



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
EMPLOYEES' COMPENSATION COMMISSION
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**EXCERPTS FROM THE MINUTES OF
THE FIFTH (5th) JOINT 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
Monday, 28 July 2014 at 12:00 NN**

BOARD RESOLUTION NO. 14-07-20

Guidelines on the Grant of EC Benefits Due to Calamity or Fatal Event Amending for this Purpose Paragraph 5 of Board Resolution No. 93-08-0068

WHEREAS, Article 194 (a) of P.D. No. 626, as amended, partly provides:

*"Article 194. Death. (a) Under such regulations as the Commission may approve, the System shall pay to the primary beneficiaries **upon the death of the covered employee** under this Title an amount equivalent to his monthly income benefit, plus ten percent thereof for each dependent child, but not exceeding five, beginning with the youngest and without substitution..." (emphasis supplied)*

WHEREAS, calamities or fatal events involve missing persons who were in the performance of their duties;

WHEREAS, this Commission finds the need to adopt a policy that would facilitate the grant of EC death with funeral benefits to the beneficiaries of the said missing persons;

WHEREAS, Item No. 5 (5.1) of Board Resolution No.93-08-0068, dated Sept. 12, 1996, provides the following rules on the processing and adjudication of EC claim for death benefits in case the death of a covered member is presumed:

xxx

“5. PRESUMPTIVE DEATH:

5.1. If one is declared presumptively dead after he had been reported missing for sometime, payment of death benefits shall be reckoned from the date he was declared presumptively dead by proper authority, in accordance with law; except when the declaration of death specified another date, in such a case payment of death benefits shall start from the latter date;”

WHEREAS, this Commission finds the need to further clarify the resolution on presumptive death to prevent any confusion in the evaluation of EC claims concerning the same;

WHEREAS, Article 177 (c) empowers this Commission to approve rules and regulations governing the processing of EC claims;

NOW THEREFORE, ON MOTION DULY MADE AND SECONDED

This Commission **RESOLVES AT IT HEREBY RESOLVED**, to amend paragraph 5 of Board Resolution No.93-08-0068, dated September 12, 1996, which provides:

“5. Presumptive Death

5.1. “If one is declared presumptively dead after he had been reported missing for sometime, payment of death benefits shall be reckoned from the date he was declared presumptively dead by proper authority, in accordance with law; except when the declaration of death specified another date, in such a case, payment of death benefits shall start from the latter date; and

5.2. “In spite of the fact that the body of a missing person had not been recovered, and that no burial activities had been undertaken, the beneficiaries shall still be entitled to funeral benefits, as provided for under the law; “

The said paragraph shall now read as follows:

5. “Guidelines on the Grant of EC benefits for the Beneficiaries of Missing Persons while in the Performance of Duty during Calamity or Fatal Events

5.1. **Coverage.**“These guidelines shall apply to all covered workers or employees’ and uniformed personnel who had

