

News Release
Department of Labor and Employment
Bureau of Working Conditions
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Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila



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DEPARTMENT ORDER NO. 237
Series of 2022

**REVISED IMPLEMENTING RULES AND REGULATIONS
OF REPUBLIC ACT NO. 11165, OTHERWISE KNOWN AS
THE "TELECOMMUTING ACT"**

Revised IRR of the Telecommuting Act, approved, signed and published

As a response to the issues brought by the COVID-19 pandemic, the applicability of a work-from-home arrangement that assures the safety of employees under the work scheme was implemented. Some employees mainly rely on the telecommuting arrangement.

In accordance with Section 10 of DOLE Department Order No. 202, series of 2019, commonly known as the "Telecommuting Act," a review of the Rules is required every three (3) years from the Rules' effective date.

On 16 September 2022, DOLE Secretary Bienvenido E. Laguesma issued Department Order No. 237, series of 2022 or the Revised Implementing Rules and Regulations of the Telecommuting Act. It was published in The Manila Times last 18 September 2022.

The Department Order defined new terms such as 1) alternative workplace as any location where work is performed at a location away from the principal place of business of the employer through the use of telecommunication and/or technology; 2) computer technology as all electronic media and services; 3) regular workplace as the principal place of business provided by the employer where employees regularly report to; and 4) telecommunication as a process of relaying and receiving voice, data, electronic messages, among others, by wire, radio or other electromagnetic, spectral, optical or technological means.

The said issuance also clarifies that employees under telecommuting are not considered as field personnel, except when their actual hours of work are not determinable within reasonable certainty.

Other new provisions of the Department Order are the contents of telecommuting program which are reasonably necessary or relevant to ensure effective implementation of the Rules; the administration of grievance machinery, wherein, in case of unresolved grievances, both parties may avail of a voluntary arbitration and request for assistance under the Single Entry Approach Program of the Department; and the submission of telecommuting reports through the Establishment Report System (<https://reports.dole.gov.ph/>).

Secretary Laguesma encouraged the adoption and implementation of telecommuting programs, since telecommuting arrangement is voluntary and based on the mutual agreement of the employers and employees.

Signed Department Order No. 237, series of 2022 may be viewed and downloaded at <https://tinyurl.com/DO237series2022>.

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