



Good News

Seaman appeals EC denied claim, ECC grants disability benefits



Sea Vessel (Picture is taken from internet)

Fifty-five year old Wilfredo C. Villanueva is working as a merchant seaman at the Catering Services of Anglo Eastern Crew Management since October 1996. On 16 February 2014, while onboard an international vessel in Scotland, he was brought to a hospital when he collapsed in a mess room while performing his duty. He underwent Coronary Artery Bypass Graft (CABG) as surgical remedy. Due to his condition, he was repatriated to the Philippines for further medical consultations.

Upon his return to the country, he filed for sickness benefits under Social Security System (SSS) and Employees' Compensation (EC). However, SSS-Kalookan City Branch denied his EC claim, stating that there is no causal relationship between his job as catering services assistant and his illness.

On appeal, the ECC granted EC disability benefits plus medical reimbursement to Villanueva on the ground that his strenuous working conditions onboard the vessel caused the manifestation of his heart ailment.

ECC stated that the strain is even greater to Villanueva considering his various tasks as merchant seaman/Catering Services for an international vessel. During his employment, he was responsible for, among others, the preparation of meals, cleaning of accommodation spaces, maintenance of stock levels, washing and drying of ship linens, towels, personal clothing, and loading of provisions and stores, and cleanliness of galleys, fridges, freezers, and storage rooms.

Though he had a history of cigarette smoking during his teenage years and Hypertension, it was also proven that he has been compliant in taking his maintenance medications. Furthermore, the ECC stated that his hypertension, which was diagnosed in 2005 or nine years after his employment, was more likely to be traced directly to his work. These findings satisfied the conditions set under Annex A of the Amended Rules on Employees' Compensation for

the compensability of Cardiovascular or Heart Disease.

"In a long line of EC appealed cases, this Commission takes cognizance of strenuous working conditions of seamen on high seas. This certainly produces a stress that puts drastic, unusual, and extensive strain upon the health of the appellant. The strain manifested itself when he experienced cardiac arrest while performing his duty on board a vessel," the Commission's decision further states. In addition, the Commission believed that the working conditions of Villanueva demanded a lot of physical work which made him susceptible to fatigue and strain that weakened his resistance and caused the manifestation of his Hypertension, which, in turn, triggered his heart ailment.

"Thus, it is fair and reasonable to surmise that the occupational risk factors which were present for the entire duration of the employment of the appellant caused debilitating effects on his health," the Commission concludes in its decision.

"We always consider the welfare of the workers and take into consideration all factors in his job that may have caused his ailment. It is within our mandate to champion the welfare of the Filipino worker," ECC Executive Director Stella Zipagan-Banawis said.

"Given that, however, we still advise everyone to prioritize their health. We, Filipinos are hardworking and diligent workers but we also need to remember that if we get sick, we are not productive and could not do our jobs anymore. So, it is really important that we take care of ourselves and keep our minds and bodies healthy to get more job done," she added. End

Employee sees a brighter future despite losing a leg

Rexan Galvez, 44, was on his way to work as a janitor at the Dangerous Drugs Board in Quezon City on July 7, 2014. He was about to board a public utility jeepney along C-4 Road when another jeepney suddenly hit him from behind, severely damaging his left leg.

Galvez was confined for two weeks in the hospital and was not able to go back to work since then. He depends solely on the income of his wife, Elisa, who also works as a janitress. It bothers him because their two children still depend on them financially.

Galvez explained that although his agency and the office where he works assisted them with his hospitalization and medicines, being unemployed has greatly affected their lives.

Fortunately, Elisa used to work at the Occupational Safety and Health Center as a janitress. She knew that they can avail benefits from the Employees' Compensation Commission.

Galvez received P24,000 or P200 for 120 days as a temporary total disability or sickness benefit; P3,427 monthly pension

for 46 months or equivalent to P157,642 as his permanent partial disability benefit; and P575 /month for 46 months or a total of P26, 450 as carer's allowance.

He also received 8 sessions of physical therapy worth P3,200; transportation allowance of P1,125 during his therapy sessions; a pylon tube of left foot and above-the-knee leg prosthesis worth P50,000; another 8 sessions of therapy after installation of his prosthesis leg; and another transportation allowance of P1,125 for his second batch of 8 therapy sessions.

Galvez will also avail a free short course seminar under the Katulong at Gabay sa Manggagawang may Kapansanan (KaGabay) Program.

"Because of the benefits I received and still receiving from the ECC, I am no longer worried about our daily expenses. The prosthesis also helped me feel somewhat complete again because of the comfort it brings compared to the crutches I was using. I am also looking forward to working again. My former agency promised me that they would re-

hire me once I get my prosthesis from the ECC. Masasabi ko talaga na hindi ako pinabayaan ng ECC. Maraming salamat sa ECC," Galvez expressed.

To date, Galvez has received a total of P266,742 worth of ECP benefits and services.

ECC Executive Director Stella Zipagan-Banawis stated that the ECC continues to improve its programs and benefits to make sure that persons with work-related disabilities (PWRDs) will get adequate support from the government.

"We understand what our PWRDs are going through, that is exactly why we keep on advancing our programs and benefits," Banawis stated.

Banawis, however, encourages employers and employees to practice good occupational safety and health, which is fundamental to public health. Employers should comply with OSH standards to ensure a healthy and safe work environment for employees. On the other hand, employees should also take reasonable care of their own health and safety.

"I would like to emphasize that prevention is better than compensation. The ECC provides benefits for work-related incidents but good practices in OSH foster a better and healthier community," explained Banawis. End

Electrocuted lineman from Leyte receives modular leg from ECC's KaGabay Program

Leonardo A. Matuguina, Jr of Brgy Libas, Merida, Leyte was working as a lineman for the Leyte Electric Cooperative Five for seventeen years. He got electrocuted while fixing the distribution lines which resulted to several burns on his back and amputation of his right leg. Since then, he has been unable to find any other form of employment due to his injuries and disability.

Immediately after the accident, Matuguina's company filed for disability claims under the Social Security System (SSS) and the Employees' Compensation (EC) at the SSS branch in Ormoc. His injuries were classified as permanent partial disability and he was granted income pension worth P5,428.00 for 23 months.

Matuguina also qualified as a beneficiary of the Employees' Compensation Commission's Katulong at Gabay ng Manggagawang May Kapansanan (KaGabay) Program. As such, he was able to undergo six physical therapy sessions for free at the OSPA Farmers' Hospital in Ormoc City.

On top of the free physical therapy, Matuguina also received a free modular leg, also from the KaGabay Program worth P130,000.

He can also undergo any TESDA accredited training course for free, and will be receiving a livelihood starter kit to help jumpstart his own business, all in the hopes of bringing him back to the economic mainstream.

Under the KaGabay Program of the Employees' Compensation Commission, workers like Matuguina, who have been injured because of work, can undergo free physical and occupational therapy sessions at any partner hospital of the ECC.

Employees' Compensation Commission (ECC) Executive Director Stella Zipagan-Banawis said that the ECC goes beyond giving just benefits to workers, "rather, we go the extra mile to ensure that workers who seek help from us were given the needed support to start anew, consistent with our motto—higit pa sa benepisyo ang ibinibigay na serbisyo".

However, Banawis reminded everyone to exercise caution especially when dealing with live wires and electricity.

"While we are committed in serving persons' with work-related disabilities, we are also battling for a healthy and safe workforce," she ended. End