

PART II Workmen's Compensation Commission

# Help when you really need it

**What are the employer's obligations to the System while he is receiving PPD income benefit?**

An employee receiving income benefit for Permanent Total Disability has the following obligations to the System:

a. He must submit a quarterly medical report certified by his attending physician.

b. He must present himself for examination, upon being notified by the System, at least once a year.

**Under what conditions can PPD income benefit be suspended?**

The monthly income benefit for Permanent Total Disability can be suspended:

a. If the employee fails to submit his quarterly medical reports;

b. If he fails to present himself for the annual examination;

c. Upon recovery from his Permanent Total Disability; or,

d. Upon being gainfully employed.

**What is Permanent Partial Disability?**

A disability which causes the harmful loss, permanently, of the use of any part of an employee's body.

**How much income benefit is an employee entitled to receive for Permanent Partial Disability?**

An employee under PPD shall be paid a monthly income benefit equal to the monthly income benefit paid for Permanent Total Disability according to the schedule of payments—beginning with the first month of disability and shall continue for a period—as follows:

Complete and Permanent Loss of the use of	Number of Months
One thumb	3
One index finger	6
One middle finger	3
One ring finger	4
One little finger	2
One big toe	3
Any toe	2
One hand	31
One arm	40
One foot	23
One leg	37
One ear	3
Both ears	16
Hearing of one ear	3
Hearing of both ears	46
Sight of one eye	20

**If an employee loses more than one member or part of his body at the same time, how much income benefit is he entitled to receive?**

He shall be paid the same amount of monthly income benefit for a period equivalent to the SUM TOTAL of the periods established for the loss of the individual members.

Thus, if an employee, for example, whose monthly income benefit is P150, loses his thumb (3 months) and his little finger (2 months) at the same time, he shall continue to receive an income benefit of P150 a month but for a period of 10 months.

**Does an employee who is receiving PPD income benefit lose his right to receive such income benefit if he becomes or remains to be gainfully employed?**

No. He shall continue to receive his monthly income benefit for as long as he is entitled to it, even if he is gainfully employed.

**In case an employee dies, who shall receive the income benefit to which he is entitled?**

His beneficiaries.

**Who are the employer's beneficiaries?**

Beneficiaries are classified into: a. Primary beneficiaries, and b. Secondary beneficiaries.

The status of the beneficiaries shall be determined at the time of the employee's death.

**Who are the primary beneficiaries?**

The following are the primary be-

neficiaries:

a. The legitimate husband or wife who was living with the employee at the time of death, until he or she remarries; and b. The legitimate, legitimated or legally adopted children who are unmarried, not gainfully employed and not over 21 years of age.

To be considered a primary beneficiary, a legitimate, legitimated or legally adopted child who is over 21 years of age must have been incapacitated and incapable of self-support due to a physical or mental defect which is congenital or acquired during minority.

**When is injury, sickness, disability or death not compensable?**

When these are due to the employee's:

a. Intoxication or drunkenness; b. willful intention to injure or kill himself or another; or c. notorious negligence.

**Can an employee avail himself of benefits under the Employees' Compensation Program and benefits under another law for the same contingency at the same time?**

No. When benefits for the same contingency are provided for under other laws, the qualified employee shall choose under which law shall benefits be paid to him.

If the benefits provided by the law chosen are less than the benefits under the Employees' Compensation Program, the System shall pay only the difference in benefits.

**What are medical or related benefits?**

Medical benefits means all payments made to the providers of medical care, rehabilitation services and hospital care which are extended to employees for work-connected injury, sickness or disability.

Related benefit means all payments for appliances and supplies provided the employees who contract work-connected sickness, or sustain work-connected injury or disability.

**What medical or related services is an employee entitled to receive?**

An employee who sustains work-connected injury or contracts work-connected sickness shall be entitled to: a. ward services during confinement in an accredited hospital; b. subsequent domiciliary care by an accredited physician; and c. medicines.

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b. With the SSS — for employees in the private sector.

**When should employees be registered?**

Employees who are covered by the GSIS shall be registered within one month from the date of employment.

Employees who are covered by the SSS shall be registered according to the following guidelines: a. Every employee already registered with the SSS need not be registered again, for he is automatically registered. b. Every employee not yet registered with the SSS shall be registered not later than the first day of employment.

**Is an employee registered separately for coverage under the GSIS/SSS, Medicare and Employees' Compensation Program?**

No. Only one registration is needed for coverage under the GSIS/SSS, Medicare and Employees' Compensation Program.

**Do employers need to register for coverage under the Employees' Compensation Program?**

Yes, employers covered by the GSIS and the SSS shall register with the Employees' Compensation Program.

**When shall employers register under the Employees' Compensation Program?**

Employers shall register under the Employees' Compensation Program according to the following guidelines:

a. For employers covered by the GSIS —

1) Every employer operating BEFORE January 1, 1976 should have registered not later than March 31, 1976.

2) Every employer operating on or after January 1, 1976 shall register within one month from the first day of operation.

b. For employers covered by the SSS —

1) Every employer already registered with the SSS need not register again for he is automatically registered.

2) Every employer not yet registered with the SSS shall register not later than the first day of operation.

**Is an employer penalized by law if he fails or refuses to register his employees with the System?**

Yes. The official responsible for such violation shall be fined from P1,000 to P10,000 and/or imprisoned for the

duration of the violation or non-compliance, at the court's discretion.

**Is a compensable contingency occurs before an employee is reported for coverage to the System, is he entitled to any benefit? From whom?**

Yes. He is entitled to receive the due benefits from the System.

However, the employer shall be liable to the System for the lump sum equivalent of the benefits due him or his dependents.

**How much is the employer's con-**

tribution to the Employees' Compensation Program?

None. The employee does not contribute any amount to the Employees' Compensation Program.

Any contract or device for the deduction of any portion of the contribution from the wages or salaries of the employee shall be null and void.

**How much is the employer's contribution to the Employees' Compensation Program?**

The employer pays to the System an amount corresponding to the employee's salary or monthly salary credit according to the following schedule:

a. For employees covered by the GSIS:

One per cent (1%) of the actual wage or salary an employee receives at the end of the month but not to exceed P10 for every employee.

b. For employees covered by the SSS:

One per cent (1%) of an employee's monthly salary credit in accordance with the tabulation below:

Salary Bracket	Monthly Salary Credit	Employer's Contribution
I	P 25	P 0.25
II	P 75	P 0.75
III	P 125	P 1.25
IV	P 175	P 1.75
V	P 225	P 2.25
VI	P 300	P 3.00
VII	P 425	P 4.25
VIII	P 600	P 6.00
IX	P 800	P 8.00
X	P1,000	P10.00

**What are the advantages of the new Employees' Compensation Program over the defunct Workmen's Compensation System?**

The advantages of the new Employees' Compensation Program over the defunct Workmen's Compensation System are:

a. **Integration of Benefits**  
Compensation benefits for work-connected injury, sickness, disability and death have been integrated with those of the SSS/GSIS and Medicare, thereby facilitating the processing of claims.

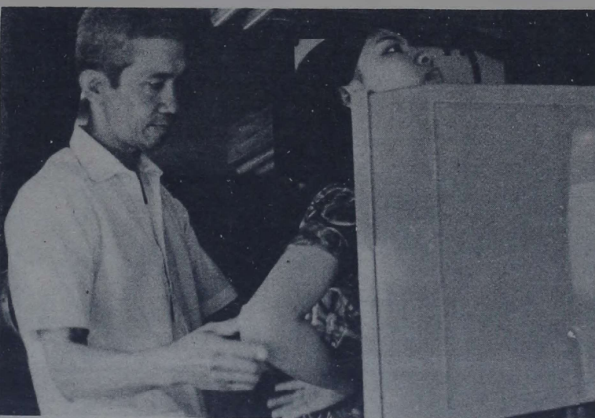
b. **Increase in Benefits**  
Allowable income benefit has been increased to a maximum of P12,000 from P6,000 and the period of entitlement to 3 years from 4 years. Burial expenses have also been increased from P200 to P750.

c. **Prompt Payment of Benefits**  
The new Employees' Compensation Program does away with the adversary type of proceedings obtaining under the old system so that controversy by the employer or by the insurance-company of the claim is eliminated. In other words, the claimant does not even have to go to court to establish his claim. In fact, his own employer will even file the claim in his behalf. This new system results in the early settlement of claims and the prompt payment of income benefits. Generally, it now takes only TEN days to process and determine the compensability of a claim.

d. **Less Expense to claimants**  
Legal services are dispensed with in the processing of claims in the System, thereby eliminating the payment of attorney's fees. In the old system, a sizable portion of the income benefit—when the claim did get to be awarded—was paid out to third parties.

e. **Wider Coverage**  
More employees are now covered with the inclusion into the System of employers with at least one employee and regardless of the capitalization and the type or nature of their businesses.

f. **Rehabilitation**  
A more balanced rehabilitation program, with a wider coverage, enables permanently disabled employees to avail themselves of rehabilitation services under the new Employees' Compensation Program which can help them regain, as early as possible, their physical capacity to the maximum level. In this manner, disabled workers can remain to be useful members of society and regain their self-confidence and their self-respect. □



**How is an employee registered with the System?**

An employee does not by himself register with the System.

He is registered with the System thru his employer by accomplishing the prescribed forms.

**Where does an employer register his employees?**

a. With the GSIS — for employees in the national government, its political subdivisions or instrumentalities, and in government-owned or controlled en-

duration of the violation or non-compliance, at the court's discretion.

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