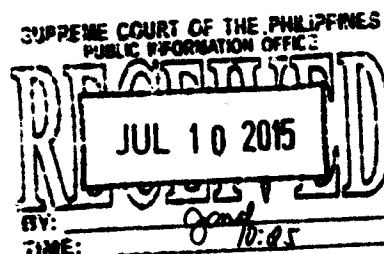




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 15, 2015** which reads as follows:*

“G.R. No. 215570 (Tomas M. Osias v. Employees’ Compensation Commission). – This is a Petition for Review on Certiorari under Rule 45 of the Rules of Court. It assails the Decision¹ dated 20 March 2014 issued by the Court of Appeals (CA) in CA-G.R. SP No. 131529 denying petitioner’s claim for compensation benefits or medical reimbursement. The petition also challenges the CA Resolution² dated 13 November 2014 denying petitioner’s motion for reconsideration.

FACTS

Petitioner was a former employee of the Commission on Population (POPCOM), a national government agency.³ He started working at POPCOM on 20 August 1970 as accounting clerk and retired as Executive Director III on 11 March 2013.

Sometime in 2011, petitioner experienced abdominal pain and unintentional weight loss.⁴ He was later diagnosed to be suffering from large B-cell non-Hodgkin’s lymphoma and underwent colon surgery.

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¹ *Rollo*, pp. 27-37. The Decision issued by the Court of Appeals Fifteenth Division was penned by Associate Justice Mariflor P. Punzalan Castillo, with Associate Justices Amy C. Lazaro-Javier and Pedro B. Corales concurring.

² *Id.* at 39-40.

³ *Id.* at 27.

⁴ *Id.* at 28.

On the basis of the Hospitalization Claim for Payment-Employee's Compensation⁵ – in which petitioner's physician answered "Yes" to the question "Was the injury or illness directly caused by the employee's duties?"⁶ – petitioner filed a claim for the payment of compensation benefits or medical reimbursement before the Government Service Insurance System (GSIS).⁷

The GSIS denied the claim of petitioner, stating that it found no evidence that his duties had increased his risk of contracting the ailment.⁸ On motion for reconsideration, it maintained that the cause or risk factors of the illness were smoking, exposure to chemicals, radiation and family history.⁹ It argued that since none of these factors may be attributed to work, his claim must be denied.

Petitioner filed an appeal before the Employees' Compensation Commission (ECC), which issued a Decision¹⁰ likewise denying the claim. The ECC ruled that he had failed to show proof of causal connection between his illness and his job, or between his working conditions and his increased risk of developing the illness.

On petition for review, the CA found the evidence on record bare of essential facts showing how petitioner contracted or developed the illness. It ruled that stress is such a common part of life that it is exceedingly difficult, if not impossible, to measure it objectively or link it to any disease conclusively. Also, the doctor's declaration that the duties of petitioner directly caused his illness was not accompanied by any discussion or explanation of the purported causal relationship.

ISSUE

Whether the CA erred in denying petitioner's claim for the payment of compensation benefits or medical reimbursement

OUR RULING

We deny the petition.

In the instant petition for review, petitioner alleges that large B-cell non-Hodgkin's lymphoma is a cancer of the lymphatic system, which is part of the immune system of the body responsible for its ability to fight infection. It is argued that the work of petitioner as Executive Director of

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⁵ Id. at 58-59.

⁶ Id. at 59.

⁷ Id. at 29.

⁸ Id. at 63.

⁹ Id. at 66.

¹⁰ Id. at 68-75.

POPCOM was very stressful due to the demands of the duties and responsibilities attendant thereto. Stress can be a cause of the weakening of a person's immune system and may eventually lead to health problems including cancer, such as lymphoma.

The issue of whether the stress experienced by petitioner in the discharge of his duties as Executive Director of the POPCOM caused or increased his risk of contracting large B-cell non-Hodgkin's lymphoma is undeniably factual in nature.¹¹ As such, it is beyond the ambit of a Rule 45 petition.

Furthermore, the GSIS and the ECC both found that petitioner had failed to prove the causal connection between his working conditions and his illness. The findings of these administrative agencies and quasi-judicial bodies, which have acquired expertise because their jurisdictions are confined to specific matters, are accorded not only respect, but finality, when affirmed by the CA¹² as in this case.

Petitioner relies heavily on our ruling in *GSIS v. Vallar*.¹³ We acknowledged therein that the "severely strenuous working conditions"¹⁴ of a Municipal Circuit Trial Court judge "contributed to the weakening of his immune system and caused him to contract *neuromyelitis*,"¹⁵ the underlying disease that caused his death.

Vallar, however, finds no application here. The widow of the judge in that case was able to show a causal connection between his work and his illness.

In this case, petitioner only goes so far as to allege that stress is a risk factor for cancers, such as lymphoma. This does not establish a reasonable work connection, especially since he also admits that the causes of large B-cell non-Hodgkin's lymphoma are still unknown, and that even the presence of risk factors does not necessarily mean that a person will develop the disease.

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¹¹ *Esmarialino v. ECC*, G.R. No. 192352, 23 July 2014. The Court ruled that the issues involved therein were beyond the ambit of a petition filed under Rule 45 of the Rules of Court, because they were factual in nature, considering that they revolved around the alleged increased risk of contracting leukemia as a result of hardships incidental to employment as a security guard.

¹² *Gomera v. Social Security System*, G.R. No. 183264, 26 January 2015; *Gatus v. Social Security System*, 655 Phil. 551, 562 (2011); *Ortega v. Social Security Commission*, 578 Phil. 339, 346 (2008).

¹³ 562 Phil. 568 (2007).

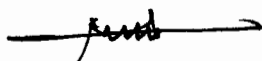
¹⁴ *Id.* at 574.

¹⁵ *Id.*

WHEREFORE, the petition is **DENIED**. The Court of Appeals Decision dated 20 March 2014 and the Resolution dated 13 November 2014 in CA-G.R. SP No. 131529 are **AFFIRMED**.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court ^{of the}
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