSIS for their information and proper guidance.

APPROVED in the City of Makati, this 26<sup>th</sup> day of February 2010

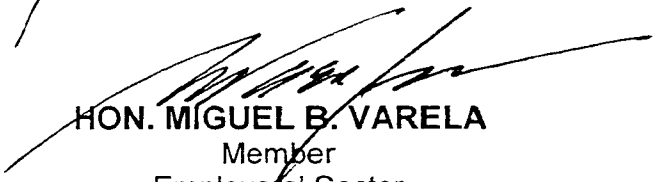
  
Hon. **LOURDES M. TRASMONTE**  
Chairman-Designate

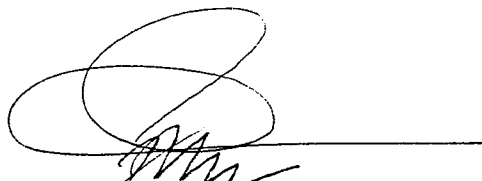
*Department of Labor and Employment*

  
Hon. **SERGIO ORTIZ LUIS, Jr.**  
Member-Designate  
Social Security System

  
Hon. **DIONISIO C. EBDANE, Jr.**  
Member-Designate  
Government Service Insurance System

  
Hon. **VLADIMIR R. TUPAZ**  
Member  
Employees' Sector

  
HON. **MIGUEL B. VARELA**  
Member  
Employers' Sector



Hon. VALENTIN C. GUANIO  
Member-Designate  
Philippine Health Insurance Corporation



Hon. EVELYN P. FLORENDO-TABLANG  
Member  
Employees' Compensation Commission  
Secretariat