

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 4434

INTRODUCED BY **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

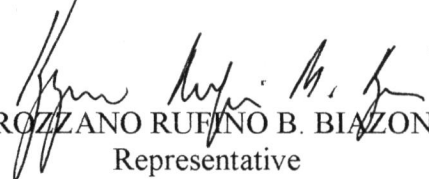
Injuries and even deaths in the workplace are not unusual. When these instances occur, the worker or employee is forced to take leave from work and is prevented from performing his tasks. Oftentimes, the allowable period of absence is too short to allow the injured worker full recovery from his injuries and is forced to take more time off work. Although the Philippine Labor Code states that in such cases, the worker should still be compensated, disputes normally arise as to the nature or cause of the injury so that the burden of proof lies with the injured worker, which would often be difficult to produce so that compensation would be problematical.

This measure seeks to amend the Labor Code to further insure the welfare of the employee or worker by re-establishing the Doctrine of Presumptive Compensability. This principle establishes a presumption for the occupational origin of the injury or disease and exempts the worker from the said burden of the proof.

This doctrine was originally established under the Workmen's Compensation Act (Act no. 3428), which took effect on December 10, 1927. However, it was abandoned and is no longer controlling at the present upon the enactment of Presidential Decree number 626 otherwise known as the Employees' Compensation Act of 1975.

Re-establishing this doctrine in our labor law would serve as an encouragement to our workers to give more dedication to their employment knowing full well that they are well protected and amply compensated by their efforts even in the event of an accident or mishap in the workplace.

For the sake of the millions of Filipino workers here and abroad, approval of this bill is earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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**AN ACT
FURTHER AMENDING CERTAIN PROVISIONS OF BOOK FOUR OF
PRESIDENTIAL DECREE NUMBER 442 AS AMENDED OTHERWISE
KNOWN AS THE LABOR CODE OF THE PHILIPPINES**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Declaration of Policy.* – The State shall afford protection to labor. It is the policy of the State to promote and develop a compensation program whereby employees and their dependents, in the event of an injury or disease in the course of employment and resulting to disability or death, may promptly secure adequate income, medical or other related benefits.

SECTION 2. *Grounds for Compensation.* – Article 172, Chapter II, Title II of Book IV on Employees' Compensation and State Insurance Fund of the Labor Code of the Philippines is hereby amended to read as follows:

“Art. 172. *GROUND AND limitations FOR liability.* - The State Insurance Fund shall be IMMEDIATELY liable for compensation to the employee or his dependents IN THE EVENT OF DEATH OR ANY INJURY FROM ANY OCCURENCE DUE TO AND IN THE PURSUANCE OF THE EMPLOYMENT, OR CONTRACTS ANY ILLNESS DIRECTLY CAUSED BY SUCH EMPLOYMENT OR THE RESULT OF THE NATURE OF SUCH EMPLOYMENT, except when the disability or death was occasioned by the employee's intoxication, willful intention to injure or kill himself or another, notorious negligence, or otherwise provided under this Title.”

SECTION 3. *Repealing Clause.* – The pertinent provisions of the Labor Code, and all other laws, decrees, orders or regulations or parts thereof, that are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 4. *Effectivity* – This Act shall take effect upon its approval.

Approved,