



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
EMPLOYEES' COMPENSATION COMMISSION
4th & 5th Floors, ECC Building, 355 Sen. Gil J. Puyat Avenue, City of Makati

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Ika-14 ng Hunyo 2017

G. GIL J. ALVARADO

Beneg, Botolan
Zambales, 2202
SM-19632-0509-17

Mahal naming **G. ALVARADO**:

Ito po ay may kinalalaman sa inyong kahilingang benepisyo sa ilalim ng Employees' Compensation Law (P.D. 626, as amended).

Nais po naming ipabatid sa inyo na noong ika-26 ng Mayo 2017, nagkaroon po ng desisyon ang tanggapanang ito na pagbigyan ang inyong kahilingan. Ang SSS na lamang po ang magbibigay ng inyong karampatang benepisyo.

Mangyari lang po na ipag-bigay-alam ninyo sa aming tanggapan kung natanggap na po ninyo ang inyong kaukulang benepisyo sa loob ng tatlong (30) araw matapos po ninyong tanggapan ang kopya ng desisyon.

Maraming salamat po.

Lubos na sumasainyo,


STELLA ZIPAGAN-BANAWIS
Executive Director



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June 14, 2017

ELISA T. BAROQUE, M.D.
Department Manager III
Medical Operations Department
SOCIAL SECURITY SYSTEM
East Ave., Diliman, Quezon City

Dear **Dr. Baroque**:

We are transmitting herewith the entire record of the case of:

GIL J. ALVARADO vs. SSS
ECC CASE No. SM-19632-0509-17

The decision in the above-entitled case is a **REVERSAL** of the decision of the System and the same is accordingly transmitted to that office for enforcement. Pursuant to Article 182 (a) of P.D. 626 as amended, all awards granted by the Commission in cases appealed from the decisions of the System shall be effected "**within fifteen (15) days from receipt of notice thereof.**"

This case was resolved through Board Resolution (BR) No. 17-05-20 dated May 26, 2017.

Very truly yours,


STELLA ZIPAGAN-BANAWIS
Executive Director

cc:

BRENDA P. VIOLA, MD
OIC – Medical Services Division
Social Security System (SSS)
East Ave., Diliman, Quezon City

Mr. GIL J. ALVARADO
Beneg, Botolan
Zambales, 2202
SM-19632-0509-17



GIL J. ALVARADO,
Appellant,

-versus-

ECC CASE No. SM-19632-0509-17

SOCIAL SECURITY SYSTEM (SSS),
Appellee.

x.....x

D E C I S I O N

This appeal seeks to review the Resolution No. 2016-E0051 of the Social Security System-Medical Claims Review Committee (SSS-MedCRC), dated April 10, 2017, denying appellant's claim for disability benefits, under the Employees' Compensation Law (P.D. No. 626, as amended), for his Cerebrovascular Accident (CVA), infarct, RMCA territory; Hypertensive Cardiovascular Disease (HCVD).

From June 28, 1994, to date, the appellant, Gil J. Alvarado (SSS No. 02-0527283-7), 53 years old at the time of the filing of the claim and a resident of Botolan, Zambales, has successively occupied the positions of Bus Conductor and Bus Line Inspector of Victory Liner, Inc., Kalookan City. As Bus Line Inspector, he was required to render his duty from 10:00 AM until 8:00 PM.

As Bus Line Inspector, the appellant is responsible for ensuring compliance of bus crews on duty to company rules and regulations, for reporting any employee violations and for responding to accidents involving company buses.

Records reveal that the appellant was found fit to work prior to his employment at Victory Liner, Inc. Medical records further reveal that he has history of Hypertension since 2004 but with poor compliance to medications and check-ups.

On February 2, 2016, the appellant experienced numbness on the left-side of his body while he was on his way home after rendering his duty. On February 4, 2016, he was admitted at Sta. Cecilia Medical Center, Iba, Zambales due to slurred speech and hemiparesis on the left-side of his body. On February 8, 2016, he was discharged from the said hospital with diagnosis of Cerebrovascular Accident (CVA), infarct, RMCA territory; Hypertensive Cardiovascular Disease (HCVD).

The appellant filed a claim for disability benefits under PD No. 626, as amended, before the SSS Kalookan City Branch (Branch). The Branch denied the claim on the ground of no causal relationship.

On April 10, 2017, the SSS-MedCRC sustained the denial through Resolution No. 2016-E0051 reasoning that:

“...there was no causal relationship between his job as a bus conductor/line inspector and his illness, CVA, Infarct; HCVD. He did not meet the criteria/conditions enumerated for the compensability of the said illness. Also, his illnesses were aggravated by the presence of major risk factors such as poor compliance to treatment (Board Resolution No. 11-05-13).”

On May 4, 2017, the Secretariat received the records of the case from the SSS for review purposes.

On May 24, 2017, this case was submitted to the Technical Review Committee (Committee) for initial deliberation. The Committee recommended the grant of EC disability benefits on the basis of unusual strain at work due to shift-work duties and/or long working hours.

The appeal is meritorious.

In denying the claim, the SSS states that “he [appellant] did not meet the criteria/conditions enumerated for the compensability of the said illness (PD 626, as amended).” Further, the SSS argues that the appellant’s ailment was “aggravated by the presence of major risk factors such as poor compliance to treatment.” The said conclusion may have totally disregarded the strenuous working conditions among the workers in the transport sector. By doing so, the SSS may have closed the door to other risk factors that could have caused or contributed to the deterioration of their health due to difficult working conditions that they have to bear in their employment.

The Supreme Court has already held that “*in any determination of compensability, the nature and characteristics of the job are as important as raw medical findings and a claimant's personal and social history.*” ([italic supplied] GSIS vs. Calumpiano, G.R. No. 196102, November 26, 2014)

In the similar case of Constantino A. Brital vs. SSS (SM-19319-0902-14, October 8, 2014, cited in the case of Ferdinand R. Quiroz vs. SSS, SM- 19430-0609-15, July, 2015), this Commission has described the working conditions among workers in the transport sector in this manner, to wit:

“Most drivers are made to take trips which are not only long, circuitous, and challenging, but they are also made to pass through narrow lanes, obstructions, and dusty roads, while they are still subject to strict routine and schedule. Sometimes, they help the conductor with hauling bags, luggage and baggage into the compartments of the bus as well. Most take trips within the day driving tired, exhausted and some, even sleep-deprived. To add to the existing pressure, all these they do at the same time coping up with the needs and wants and sometimes ridiculous demands of their passengers. One can only imagine the stress and strain to which most of these drivers are being subjected.”
(emphasis supplied)

In the absence of any evidence showing that lifestyle risks factors greatly caused the manifestation of the appellant's illness, it may be reasonably stated that the daily rigors of his work may have taken its toll on the health of the appellant.

Recent findings have also established the strong association between shift work, long working hours and cardiovascular disease in this manner, to wit:

- "...shift workers had a 40% increased risk of cardiovascular disease compared with day workers. There is also evidence showing that **individuals who have performed over six-years of shift-work duties are at higher risk of developing cardiovascular disease.**" (emphasis supplied)

Reference:

Shift Work and its Effects on the Cardiovascular System; Thabo M., MB Chb et. Al; Cardiovasc J Afr. 2008 Aug; 19 (4): 210-215

- "...**long working hours were robustly associated with increased risk of stroke** across all socioeconomic groups, men and women as well as younger and older employees..." (emphasis supplied)

Reference:

Work Stress as a Risk Factor for Cardiovascular Disease; Mika Kivimaki, Ichiro Kawachi; Curr Cardiol Rep (2015) 17; 74 DOI 10.1007/s11886-015-0630-8

This Commission cannot ignore the physically tiring and straining working conditions of the appellant as Bus Conductor/Line Inspector. The same, in turn, may have weakened his resistance and affected his physical condition. Stated differently, there is a reasonable probability that the numerous stressful tasks and duties that the appellant has to accomplish as Bus Line Conductor/Line Inspector may have caused or contributed to the development of his Hypertension, which eventually led to the manifestation of his Stroke.

As occupational and safety and health measures among the bus drivers, conductors, and inspectors of Victory Liner, Inc., Kalookan City, this Commission deems it proper to refer this case to the Bureau of Working Conditions (BWC), DOLE, Intramuros, Manila, for assessment purposes in accordance with the DOLE-Labor Laws Compliance System (LLCS).

WHEREFORE, the appealed decision is hereby **REVERSED** and the SSS is ordered to grant disability benefits to the appellant under P.D. No. 626, as amended, plus reimbursement of out of pocket medical expenses that may be incurred by the appellant due to his work-connected ailments subject to the limitations prescribed by the Commission.

Let this case be referred to the BWC for assessment purposes in accordance with the DOLE-Labor Laws Compliance System (LLCS).

SO ORDERED.

CITY OF MAKATI,

May 26, 2017.



BOARD RESOLUTION NO. 17-05-20

Approving the Recommendations of the Technical Review Committee (TRC) on Ten (10) EC Appealed Cases from the SSS and Four (4) EC Appealed Cases from the GSIS

WHEREAS, Article 186 (formerly 180) of P.D. No. 626, as amended, partly provides:

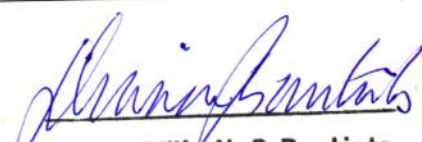
“ART. 186. Settlement of Claims.- The System shall have original and exclusive jurisdiction to settle any dispute arising from this Title with respect to coverage, entitlement to benefits, collection and payment of contributions and penalties thereon, or any other matter related thereto, subject to appeal to the Commission...” (emphasis supplied)

WHEREAS, on May 24, 2017, the Technical Review Committee (TRC) has deliberated on the following EC appealed cases from the SSS and the GSIS:

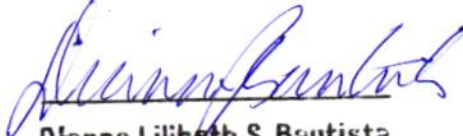
I. SSS (Medical Cases)

<i>Title of the Case/ Nature of Appeal</i>	<i>TRC Recommendation</i>	<i>End of 20 working days PCT</i>
<p>I.1. SIBULO, Mary Ann P. vs. SSS</p> <p>(Ferdinand F. Schon-deceased)</p> <p>SM-19627-0509-17</p> <p>Nature of claim: death benefits due to Cerebrovascular Accident (CVA or Stroke), hemorrhage; Hypertension</p> <p>Occupation of the covered member: Security Guard</p>	<p><i>For Award</i></p> <p>Basis for award: satisfaction of condition for compensability of CVA-strenuous working conditions-long-working hours</p> <ul style="list-style-type: none"> From June 5 until June 15, 2016, the deceased had rendered 12 hour duty; prior to his death on June 16, 2016, he rendered 16 hour duty; Medical findings have already established the causal connection between long working hours and increased risk of Stroke (Work Stress as a Risk Factor for Cardiovascular Disease; Mika Kivimaki, Ichiro Kawachi; 	<p><i>June 6, 2017</i></p>

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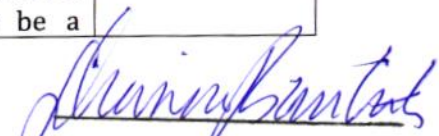

Dianne Lilibeth S. Bautista
 Board Secretary III

Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
(Tamaraw Security Agency)	<p>Curr Cardiol Rep (2015) 17; 74 DOI 10.1007/s 11886-015-0630-8);</p> <ul style="list-style-type: none"> In the similar case of Mary Ann Joy M. Emplica vs. SSS (SM-19374-0113-15, Nov. 2015), this Commission held that <i>"the performance of straight 12-hour duty for 10 days exposed the deceased to unusual strain at work which, eventually, led to the manifestation of his fatal illness."</i> The TRC has also recommended the referral of this case to the BWC for assessment purposes in accordance with BWC. 	
<p>I.2. ALVARADO, Gil J. vs. SSS</p> <p>SM-19632-0509-17</p> <p>Nature of claim: <i>disability benefits due to Cerebrovascular Accident (CVA), infarct, R MCA territory; Hypertensive Cardiovascular Disease</i></p> <p>Positions occupied by the covered member: Bus Conductor; Line Inspector (Victory Liner, Inc.)</p>	<p>For Award</p> <p>Basis for award: satisfaction of condition for compensability of CVA; strenuous working conditions-shift-work duties</p> <ul style="list-style-type: none"> For almost 23 years, the appellant has been required to render his duty on a shifting schedule; Medical findings have already established that <i>"shift workers had a 40% increased risk of cardiovascular disease compared with day workers. There is also evidence showing that individuals who have performed over six -years of shift work duties are at higher risk of developing cardiovascular disease."</i> (Shift work and its effects on the cardiovascular system; Thabo M., MB ChB, et.al; Cardiovasc J Afr. 2008 Aug; 19 (4): 210-215) The TRC has also recommended the referral of this case to the BWC for assessment purposes in accordance with BWC. <p style="text-align: right;">CERTIFIED TRUE COPY</p>	<p>June 6, 2017</p>


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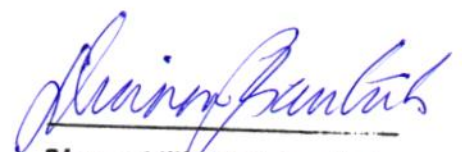
<i>Title of the Case/ Nature of Appeal</i>	<i>TRC Recommendation</i>	<i>End of 20 working days PCT</i>
<p>I.3. ABAINCIA, Vicenta C vs. SSS</p> <p>SM-19630-0509-17</p> <p>Nature of claim: <i>disability benefits due to Cerebrovascular Infarct, Left Lentiform Nucleus, Posterior Limb of Internal Capsule; Hypertension</i></p> <p>Occupation of the covered member: Household/Helper-Cook (Embassy of Israel in the Philippines)</p>	<p>For Denial</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> • Non-satisfaction of any of the conditions for compensability of Cerebrovascular Accident (CVA) and Hypertension; 	<p>June 6, 2017</p>
<p>I.4. BAUTISTA, Gerardo J. vs. SSS</p> <p>SM-19629-0509-17</p> <p>Nature of claim: <i>disability benefits due to Diverticulitis, Perihepatic Abscess; Cholangitis; Choledocholithiasis</i></p> <p>Occupation of the covered member: Able-Bodied Seaman (Solsted Offshore Crewing Services)</p>	<p>For Denial</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> • The risk factors of the following claimed ailments are not related to the working conditions of the appellant. <p>1. Diverticulitis</p> <ul style="list-style-type: none"> • "Diverticula are small, bulging sacs or pouches that form on the inner wall of the intestine. Diverticulitis occurs when these pouches become inflamed or infected. Most often, these pouches are in the large intestine (colon). • "The formation of pouches or sacs on the intestinal lining is called diverticulosis. It is found in more than half of Americans over age 60. However, no one knows exactly what causes the pouches to form. • "Eating a low-fiber diet mostly made up of processed foods may be a 	<p>June 6, 2017</p>

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Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
	<p>cause. Constipation and hard stools are more likely when you do not eat enough fiber. Straining to pass stools increases the pressure in the colon or intestines, which may lead to the formation of these pouches.”</p> <p>Reference: Medline plus Medical Encyclopedia</p> <ul style="list-style-type: none"> • “Diverticulitis is caused by small pieces of stool (feces) that become trapped in these pouches, causing infection or inflammation.” <p>2. Hepatic (Liver) Abscess- hematogenous spread of bacteria; disease of the biliary tract</p> <p>3. “Cholangitis is an infection of the bile ducts, the tubes that carry <u>bile</u> from the liver to the gallbladder and intestines. Bile is a liquid made by the liver that helps digest food.</p> <ul style="list-style-type: none"> • “Cholangitis is most often caused by bacteria. This can occur when the duct is blocked by something, such as a gallstone or tumor. The infection causing this condition may also spread to the liver. • “Risk factors include a previous history of <u>gallstones</u>, sclerosing cholangitis, HIV, narrowing of the common bile duct, and rarely, travel to countries where you might catch a worm or parasite infection <p>Reference: Medline plus Medical Encyclopedia</p> <p>4. “Choledocholithiasis is the presence of at least one gallstone in the common bile duct. The stone may be made up of <u>bile</u> pigments or</p>	

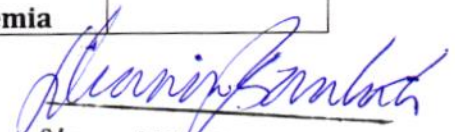
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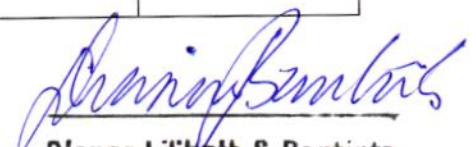
Dianne Lilibeth S. Bautista
Board Secretary III

Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
	<p>calcium and cholesterol salts.</p> <ul style="list-style-type: none"> • “About 1 in 7 people with gallstones will develop stones in the common bile duct. This is the small tube that carries bile from the gallbladder to the intestine. • “Risk factors include a history of <u>gallstones</u>. However, choledocholithiasis can occur in people who have had their gallbladder removed.” <p>Reference: Medline plus Medical Encyclopedia</p>	
<p>I.5. GALAY, Virgilio D. vs. SSS</p> <p>SM-19558-1201-16</p> <p>Nature of claim: <i>disability benefits due to Chronic Obstructive Pulmonary Disease (COPD); Hypertension with Left Ventricular Hypertrophy; Diabetes Mellitus; Dyslipidemia; Multiple Osteoarthritis; Pulmonary Tuberculosis (PTB)</i></p> <p>Occupation of the Covered Member: General Electrician I/C (Philex Mining Corp.)</p>	<p style="text-align: center;">For Denial</p> <p>Reasons for denial: no causal relationship</p> <ol style="list-style-type: none"> 1. COPD in relation to possible findings of Pneumoconiosis <ul style="list-style-type: none"> • Cigarette smoking history caused or contributed to the manifestation of his COPD; • No substantial evidence showing the possible manifestation of Pneumoconiosis; the appellant failed to submit his chest X-ray films 2. Hypertension <ul style="list-style-type: none"> • Non-satisfaction of the conditions for compensability of Hypertension 3. Osteoarthritis <ul style="list-style-type: none"> • Non-satisfaction of the any of the conditions for compensability of Musculoskeletal Disorders 4. Diabetes Mellitus; Dyslipidemia 	<p style="text-align: center;">May 29, 2017</p>

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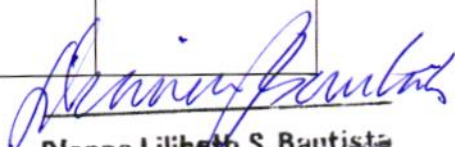

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Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
	<ul style="list-style-type: none"> Risk factors are not related to the working conditions of the appellant <p>5. Pulmonary Tuberculosis</p> <ul style="list-style-type: none"> Non-satisfaction of any of the conditions for compensability of PTB 	
<p>1.6. JUANIZA, Anthony D. vs. SSS</p> <p>SM-19631-0509-17</p> <p>Nature of claim: <i>disability benefits due to Giant Cell Osteosarcoma (rare type of cancerous bone tumor)</i></p> <p><i>Incidental findings: injury sustained by the appellant when he tripped and fell on a road gutter while performing his duties as Messenger</i></p> <p>Occupation of the Covered Member: Messenger (Romic Visayas Services)</p>	<p>For Modification</p> <p>1. For award- injury sustained by the appellant</p> <p>Basis: Special Errand Rule (compensability of injury sustained by an employee while on official business)</p> <p>2. For denial-Osteosarcoma</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> The exact cause of Osteosarcoma is unknown; identified risk factors, such as radiation therapy or transformation in a pre-existing benign condition such as Paget's disease, are not related to the working conditions of the appellant. 	<p>June 6, 2017</p>
<p>I.7. LOMBOY, Vivian M. vs. SSS</p> <p>SM-19633-0509-17</p> <p>Nature of claim: <i>disability benefits due to Essential Hypertension, stage II; Dyslipidemia; Angina Pectoris; Diabetes Mellitus</i></p>	<p>For Denial</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> Non-satisfaction of the conditions for compensability of Cardiovascular diseases; CERTIFIED TRUE COPY 	<p>June 6, 2017</p>


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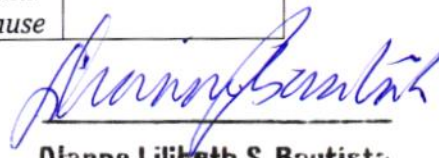
Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
<p>(DM)</p> <p>Occupation of the Covered Member: Assembly Line Operator (Int'l Wiring Systems Philippines Corp.)</p>	<ul style="list-style-type: none"> • Diabetes Mellitus and its complications are not considered work-connected; • The diabetic condition of the appellant caused the manifestation of her Hypertension and Angina. • The following risk factors of Angina Pectoris and Dyslipidemia are not related to the working conditions of the appellant: <ol style="list-style-type: none"> 1. Angina Pectoris (<i>chest discomfort or pain</i>)- Atherosclerosis (common disorder of the arteries); long-term smoking; inhalation of carbon monoxide in a closed area 2. Dyslipidemia (<i>disease caused by disorders of lipid metabolism</i>)- idiopathic (unknown); autosomal (inherited); secondary from diabetes mellitus, alcohol consumption, oral contraceptives, renal/hepatic disease and hypothyroidism causes. 	
<p>I.8. NAMORO, Mildred H. vs. SSS</p> <p>Manuel A. Namoro-deceased</p> <p>SM-19634-0509-17</p> <p><i>Nature of claim: death benefits due to Hepatobiliary Cancer, stage 4 (liver, bile duct, or gallbladder cancer)</i></p>	<p style="text-align: center;">For Denial</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> • Risk factors of Hepatobiliary Cancer, such as Hepatitis B or C infection, inherited errors of metabolism, excessive alcohol intake, environmental exposure to aflatoxin, are not related to the working conditions of the deceased. 	<p style="text-align: center;">June 6, 2017</p>

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 Board Secretary

Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
Occupation of the Covered Member: Main Warehouse Supervisor (Philex Mining Corp.)		
<p>1.9. PATUGAD, Josephine B. vs. SSS</p> <p>(Marcos G. Patugad-deceased)</p> <p>SM-19621-0417-17</p> <p><i>Nature of claim: death benefits due to Coronary Artery Disease; Hypertensive stage II; Diabetes Mellitus, type 2; Pulmonary Tuberculosis</i></p> <p>Occupation of the Covered Member: Shift Supervisor (Philex Mining Corp.)</p>	<p style="text-align: center;">For Denial</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> • Non-satisfaction of any of the conditions for compensability of Cardiovascular Diseases and Pulmonary Tuberculosis; • Diabetes Mellitus and its complications are not considered as work-related 	June 6, 2017
<p>1.10. MAGHINANG, Ma. Lorelei vs. SSS</p> <p>SM-19628-0509-17</p> <p><i>Nature of claim: disability benefits due to Superior Semi-circular Canal Dehiscence Syndrome</i></p> <p>Incidental findings: Sensorineural Hearing Loss; Presbyopia of both eyes; Lumbar Spondylolisthesis; Carpal Tunnel Syndrome</p> <p>Occupation of the Covered Member: Call Center Agent (Accenture, Inc.)</p>	<p style="text-align: center;">For Denial</p> <p>Reasons for denial:</p> <p>1. Superior Semi-Circular Canal Dehiscence Syndrome (SSCDS)</p> <ul style="list-style-type: none"> • No causal relationship; risk factors are not related to the working conditions of the appellant as Call Center Agent; • SSCDS results from the formation of an abnormal window other than the two functional windows in the inner ear (the oval and round window) that are responsible for the transmission of sound to neural activity, secretion, and absorption of substances, and defense of the inner ear against infections. • Malformation of the semicircular canal during embryology cause 	June 6, 2017

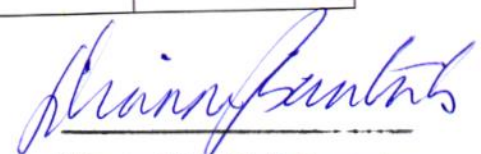
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Board Secretary III

Title of the Case/ Nature of Appeal	TRC Recommendation	End of 20 working days PCT
	<p>dehiscence of the superior semicircular canal and creates a third window effect from the continuous movement of endolymph (an inner ear substance) with sound or pressure stimulation. This results in dizziness (vertigo) as the inner ear becomes very sensitive to sound or pressure stimulation.</p> <p>(Wayne T. Shala, MD; Chief Editor: Sarlen D. Meyers, MD, Otorngology and Facial Plastic Surgery, Drugs and Diseases, emedicine.medscape.com/article/857914-overview)</p> <p>2. Incidental Findings</p> <p>a. Sensorineural Hearing Loss</p> <ul style="list-style-type: none"> • no causal relationship; non-satisfaction of any of the conditions for compensability of Hearing Loss; • There is no substantial evidence showing that her working conditions entailed exposure to harmful noise level. Neither there is showing that she sustained trauma in her ears in the course of her employment. <p>b. Presbyopia of both eyes</p> <ul style="list-style-type: none"> • No causal relationship; Presbyopia is a common type of vision disorder related to ageing (Facts about Presbyopia, Eye Health Information, National Eye Institute, National Institutes of Health, US Department of Health and Human Services, https://www.aao.org/eye-health/diseases/what-is-presbyopia) <p>c. Lumbar Spondylolisthesis</p> <ul style="list-style-type: none"> • No causal relationship; non-satisfaction of any of the conditions for compensability of Musculoskeletal Disorders; 	

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Board Secretary III

<i>Title of the Case/ Nature of Appeal</i>	<i>TRC Recommendation</i>	<i>End of 20 working days PCT</i>
	<ul style="list-style-type: none"> • There is no substantial evidence showing that the working conditions of the appellant entailed repetitive handling of mechanical tools, instruments, and equipment and/or lifting and carrying of heavy objects. • In this case, the etiology of the claimed ailment points only to degeneration which is not related to any type of employment. <p>d. Carpal Tunnel Syndrome</p> <ul style="list-style-type: none"> • No causal relationship; <i>non-satisfaction of any of the conditions for compensability of Musculoskeletal Disorders;</i> • There is no substantial evidence showing that the working conditions of the appellant entailed utilization of vibratory tools such as quarry/rock drillers, stonemasons, and foresters who utilize chainsaws; • "Use of the computer keyboard and mouse have also been closely studied, but with far less evidence of elevated risk xxx computer use does not pose a severe occupational hazard for developing symptoms of Carpal Tunnel Syndrome." (Reference: Carpal Tunnel Syndrome: The Role of Occupational Factors, Palmer et. Al., Best Practice and Research Clinical Rheumatology 2011 Feb. 25 (1): 15-29) 	

II. GSIS (Medical Cases)

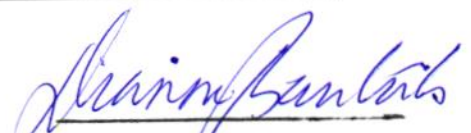
<i>Title of the Case/ Nature of Appeal</i>	<i>TRC Recommendation</i>	<i>End of 20 working days PCT</i>
<p>II.1. CUSTODIO, Sherwin L. vs. GSIS</p> <p>GM-19625-0509-17</p>	<p>For Denial</p> <p>Reason for denial: no causal relationship</p>	<p>June 6, 2017</p>

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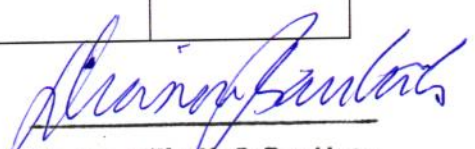
Dianne Lijbeth S. Bautista
Board Secretary III

<p>Nature of claim: disability <i>benefits due to Left Main Coronary Artery Disease; S/P (status-post) CA with PCI; Takayasu Arteritis; S/P NSTEMI</i></p> <p>Occupation of the covered member: Admin Officer I (Records Officer I [Municipality of Malvar, Batangas])</p>	<ul style="list-style-type: none"> • Takayasu Arteritis is an inflammation of the aorta and its major branches; the aorta is the artery that carries blood from the heart to the rest of the body; etiology is unknown; <i>(Reference: medline plus medical encyclopedia)</i> • Takayasu Arteritis and its complications, such as Stroke and heart diseases, have no causal relationship with the working conditions of the appellant; • If the primary illness, Takayasu Arteritis, cannot be considered as work-related, all medical consequences of the said illness, such as heart disease, cannot also be considered as compensable. 	
<p>II.2. CONCHA, Chantus Marie J. vs. GSIS</p> <p>(PO2 Jaynard A. Concha-deceased)</p> <p>GM-19636-0510-17</p> <p>Nature of claim: death <i>benefits due to Non-Hodgkin Lymphoma</i></p> <p>Occupation of the covered member: Police Officer (PNP-PRO 2)</p>	<p style="text-align: center;">For Denial</p> <p>Reason for denial: no causal relationship</p> <ul style="list-style-type: none"> • Non-Hodgkin lymphoma (NHL) is cancer of the lymph tissue. Lymph tissue is found in the lymph nodes, spleen, and other organs of the immune system. • White blood cells called lymphocytes are found in lymph tissue. They help prevent infections. Most lymphomas start in a type of white blood cell called the B lymphocyte, or B cell. • The cause of NHL is unknown. But lymphomas may develop in people with weakened immune systems, including people who have had an organ transplant or people with HIV infection. <i>(Reference: medline plus medical encyclopedia)</i> 	<p style="text-align: right;">June 6, 2017</p>
<p>II.3. COLUMBRETIS, Ma. Nelia vs. GSIS</p>	<p style="text-align: center;">For Denial</p> <p>Reason for denial: No causal relationship</p>	<p style="text-align: right;">June 6, 2017</p>

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<p>GM-19626-0509-17</p> <p>Nature of claim: disability <i>benefits due to Uterine or Endometrial Cancer</i></p> <p>Occupation of the covered member: Local Civil Registrar (Municipality of Sulat, Eastern, Samar)</p>	<ul style="list-style-type: none"> The following risk factors of Uterine or Endometrial Cancer are not related to the working conditions of the appellant: <ol style="list-style-type: none"> Obesity; No pregnancies; Early puberty; Late menopause; Treatment with unopposed estrogen; High level of estrogen; Treatment with tamoxifen; Cancers of the breast, ovary, and colon; Family history; Diabetes Mellitus and Hypertension associated with obesity; Patients with polycystic ovaries <p>(References: Kistner's Gynecology: Principles and Practice, 5th ed. by Kenneth J. Ryan and E-Medicine Health Article, Robbins Pathologic Basis of Disease, 4th ed by Kotran, et.al)</p>	
<p>II.4. GARCHITORENA, Rita vs. GSIS</p> <p>GM-19637-0522-17</p> <p>Nature of claim: disability <i>benefits due to Breast Cancer</i></p> <p>Occupation of the covered member: Housing and Homesite Regulation Officer III (HHROIII [HLURB])</p>	<p style="text-align: center;">For Denial</p> <p>Reason for denial: No causal relationship</p> <ul style="list-style-type: none"> The following risk factors of Breast Cancer are not related to the working conditions of the appellant: <ol style="list-style-type: none"> gender; aging; genetic risk factors; family and personal history of breast cancer; race (most common in Caucasians); previous abnormal breast biopsy; atypical hyperplasia; previous breast radiation; menstrual periods (early menstruation and late menopause); diethylstilbestrol (DES); not having children (nulliparity); oral contraceptive use; hormone replacement therapy; alcohol use; obesity; and high-fat diets. 	<p style="text-align: right;">June 20, 2017</p> <p style="text-align: right;">CERTIFIED TRUE COPY</p>


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 Board Secretary III

WHEREAS, considering that this Commission is mandated to resolved EC appealed cases within the period of 20 working days, the abovementioned EC appealed cases are deemed resolved on the date of start of routing, or on May 25, 2017, by the Secretariat of this Resolution to the other members of the Commission for purposes of compliance with the prescribed 20 working day PCT;

ON THE BASIS OF THE CONCURRENCE OF THE MEMBERS OF THE COMMISSION

This Commission **RESOLVES AS IT HEREBY RESOLVED** that the recommendations of the TRC in the abovementioned cases be approved:

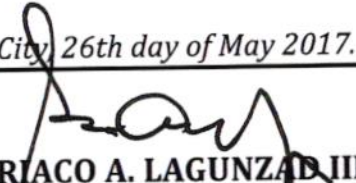
RESOLVED FURTHER, that the entire original records of the following cases;

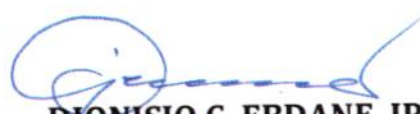
1. **SIBULO, Mary Ann P. vs. SSS (SM-19627-0509-17);**
2. **JUANIZA, Anthony D. vs. SSS (SM-19631-0509-17);**
3. **ALVARADO, Gil J. vs. SSS (SM-19632-0509-17)**

be remanded to the SSS for enforcement of Decisions of this Commission on the abovementioned cases ordering the SSS to grant EC benefits to the appellants and/or to the qualified beneficiaries of the covered member;

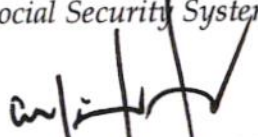
RESOLVED FINALLY, that the SSS and the GSIS be duly furnished with copies of this Resolution and Decisions on the abovementioned cases for compliance and for guidance purposes.

APPROVED, in Makati City 26th day of May 2017.

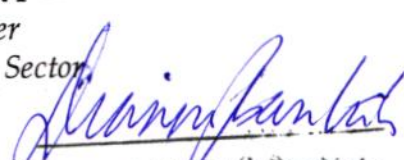

CIRIACO A. LAGUNZA III
Chairperson-Alternate
Department of Labor and Employment


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


Member-Designate
Social Security System


CARLITO P. ROBLE
Member
Employees' Sector

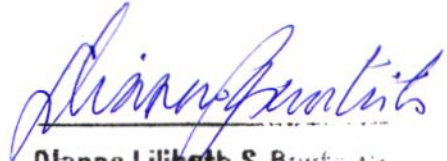
VACANT CERTIFIED TRUE COPY
Member
Employers' Sector


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CELESTINA Ma. JUDE P. DELA SERNA
Member-Designate
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STELLA ZIPAGAN-BANAWIS
Member
Employees' Compensation Commission -
Secretariat

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Dianne Lilibeth S. Bautista
Board Secretary