

2017 Supreme Court (SC) Decisions on EC Appealed Cases

Title of the Case	Decisions of the System of Origin and the Commission	SC Rulings
<p>1. CHRISTINA BARSOLO v. SSS, GR SP No. 187950, January 17, 2017 (Manuel M. Barsolo-deceased)</p> <p>Copy of Entry of Judgment Received by the ECC: Mar. 23, 2018</p> <p>Nature of Claim: death benefits due to Myocardial Infarction</p> <p>Occupation of the Covered Member: Riding Gang/Able Seaman (Vela Int'l Marine, Ltd.)</p>	<p>-SSS Decision: no causal relationship; no employer-employee relationship; no substantial evidence showing that the working conditions of the deceased increased the risk of contracting the fatal ailments</p> <p>-Decision of the Commission: affirmation of the SSS decision denying the claim (December 17, 2017)</p>	<p>-.Petitioner failed to adduce any proof that her husband experienced any symptom of a heart ailment while employed with Vela, much less any sign that his heart condition was aggravated by his job.</p> <p>-"Since there was no showing that her husband showed any sign or symptom of cardiac injury during the performance of his functions, petitioner clearly failed to show that her husband's employment caused the disease or that his working conditions aggravated his existing heart ailment.</p> <p>-"Manuel (deceased) died on September 24, 2006, four years after he disembarked from MV Polaris Sta. Other factors have already played a role in aggravating his illness. Due to the considerable lapse of time, more convincing evidence must be presented in order to attribute the cause of death to Manuel's work. In the absence of such evidence and under the circumstances of this case, this Court cannot assume that the illness that caused Manuel's death was acquired during his employment with Vela.</p> <p>-.myocardial infarction is a compensable occupational illness. However, it become</p>

		<p>compensable only when it falls under any of the three conditions, which should be proven by substantial evidence.</p> <p>-.” Manuel was a smoker. The presence of a different major causative factor which could explain his illness and eventual death, defeats petitioner claim.”</p>
<p>2. MARY ANN C. OLAYRES v. SSS, GR No. 218687 2015 SC Resolution (Michael Olayres-deceased)</p> <p>Copy of Entry of Judgment Received by the ECC: April 5, 2018</p> <p>Nature of Claim: death benefits due to Blunt Trauma on the Head</p> <p>Occupation of the Covered Member: Heavy Dump Truck Driver (Sunwest Construction and Dev’t Corp., Legazpi City)</p>	<p>-disqualification of the appellant as a qualified beneficiary for EC death benefits; she abandoned her husband prior to his work-connected death</p> <p>-affirmation of the decision of the SSS (SL-18794-0711-12, Sept. 27, 2012)</p>	<p>-affirmation of the following rulings of the CA:</p> <p>“Mary Ann (petitioner) was found not living with Michael (deceased) at the time of the latter’s death...</p> <p>“Mary Ann was the one who left Michael despite the latter’s opposition...</p> <p>“The ECC was correct in giving weight to the aforementioned investigations conducted by SSS regarding the marital status of Mary Ann and Michael as it was performed in accordance with its official functions and duties thus, it should be accorded respect. The SSS has in its favor the presumption of regularity in the performance of official duties which the records failed to rebut...”</p>
<p>3. ANALISA L. LOBIANO v. SSS, GR No. 230181 2017 SC Resolution (Raul Lobiano-deceased)</p>	<p>SSS Decision: no causal relationship</p> <p>ECC Decision: non-satisfaction of any of the conditions for compensability</p>	<p>affirmation of the following rulings of the CA:</p> <p>“She (appellant), however, fell short in her duty to show that her husband’s illness resulted</p>

<p>Copy of Entry of Judgment Received by the ECC: June 19, 2017</p> <p>Nature of Claim: death benefits due to Sudden Cardiac Death; Cerebrovascular Accident</p> <p>Occupation of the Covered Member: Security Guard (Exocet Security and Allied Services Corp.)</p>	<p>of Cardiovascular Disease</p>	<p>from or developed as a result of the stressful nature of his work or the inherent pressures thereof. Neither did she establish with reasonable certainty that the strain or exhaustion he allegedly experienced immediately preceding his stroke caused his system to collapse completely.</p> <p>“..he (deceased) worked under the same conditions and hours as always before he expired on Dec. 23, 2009 and his duty at Digitel consists mostly of recording the arrival and departure of technicians and service vehicles and informing the company of any defective equipment or the presence of security threats, if any. None of these, unfortunately, can be viewed as unreasonably exhausting (being menial, to say the least) such that it triggered the development of his cardiovascular disease.</p> <p>“...mere allegation that her husband’s work is stressful is not sufficient proof of this. Even his medical emergency on Dec. 21, 2009 could not be considered as work-related or as being symptomatic of his cardiovascular disease largely because it was undiagnosed or its etiology undetermined by competent medical practitioner. Incidentally, the symptom he exhibited prior to his death (vomiting of blood) is not one</p>
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		<p>of those normally associated with cardiovascular disease or stroke, viz numbness or weakness on one side of the body or face, loss of vision and dizziness or imbalance, among others..”</p>
<p>4. EMMANUEL S. PASCUA v. SSS, GR No. 230045 2017 SC Resolution</p> <p>Copy of Entry of Judgment Received by the ECC: Aug. 3, 2018</p> <p>Nature of Claim: disability benefits due to Degenerative Spondylosis</p> <p>Occupation of the Covered Member: proprietor/self-employed (Jaecris Videoke Bar)</p>	<p>SSS Decision: no employee-employer relationship</p> <p>ECC Decision: no employee-employer relationship [self-employed]</p>	<p>-“... for injury to be compensable, the same should have been sustained by one who worked for an employer. Stated differently, the existence of employee-employer relationship is a condition sine qua non to the grant of compensation for such injury. Sans proof of such relationship, the claim must fail...</p> <p>-”petitioner miserably failed to prove the presence of employer-employee between him and the registered owner of the videoke bar who happened to be his wife...”</p> <p>-“ ...the videoke bar is presumed to be jointly owned in common by petitioner and his wife either under the property regime of conjugal partnership of gains (the regime provided under the Civil Code) or absolute community of property (the regime fixed under the Family Code) depending on the date of the spouses’ marriage. In either case, such presumption stands in the absence of any evidence to the contrary. For petitioner’s failure to adduce evidence to the contrary, the videoke bar is presumed to be owned by him and his wife, which militates against</p>

		<p>his claim that he was a mere employee thereof. With that legal presumption, petitioner was a part owner of the videoke bar.</p> <p>-“Even assuming that an employer-employee relationship existed between JVB and petitioner, and that he sustained the injury during the existence of such relationship, the latter’s injury is still not compensable in the absence of showing that it was caused or aggravated by his working conditions. Petitioner’s bare allegation on the cause of his illness does not constitute such evidence that a reasonable mind might accept as adequate to support the conclusion that there is a causal relationship between his illness and his working conditions.</p> <p>-“A perusal of the records reveals that there is no evidence that he was indeed exposed to hard labor that could have caused or aggravated his injury. Even granting that he was directly involved in the management of JVB, there is no proof that the said establishment increased petitioner’s risk of contracting the said injury due to harsh working conditions.”</p>
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