

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 SIXTH (6<sup>th</sup>) REGULAR COMMISSION MEETING,  
EMPLOYEES' COMPENSATION COMMISSION, SERIES OF 2015,  
Convened at the Large Training Room, OSHC Bldg. Agham cor. North Ave, Quezon City  
Monday, 27 July 2015 at 12:00 NN**

**BOARD RESOLUTION NO. 15-07-34**

***Revising the Conditions for the Compensability of Hernia under Annex A of the Amended Rules on Employees' Compensation (EC)***

**WHEREAS**, Article 167 (I) of Presidential Decree 626, as amended, partly provides:  
“ . . . the Commission is empowered to determine and approve occupational diseases and work-related illness that may be considered compensable based on peculiar hazards of employment.”

**WHEREAS**, Article 167 (c) empowers this Commission to approve rules and regulations governing the processing of claims;

**WHEREAS**, it is the thrust of the Commission to continuously upgrade the EC benefit structure for workers through the updating of the conditions for the compensability of occupational and work-related diseases under Annex A of the amended rules on Employees Compensation;

**WHEREAS**, on February 25, 2011, this Commission issued Board Resolution No. 11-12-09 creating a Technical Review Panel to review the conditions for compensability of occupational and work-related diseases under Annex A of the amended rules on Employees Compensation and the Panel has since recommended the updating of the conditions for compensability of several occupational and work-related diseases;

**WHEREAS**, the Technical Review Panel (TRP), composed of medical experts and leaders of medical professional groups and medical specialty societies, medical officers representing the government and medical evaluators of the Systems, met last March 2, 2015 and April 28, 2015 has recommended the updating of the conditions for Hernia;

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Board Secretary III

WHEREAS, Annex A of the Amended Rules on Employees Compensation provides the following conditions for compensability of Hernia which was last reviewed in April 13, 1977 based on ECC Resolution 247-A;

"Hernia- All of the following conditions:

- a. The Hernia should be of recent origin;
- b. The appearance was accompanied by pain, discoloration and evidence of tearing of the tissue;
- c. The disease was immediately preceded by undue or severe strain arising out of and the course of employment;
- d. A protrusion of mass should appear in the area immediately following the alleged strain."

WHEREAS, the proposed amendments on the conditions for compensability of Hernia was presented to a tripartite consultation meeting composed of representatives from the Government Service Insurance System, Social Security System, Bureau of Working Conditions, Occupational Safety and Health Center, Philippine College of Occupational Medicine (PCOM), Workers' Sector in the Technical Review Committee, Employers Confederation of the Philippines (ECOP), Occupational Health Nurses Association of the Philippines Inc. (OHNAP) and Associated Marine Officers and Seamen's Union of the Philippines (AMOSUP) and other shipping agencies, to further review the proposed amendments;

WHEREAS, the representatives of the tripartite group after due deliberations recommended the approval and adoption by the Commission of the amendments on the conditions for compensability of Hernia as follows:

"Hernia- all of the following conditions:

- a. "The signs and symptoms of Hernia should be of recent origin and did not exist prior to the time for which the compensation is claimed;
- b. "The disease was preceded by undue physical strain arising out of and in the course of employment."

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

This Commission **RESOLVES AS IT IS HEREBY RESOLVED**, to revise the following conditions for compensability of Hernia under Annex A of the Amended Rules on Employees Compensation:

"Hernia- All of the following conditions:



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Board Secretary III

- a. The Hernia should be of recent origin;
- b. The appearance was accompanied by pain, discoloration and evidence of tearing of the tissue;
- c. The disease was immediately preceded by undue or severe strain arising out of and the course of employment;
- d. A protrusion of mass should appear in the area immediately following the alleged strain."

The revised conditions for the compensability of Hernia should now read as:

"Hernia- all of the following conditions:

- a. "The signs and symptoms of Hernia should be of recent origin and did not exist prior to the time for which the compensation is claimed;
- b. The disease was preceded by undue physical strain arising out of and in the course of employment."

**RESOLVED FURTHER**, that copies of this Resolution be duly furnished to the SSS and GSIS for their compliance and proper guidance.

**RESOLVED FINALLY**, that this Resolution shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

**APPROVED** in Quezon City, this 27<sup>th</sup> day of July 2015.

**CIRIACO A. LAGUNZAD III**

*Chairman-Alternate*

*Department of Labor and Employment*

**BRENDA P. VIOLA**

*Member-Designate*

*Social Security System*

**CARLITO P. ROBLE**

*Member*

*Employees' Sector*

**DIONISIO C. EBDANE, JR.**

*Member-Designate*

*Government Service Insurance System*

ABSENT

**MIGUEL B. VARELA**

*Member*

*Employers' Sector*



*Dianne Lilibeth S. Bautista*

**Dianne Lilibeth S. Bautista**  
**Board Secretary III**

ABSENT

**ALEXANDER A. PADILLA**  
*Member-Designate*  
*Philippine Health Insurance Corporation*

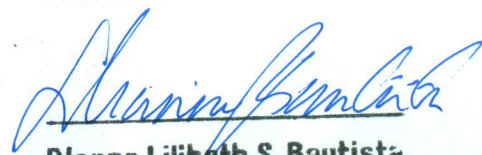
ABSENT

**ROBERT S. MARTINEZ**  
*Member-Designate*  
*Civil Service Commission*

  
**STELLA ZIPAGAN-BANAWIS**

*Member*  
*Employees' Compensation Commission - Secretariat*





**Dianne Lilibeth S. Bautista**  
Board Secretary III