

SECOND DIVISION

[G.R. No. 164731, February 11, 2010]

**GOVERNMENT SERVICE, INSURANCE SYSTEM, PETITIONER, VS.
ROSALINDA A. BERNADAS, RESPONDENT.**

D E C I S I O N

CARPIO, J.:

The Case

Before the Court is a petition for review^[1] assailing the 29 July 2004 Decision^[2] of the Court of Appeals in CA-G.R. SP No. 81353.

The Antecedent Facts

Rosalinda A. Bernadas (respondent) was a public school teacher at Jibao-an Elementary School, Jibao-an, Pavia, Iloilo City for almost 35 years. On 3 March 2000, she was supervising her students in a gardening activity within the school premises when she accidentally slipped and incurred a wound on the sole of her left foot. Elizabeth Jullado, the school nurse, rendered first aid.

Months later, a black mole appeared on respondent's affected sole, making it difficult for her to walk. It was later diagnosed as malignant melanoma.

In 2002, respondent filed a claim with the Iloilo Branch of the Government Service Insurance System (petitioner) for compensation benefit. On 19 June 2002, petitioner denied the claim on the ground that malignant melanoma was not among those listed by the Employees' Compensation Commission (ECC) as an occupational disease. Respondent moved for reconsideration of the denial of her claim. In its 21 October 2002 Order, petitioner denied the motion.

Respondent filed an appeal before the ECC. On 31 July 2003, as per Board Resolution No. 03-07-594, the ECC rendered a Decision^[3] denying the appeal. The ECC ruled that malignant melanoma could not be considered work-related. The ECC ruled that respondent failed to prove that her ailment originated from the wound she incurred when she slipped during the gardening activity in school. The ECC found that there was no evidence that respondent acquired her illness as a result of the performance of her duties, or that the illness persisted that would establish a causal relationship between the disease and her work.

Respondent filed a petition for review before the Court of Appeals, assailing the ECC's Decision.

The Decision of the Court of Appeals

In its 29 July 2004 Decision, the Court of Appeals reversed the ECC's Decision.

The Court of Appeals ruled that respondent's ailment was work-connected. The Court of Appeals ruled that respondent sustained her injury while she was supervising the gardening activity in the school. The malignant melanoma originated from the wound that swelled when respondent accidentally slipped. The Court of Appeals ruled that the wound was work-connected since respondent sustained it while doing a school-related activity. The Court of Appeals held:

WHEREFORE, the petition is hereby GRANTED and the August 6, 2003 Decision of the Employees Compensation Commission is REVERSED. Consequently, the Government Service Insurance System is ORDERED to pay petitioner's claim for compensation benefits as provided under Presidential Decree No. 626, as amended.

No costs.

SO ORDERED.^[4]

Petitioner came to this Court for relief via a petition for review.

The Issue

The sole issue in this case is whether the Court of Appeals committed a reversible error in setting aside the ECC's Decision which denied respondent's claim for compensation benefit.

The Ruling of this Court

The petition has merit.

Under Section 1(b), Rule III of the Amended Rules on Employees Compensation, "(f) or the sickness and the resulting disability or death to be compensable, the sickness must be the result of an occupational disease listed under Annex 'A' of these Rules with the conditions set therein satisfied; otherwise, proof must be shown that the risk of contracting the disease is increased by the working conditions."

Sunlight, or ultraviolet light in particular, has been implicated as a probable major factor in the development of melanoma.^[5] Some families who have a high incidence of melanoma are distinguished by the occurrence of multiple and usually large moles that are atypical on clinical and histologic examinations.^[6]

In this case, melanoma is not listed as an occupational disease under Annex "A" of the Rules on Employees Compensation. Hence, respondent has the burden of proving, by substantial evidence, the causal relationship between her illness and her working conditions.^[7] Substantial evidence means such relevant evidence as a reasonable mind might accept to support a conclusion.^[8]

We agree with the petitioner and the ECC that respondent was not able to positively