



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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**EXCERPTS FROM THE MINUTES OF
THE FIRST (1st) REGULAR COMMISSION MEETING,
EMPLOYEES' COMPENSATION COMMISSION, SERIES OF 2014,
*Convened at the Multi-Purpose Hall, 4th Floor, ECC Bldg., Sen. Gil Puyat Ave., Makati City
Wednesday, 19 February 2014 at 12:00 NN***

BOARD RESOLUTION NO. 14-02-15

***Compensability of Injuries or Death of the Soldiers and Policemen When Responding
to a Crime Situation When They are not at their Assigned Post***

WHEREAS, EC Board Resolution No. 3908, dated July 5, 1988, provides that "the moment an AFP member suffers a contingency, the presumption is that it is because of the very nature of his work;"

WHEREAS, the contingency as contemplated in the said Resolution refers to assassination of men in uniform due to serious peace and order, more particularly the insurgency problem, which was prevailing at that time such that men in uniform are considered "marked men;"

WHEREAS, in the case of ECC vs. Court of Appeals (G.R. No. 115858, June 28, 1996 citing the case of Hinoguin vs. ECC, G.R. No. 84307, April 17, 1989), the Supreme Court held that for purposes of granting compensation benefits under P.D. No. 626, as amended, policemen should be treated in the same manner as soldiers owing to the similarity of functions, to keep peace and order, and the risks assumed;

WHEREAS, there are numerous queries from the soldiers and policemen on whether they and/or their beneficiaries are entitled to EC benefits when they are wounded or killed in action when responding to a crime situation while they are off-duty or on leave;

WHEREAS, in the said case of ECC vs. Court of Appeals, the Supreme Court further ruled that soldiers and policemen are technically on duty 24 hours a day by the nature of their functions. They may be asked by their superior officers or by any distressed citizen to assist in maintaining the peace and security of the community;

WHEREAS, in accordance with the abovementioned ruling of the Supreme Court, this Commission finds the need to supplement EC Resolution No. 3908, dated July 5, 1988, to provide additional protection to the soldiers and policemen under the Employees' Compensation Program (ECP);

WHEREAS, Article 177 (c) of P.D. No. 626, as amended, empowers this Commission "to approve rules and regulations governing the processing of claims;"

NOW THEREFORE, ON MOTION DULY MADE AND SECONDED


This Commission **RESOLVES** as it hereby **RESOLVED** to declare the compensability of injuries, and its resulting disability or death, sustained by the soldiers and policemen when responding to a crime situation or when performing their sworn duties as law enforcers while they are not at their assigned posts;

RESOLVED FINALLY, that this Resolution shall take effect immediately after its publication in a newspaper of general circulation and a copy of this Resolution be provided to the GSIS for its guidance and compliance.


APPROVED in the City of Makati, this 19th day of February 2014.



CIRIACO A. LAGUNZA III
Chairman-Alternate
Department of Labor and Employment




AGNES E. SAN JOSE
Member-Designate
Social Security System



DIONISIO C. EBDANE, JR.
Member-Designate
Government Service Insurance System



CARLITO P. ROBLE
Member
Employees' Sector



MIGUEL B. VARELA
Member
Employers' Sector



ALEXANDER A. PADILLA
Member-Designate
Philippine Health Insurance Corporation

ROBERT S. MARTINEZ
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STELLA ZIPAGAN-BANAWIS
Member
Employees' Compensation Commission - Secretariat