



Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
**EMPLOYEES' COMPENSATION COMMISSION**

ECC Building, 355 Sen. Gil J. Puyat Avenue, City of Makati

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## REFERENDUM RESOLUTION NO. 13-03-06

### *Policy on the Simultaneous Granting of Sick-Leave benefits and EC Disability benefits in the Private Sector*

WHEREAS, P.D. No. 626, as amended, is a social legislation with the primordial purpose to provide meaningful protection to the working class against the hazards of disability, illness and other contingencies resulting in the loss of income (ECC vs. Sanico, G.R. No. 134028, Dec. 17, 1999);

WHEREAS, Article 173 of P.D. No. 626, as amended, partly provides:

“ART. 173. Extent of Liability.- Unless otherwise provided, the liability of the State Insurance Fund under this Title shall be exclusive and in place of all other liabilities of the employer to the employee...” (emphasis and underlining supplied)

WHEREAS, the existing rules do not provide clear guidance on the granting of simultaneous sick-leave benefits and EC disability benefits in the event that the concerned employee has sick-leave benefits which are provided by his employer;

WHEREAS, SSS presently implements the practice of granting EC disability benefits to qualified employees regardless of whether they can still avail of sick-leave benefits from their employers;

WHEREAS, this Commission believes that the SSS should continue the existing process which is in accordance with the policy of the State to construe social legislation liberally in favor of the beneficiaries of the Employees' Compensation Program (ECP);

### **NOW THEREFORE, ON MOTION DULY MADE AND SECONDED**


This Commission **RESOLVES AS IT HEREBY RESOLVED** to declare that the grant of sick-leave benefits with pay and/or other similar benefits voluntarily granted by the employer shall not bar the grant of EC temporary or permanent disability benefits in the event that the claimed illness or injury of an employee in the private sector was found to be work-related.

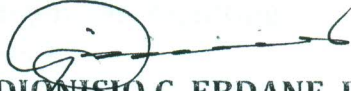
**RESOLVED FINALLY**, that copies of this Resolution be duly furnished the GSIS for information and appropriate action and the SSS for guidance.

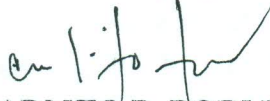
**APPROVED** in the City of Makati, this 11<sup>th</sup> day of March 2013.


  
**SEC. ROSALINDA DIMAPILIS-BALDOZ**

*Chairperson*  
*Department of Labor and Employment*

  
**AGNES E. SAN JOSE**  
*Member-Designate*  
*Social Security System*

  
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*Employees' Compensation Commission - Secretariat*