

Good News
Department of Labor and Employment
Bureau of Working Conditions
30 May 2020

Preserving employment amidst the COVID-19 pandemic

The COVID-19 pandemic has not only taken lives but also means of livelihood of every business owner and worker. It has caused permanent, temporary, and partial closure of establishments and termination of workers. It is an unprecedented situation which many never expected.

As the country slowly transitions to the new normal, the national government will be allowing additional establishments to resume its operations once the area of the establishment shifts to General Community Quarantine (GCQ).

To assist employers in the transition, the Department of Labor and Employment (DOLE) issued Labor Advisory No. 17, Series of 2020 (LA 17-20) on 16 May 2020. The issuance seeks to guide employers resume its business operations while preserving the employment of its workers. LA 17-20 applies to all employers and employees, regardless of employment status, in the private sector.

The Labor Advisory also serves as a reminder that business operations resuming their on-site operations must observe the minimum health standards laid down by national government agencies such as those issued by the DOLE, Department of Trade and Industry, Department of Health, and Department of Public Works and Highways.

As an alternative to outright termination of employment or closure of business, employers and employees are encouraged to explore suitable alternative work schemes (AWS) taking into account the specific peculiarities of its business requirements. Examples of which are reduction of normal workhours per day or workdays per week and alternately providing workers with work within the workweek or within the month.

Additionally, establishments are also highly encouraged to adopt telecommuting work arrangement or work-from-home scheme, pursuant to DOLE Department Order No. 202, Series of 2019, as its AWS in order to minimize people movement and exposure.

Under LA 17-20, employers and employees are likewise given the option to agree voluntarily and in writing the adjustment of employees' wage and wage-related benefits provided that this shall not exceed six (6) months and not less than the General Labor Standards mandated by law.

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