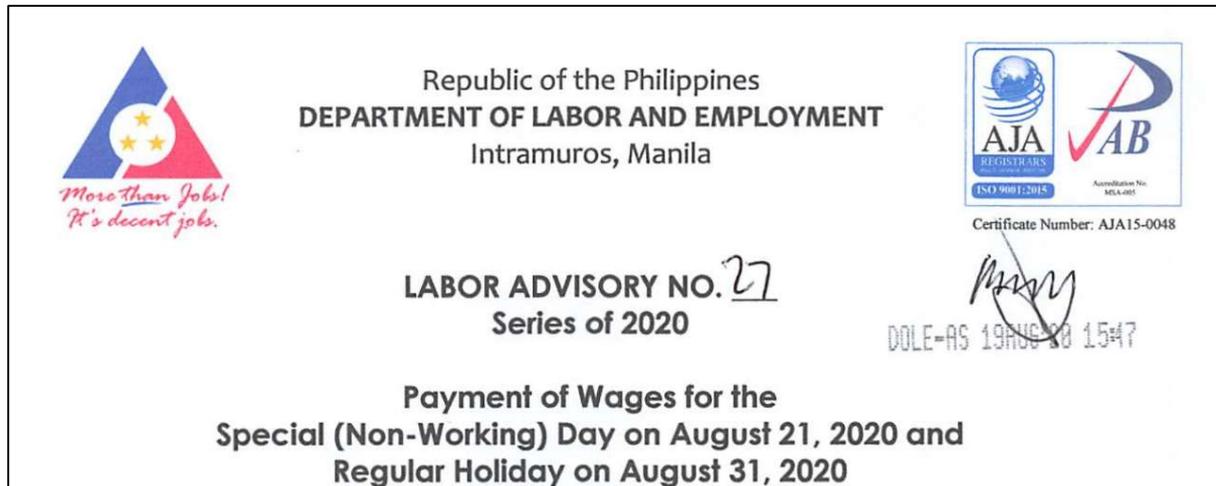


**Good News**  
**Department of Labor and Employment**  
**Bureau of Working Conditions**  
**24 August 2020**

**DOLE issues pay rules for Ninoy Aquino Day and National Heroes Day**



On 19 August 2020, Secretary Silvestre H. Bello III signed Labor Advisory No. 27, Series of 2020 containing the pay rules for Ninoy Aquino Day on August 21 and National Heroes Day on August 31 of this year.

The issuance is pursuant to Proclamation No. 845 issued by President Rodrigo Roa Duterte on 15 November 2019 declaring August 21 as special (non-working day) in observance of Ninoy Aquino Day and August 31 as regular holiday in celebration of National Heroes Day.

In relation to the declaration of August 21 as special (non-working) day, the implication is that the “no work, no pay” principle shall generally apply unless there is a favorable company policy, practice or collective bargaining agreement (CBA) granting payment on a special (non-working) day. This was provided in Rule I, Book III of the Omnibus Rules Implementing the Labor Code of the Philippines.

For work done during a special (non-working) day, a worker shall receive an additional thirty percent (30%) of his/her basic wage on his/her first eight (8) hours of work. For work rendered in excess of eight (8) hours, he/she shall be paid an additional thirty percent (30) of his/her hourly rate for that day.

While for work done during a special (non-working) day that also falls on the worker’s rest day, he/she shall be paid an additional fifty percent (50%) of his/her basic wage on the first eight hours of work. Hours of work in excess of his/her first eight (8) hours shall be treated as an overtime work and shall be paid an additional thirty percent (30%) of his/her hourly rate for the same day.

Moreover, relative to the declaration of August 31 as regular holiday, workers shall be entitled to holiday pay as provided under Rule IV, Book III of the Omnibus Rules Implementing the Labor Code of the Philippines.

To be entitled to holiday pay, the employee must be present or on leave of absence with pay on the last work day immediately preceding the regular holiday. Hence, as provided in Section 6 of the Omnibus Rules, employees who were on leave of absence without pay may not be paid the required holiday pay if he has not worked on such regular holiday.

Section 7 thereof likewise provides that in cases of temporary or periodic shutdown and temporary cessation of work of an establishment, as when a yearly inventory or when the repair or cleaning of machineries and equipment is undertaken, the regular holidays falling within the period shall be compensated in accordance with the Rule. However, those that falls during the cessation of operation of an enterprise due to business reverses as authorized by the Secretary of Labor and Employment may not be paid by the employer.

In view of the country's present state, Secretary Silvestre H. Bello III also allowed the deferred payment of holiday pay for National Heroes Day until such time that the present situation has been abated and normal operations of the establishment is in place. Exempted from the pay rules are establishments that have totally closed or ceased their operation during the community quarantine period.

Computation details for August 21 and 31 may be viewed and downloaded in the website of the Department of Labor and Employment and Bureau of Working Conditions.

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