

CLIENT ADVISORY BULLETIN NO. 2020-001

31 March 2020

Dear BPCL Client,

We would like to take this opportunity to keep you informed of the issuances made by the relevant government agencies, with respect to **Labor and Employment**, during the period of Enhanced Community Quarantine (ECQ), for your reference and guidance:

Issuance	Particular	Relevant Date/s
DO No. 209, s. 2020¹ (17 March 2020)	Guidelines on the Implementation of the COVID-19 Adjustment Measures Program (CAMP) – affected workers in private establishments that have implemented Flexible Work Arrangement (FWAs) as defined under Labor Advisory (LA) No. 9, s. 2020, or temporary closure as mitigating measures due to the COVID-19 pandemic, are entitled to a financial assistance of Five Thousand Pesos (₱5,000.00)	N/A
LA No. 14, s. 2020² (30 March 2020)	For purposes of determining the six (6)-month probationary period, the period of Enhanced Community Quarantine (ECQ) will not be included	N/A
LA No. 13-A, s. 2020³ (1 April 2020)	Employers are allowed to defer payment of holiday pay on 9 to 11 April 2020, until such time that the President that the present emergency situation has been abated and the normal operations of the establishment is in place. Further, establishments that have totally closed or ceased operations during the ECQ are exempted from the payment of the Holiday Pay under Labor Advisory No. 13, s. 2020	Upon lifting of the ECQ
LA No. 13, s. 2020⁴ (30 March 2020)	Wages for the Regular Holidays on 9 and 10 April 2020 and Special Day on 11 April 2020: a. For 9 April 2020 (Double Regular Holiday) – i. If the employee did not work, he will receive 200% of his/her daily wage , provided he/she was present or on leave with pay prior to the start of the ECQ on 17 March 2020;	N/A

¹ <https://www.dole.gov.ph/wp-content/uploads/2020/03/a.department-order-no.-209.pdf>

² Attached as Annex “A”.

³ Attached as Annex “B”.

⁴ <https://www.dole.gov.ph/wp-content/uploads/2020/03/Labor-Advisory-No.-13-Series-of-2020.pdf>

	<p>ii. If the employee works on said day, he/she will receive 300% of his/her daily wage;</p> <p>iii. If the employee works in excess of eight (8) hours, he/she will be paid an additional 30% of his/her hourly rate for said day;</p> <p>iv. If the employee works on April 9, which is also his/her rest day, he/she will be paid an additional 30% of his/her daily wage;</p> <p>v. If the employee works in excess of eight (8) hours during April 9, which is also his/her rest day, he/she will be paid an additional 30% of his/her hourly rate for said day.</p> <p>b. For 10 April 2020 (Regular Holiday) –</p> <p>i. If the employee did not work, he will receive 100% of his/her daily wage, provided he/she was present or on leave with pay prior to the start of the ECQ on 17 March 2020;</p> <p>ii. If the employee works on said day, he/she will receive 200% of his/her daily wage;</p> <p>iii. If the employee works in excess of eight (8) hours, he/she will be paid an additional 30% of his/her hourly rate for said day;</p> <p>iv. If the employee works on April 10, which also happens to be his/her rest day, he/she will be paid an additional 30% of his/her daily wage;</p> <p>v. If the employee works in excess of eight (8) hours during April 9, which also happens to be his/her rest day, he/she will be paid an additional 30% of his/her hourly rate for said day</p> <p>c. For 11 April 2020 (Special Day) –</p> <p>i. If the employee did not work, the “no work, no pay” principle shall apply, unless there is a favorable company policy, practice or CBA granting payment on a special day;</p> <p>ii. If the employee works on said day, he/she will be paid an additional 30% of his/her daily wage;</p> <p>iii. If the employee works in excess of eight (8) hours, he/she will be paid an additional 30% of his/her hourly rate for said day;</p> <p>iv. If the employee works on April 11, which also happens to be his/her rest day, he/she will be paid an additional 50% of his/her daily wage;</p>	
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	v. If the employee works in excess of eight (8) hours during April 11, which also happens to be his/her rest day, he/she will be paid an additional 30% of his/her hourly rate for said day	
LA No. 12, s. 2020⁵ (19 March 2020)	Clarified certain guidelines of CAMP, among which is that affected workers, as defined under DO No. 209, s. 2020, regardless of status, are covered by CAMP	N/A
LA No. 11, s. 2020⁶ (16 March 2020)	The leaves of absence during the community quarantine period shall be charged against the workers' existing leave credits, if any. Remaining unpaid leaves during said period may be covered and be subject to the conditions provided in the DOLE's CAMP.	N/A
LA No. 9, s. 2020⁷ (4 March 2020)	Guidelines on the implementation of Flexible Work Arrangements (FWA), such as reduction of workhours and/or workdays, rotation of workers, forced leave, as remedial measures due to COVID-19 outbreak	N/A
SSS Circular No. 2020-006⁸ (28 March 2020)	<p>Deadline of remittance of contributions by Employers (regular and household) and Self-Employed, Voluntary and Non-Working Spouse members has been extended as follows:</p> <ol style="list-style-type: none"> Employers (regular and household) – contributions for the applicable months of February, March and April 2020 Self-Employed, Voluntary and Non-Working Spouse – contributions for the applicable months of January, February and March (1Q 2020) <p>Employers who availed of the Contribution Penalty Condonation Program under SSS Circular No. 2019-004 and with approved installment proposal, post-dated checks which fall due in February, March, April and May 2020</p>	<p>On or before 1 June 2020</p> <p>On or before 1 June 2020</p> <p>Checks will be deposited on 1 June 2020</p>

⁵ <https://www.dole.gov.ph/wp-content/uploads/2020/03/labor-advisory-no.-12-1.pdf>

⁶ <https://www.dole.gov.ph/wp-content/uploads/2020/03/Labor-Advisory-No.-11-20-Supplemental-Guidelines-relative-to-the-remedial-Measures-in-view-of-the-ongoing-outbreak-of-coronavirus-disease-2019-COVID-19.pdf>

⁷ <https://www.dole.gov.ph/wp-content/uploads/2020/03/Labor-Advisory-No.-09-20-Guidelines-on-the-Implementation-of-Flexible-Work-Arrangements-as-Remedial-Measure-due-to-the-Ongoing-Outbreak-of-Coronavirus-Disease-2019-COVID-19.pdf>

⁸ Attached as Annex "C".



THE FIRM YOU CAN TRUST

In keeping with commitment of providing our clients and the public with the best possible service we can, we will continue to provide you with relevant updates on issuances made by the various government agencies during the period of ECQ.


Keep safe.

Thank you very much.

A handwritten signature in black ink, appearing to read "D. Placido", is written over the printed name of the signatory.


DAMIAN M. PLACIDO, JR.
Managing Partner

ANNEX "A"


More than Jobs!
It's decent jobs.

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

LABOR ADVISORY NO. 14
Series of 2018


Certificate No.: AJA15-0145
DATE: **13 SEP 2013**
TIME: **9:40am**
RECEIVED BY: *John*

**ENTITLEMENT OF QUALIFIED EMPLOYEES WITH DISABILITY TO
LABOR STANDARD AND OTHER STATUTORY BENEFITS**

Pursuant to Section 5 of Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons", as amended by Republic Act No. 10524, this Advisory is being issued for the guidance of all stakeholders:

Labor Standard and Other Statutory Benefits. All qualified employees with disability shall be entitled to all the rights and benefits granted under the Labor Code of the Philippines, as amended, unless otherwise expressly provided. Employers are not prohibited from granting such other benefits above and beyond the minimum requirements of the law.


In addition, they shall be mandatorily covered under Social Security System, PhilHealth and Pag-IBIG, whenever applicable.


Leave Benefits. In addition to the service incentive leave under the Labor Code, as amended, he/she shall also be entitled to the following leave benefits: Maternity Leave (RA 1161, as amended by RA 8262), Paternity Leave (RA 8187), Solo Parent Leave (RA 8972), the Violence Against Women and Their Children (VAWC) Leave (RA 9262), Special Leave for Women (RA 9710), provided he/she meets all conditions for entitlement.



For emphasis, all qualified employees with disability shall be entitled to all the rights and benefits granted under the Labor Code of the Philippines, as amended and other laws, unless otherwise expressly provided.

Be guided accordingly.


13 SEP 2013


SILVESTRE H. BELLO III
Secretary
Dept. of Labor & Employment
Office of the Secretary


02916R

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila


Certificate Number: AJA15-0048

LABOR ADVISORY NO. 13-A
Series of 2020

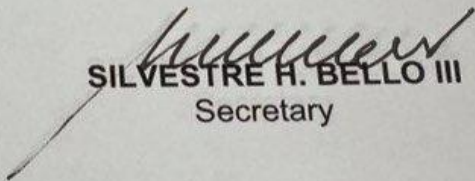
**DEFERMENT OF PAYMENT
OF HOLIDAY PAY FOR THE APRIL 2020 HOLIDAYS**

In view of the existence of a national emergency arising from the Coronavirus Disease 2019 (COVID-19) situation, and pursuant to Article 5 of the Labor Code, as amended, in relation to Labor Advisory No 13, Series of 2020, this advisory is hereby issued for the guidance of all concerned:

On account of the existence of a national emergency as aforementioned, employers are allowed to defer payment of holiday pay on April 9, 10 and 11, 2020, as may be applicable, pursuant to Labor Advisory No. 13, Series of 2020 until such time that the present emergency situation has been abated and the normal operations of the establishment is in place.

Establishments that have totally closed or ceased operation during the enhanced community quarantine period are exempted from the payment of the holiday pay under Labor Advisory No. 13, Series of 2020.

Be guided accordingly.


SILVESTRE H. BELLO III
Secretary

01 April 2020



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CIRCULAR NO. 2020-006

TO : **ALL EMPLOYERS, SELF-EMPLOYED, VOLUNTARY MEMBERS
AND NON-WORKING SPOUSE MEMBERS**

SUBJECT : **EXTENSION OF DEADLINE OF REMITTANCE OF
CONTRIBUTIONS**

In view of Proclamation No. 929 s. 2020 dated 16 March 2020 declaring a State of Calamity throughout the Philippines due to Coronavirus Disease 2019 (COVID-19) for a period of six (6) months, unless earlier lifted, in relation to Proclamation No. 922 s. 2020 dated 08 March 2020 declaring a State of Public Health Emergency due to COVID-19 and the declaration of Code Red sub-level two of the code alert system for COVID-19, all issued by the Office of the President of the Philippines, the Social Security Commission (SSC) under its Resolution No. 206-s.2020 dated 25 March 2020, pursuant to Section (4)(a)(8) and Section 22(a) of the Social Security Act of 2018, approved the extension of deadline of remittance of contributions by employers (Regular and Household) and Self-employed, Voluntary and Non-Working Spouse members as follows:

Type of Payor	Deadline of Remittance
Employers (including Household Employers)	Contributions for the applicable months of February, March and April 2020 may be paid on or before 01 June 2020.
Self-Employed, Voluntary Members and Non-Working Spouses	Contributions for the applicable months of January, February and March or the first quarter of Year 2020 may be paid on or before 01 June 2020.

Provided that no contributions paid retroactively by a self-employed, voluntary or non-working spouse member shall be used in determining his/her eligibility to any benefit arising from a contingency wherein the date of payment is within or after the semester of contingency;

Provided further that the payment deadlines of employers for applicable months after April 2020 and of a self-employed, voluntary or non-working spouse members for applicable months and/or quarters after March 2020 as prescribed under SSS Circular No. 2019-012 dated 06 August 2019 shall apply;

Provided finally that for employers who availed of the Contribution Penalty Condonation Program under SSS Circular No. 2019-004 and with approved installment proposal, their post-dated checks which fall due in February, March, April and May 2020 shall be deposited on 01 June 2020.

All provisions of other Circulars and issuances which are not consistent with the above are hereby repealed or amended accordingly.

For strict compliance.

Original Signed
AURORA C. IGNACIO
President and CEO

28 MAR 2020

Date

(Policy – Contributions Collection)
Prepared by: Account Management Group