



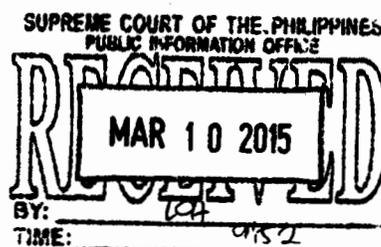
Republic of the Philippines

Supreme Court

Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated February 16, 2015 which reads as follows:

“G.R. No. 215414 (Hernani S. Servano v. Natuna Seacan Manpower Corporation, Emas Offshore Services, Pte., Ltd., Mr. Antonio L. Aquines/Cecille L. Dalde).- The petitioner’s motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period; and the petitioner is hereby directed to **SUBMIT** within five (5) days from notice hereof, a soft copy in compact disc, USB or e-mail containing the PDF file of the signed motion for extension pursuant to the Resolution dated February 25, 2014 in A.M. Nos. 10-3-7-SC and 11-9-4-SC.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the December 16, 2013 Decision¹ and November 5, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 125491 for failure of Hernani S. Servano (petitioner) to show that the CA committed any reversible error in denying his claim for disability benefits.

As correctly ruled by the CA, the employer’s liability for work-related illnesses of its employees under the Philippine Overseas Employment Agency’s Standard Employment Contract (POEA-SEC)

- over - two (2) pages

¹ *Rollo*, pp. 32-44. Penned by Associate Justice Stephen C. Cruz with Associate Justices Magdangal M. de Leon and Eduardo B. Peralta, Jr., concurring.

² *Id.* at 45-46.

presupposes that the work-related illness was contracted during the term of the employment contract,³ which does not obtain in this case for lack of sufficient proof that the illness was work-related and that petitioner suffered stroke after his repatriation on account of the expiration of his contract with respondents.⁴ Besides, petitioner's unexplained failure to submit himself to a post-employment medical examination by a company-designated physician within three (3) working days from his return bars him from claiming disability benefits.

SO ORDERED."

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *2/17*
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(NLRC LAC No. OFW [M]
04-000335-11; NLRC NCR Case No.
OFW [M]-08-11388-10)

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³ Section 20 of the POEA-SEC provides:
SEC. 20. COMPENSATION AND BENEFITS
x x x x
B. COMPENSATION AND BENEFITS FOR INJURY OR ILLNESS
The liabilities of the employer when the seafarer suffers work-related injury or illness during the term of his contract are as follows:
x x x x
(Emphasis supplied)

⁴ Rollo, p. 40.

