



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
EMPLOYEES' COMPENSATION COMMISSION
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ECC BOARD RESOLUTION NO. 09-08-107
Admissibility of Electronic Filing of Sickness, Injuries,
and Deaths of Covered Members as Compliance under
Art. 205 of P.D. 626, as Amended

WHEREAS, Article 205, paragraph (a) of P.D. 626, as amended, provides:

"ART. 205. Record of death or disability. – (a) All employers shall keep a logbook to record chronologically the sickness, injury or death of their employees, setting forth therein their names, dates, and places of contingency, nature of the contingency and absences. Entries in the logbook shall be made within five days from notice or knowledge of the contingency. Within five days after entry in the logbook, the employer shall report to the System only those contingencies he deems to be work-connected."

WHEREAS, on December 17, 1999, this Commission promulgated Board Resolution No. 99-12-0786, providing for the strict implementation of Art. 205 of P.D. 626, as amended;

WHEREAS, on December 13, 2007, the Twenty First Division of the Court of Appeals, Mindanao Station, Cagayan de Oro City, in the case of Pfizer, Inc. vs. SSS, (C.A.-G.R. SP No. 82006) ruled that *"the purpose of an employer's logbook is to record chronologically the sickness, injury, or death of employees. As long as the information or data is entered into and recorded by the employer in its files, be it in a manual logbook or by electronic filing, the purpose of the law is duly served;"*

WHEREAS, on February 1, 2008, the decision in the said case has become final and executory and on July 3, 2008, the same has been recorded in the Book of Entries of Judgments;

WHEREAS, during the 2008 Seminars/Workshops in the National Capital Region, Baguio City, Cebu City, and Davao City with the representatives from the SSS and the GSIS, one of the issues raised was the implementation of Art. 205 of P.D. 626, as amended;

WHEREAS, after consultation with the representatives from the SSS and the GSIS during those seminars/workshops, this Commission, in compliance with the decision of the Court of Appeals in the case of Pfizer vs. SSS, finds the need to clarify the manner of recording of sickness, injuries, and deaths of covered members in a logbook;

ON MOTION DULY MADE AND SECONDED

RESOLVED, AS IT HEREBY RESOLVED, to approve as a policy the decision of the Court of Appeals in the case of Pfizer vs. SSS that *"as long as the information or data is entered into and recorded by the employer in its files, be it in a manual logbook or by electronic filing, the purpose of the law is duly served. Provided, that if the Systems (GSIS/SSS) want to investigate how an employer's automated system works and if the same complies with P.D. 626, as amended, the System could exercise its visitorial power as contemplated in Section 4 of Rule XVI of the Amended Rules on Employees' Compensation."* The said Section provides:

"Sec. 4. Visitorial Power.- The employer's logbook prescribed in these Rules shall be made available for inspection to any duly authorized representative of the System during working hours."

RESOLVE FURTHER, 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 14th day of August 2009.

Hon. LOURDES M. TRASMONTÉ
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

