

THIRD DIVISION

[G.R. NO. 141709, August 16, 2005]

**MANUEL RAÑISES, PETITIONER, VS. THE EMPLOYEES
COMPENSATION COMMISSION AND SOCIAL SECURITY SYSTEM,
RESPONDENTS.**

D E C I S I O N

SANDOVAL-GUTIERREZ, J.:

For our resolution is the petition for review on *certiorari* assailing the Decision^[1] of the Court of Appeals dated September 24, 1999 and the Resolution^[2] dated December 28, 1999, in CA-G.R. SP No. 50069.

The factual antecedents of this case as found by the Court of Appeals are:

"Petitioner Manuel Rañises, with SSS No. 03-3214936-7, was employed by ADCOMS International, Inc., as driver-messenger from November 11, 1994 to March 4, 1997. When ADCOMS was brought by Data Craft Communication System, petitioner was absorbed by the latter company, hence, his continuous employment from May 4, 1997 to April 9, 1998.

As reflected in petitioner's Daily Time Record, on August 29, 1997, petitioner was assigned to bring a guest to Puerto Azul for a seminar. Subsequently, he suffered chest pains and was brought to the Makati Medical Center for consultation and examination. He was diagnosed as having Coronary Artery Disease/Antero Septal Wall, Myocardial Infarction.

Petitioner filed the instant claims for compensation benefits under P.D. No. 626, as amended. The SSS denied the claim on the ground that the ailment is not work-related, that there is no causal relationship between petitioner's alleged ailment and that of his work as driver-messenger.

On October 23, 1998, the Employees' Compensation Commission (ECC) rendered its Decision affirming the decision of the SSS and dismissed the case for lack of merit."^[3]

Rañises then seasonably filed with the Court of Appeals a petition for review.

In its assailed Decision, the Court of Appeals affirmed the Decision of the ECC and dismissed his petition.

Rañises filed a motion for reconsideration, but this was denied by the Court of Appeals in its Resolution dated December 28, 1999.

Hence, Rañises filed with this Court the instant petition for review on *certiorari*.

In our Resolution^[4] of February 14, 2000, we granted petitioner Rañises' motion to litigate as a pauper.

The sole issue for our resolution is:

WHETHER PETITIONER'S CLAIM UNDER P.D. 626 IS COMPENSABLE.

In his comment on the petition, the Solicitor General averred that pursuant to ECC Resolution No. 432 dated July 20, 1977, cardio-vascular disease, although not considered as occupational disease, is nevertheless considered as work-related and, therefore, compensable.

P.D. No. 626, otherwise known as the Employees Compensation Act., is a specie of social legislation, the primary purpose of which is to provide meaningful protection to the ordinary worker against the perils of disability, the hazards of illness, and hardships of other contingencies which may result in the loss of income. **Indeed, it is the policy of the State to give maximum aid and protection to labor.**^[5]

Section 1(h), Rule III of the ECC Amended Rules on Employees Compensation, now considers cardio-vascular disease as compensable occupational disease. Included in Annex "A" is cardio-vascular disease, which cover myocardial infarction. However, it maybe considered as compensable occupational disease only when substantial evidence is adduced to prove any of the following conditions:

- a) If the heart disease was known to have been present during employment there must be proof that an acute exacerbation clearly precipitated by the unusual strain by reason of the nature of his work;
- b) The strain of work that brings about an acute attack must be of sufficient severity and must be followed within twenty-four (24) hours by the clinical signs of a cardiac assault to constitute causal relationship.
- c) If a person who was apparently asymptomatic before subjecting himself to strain of work showed signs and symptoms of cardiac injury during the performance of his work and such symptoms and signs persisted, it is reasonable to claim a causal relationship.

The Court of Appeals found that "[E]vidently, petitioner's work as driver/messenger does not entail the working conditions with the aforequoted risks. The myocardial infarction could not have developed as a natural result of hazards constantly present and characteristic of his occupation."

We do not agree.

Records show that petitioner falls under the third condition. In September 1997, when he was diagnosed to be suffering from myocardial infraction, **he was employed as a driver-messenger by Data Craft Systems and subsequently by ADCOMS International, Inc.** Prior to his employment, both companies' doctors certified that he was in good health and fit to work. As a driver and messenger, he