

**FREQUENTLY ASKED QUESTIONS
ON COVID 19 VACCINATION IN THE WORKPLACE**
[LABOR ADVISORY NO. 03-21 GUIDELINES ON THE ADMINISTRATION OF COVID-19
VACCINES IN THE WORKPLACES](#)

The responses made here are based on current and available guidelines and medical information. Answers are subject to change anytime, once new information becomes available. The answers are focused on the application of COVID 19 Vaccination in the workplace context. In depth information is available with the Department of Health.

1. What establishments should implement vaccination in the workplace?

All private establishments are encouraged to have their workers vaccinated. However, this is not mandatory.

2. Should the COVID 19 Vaccines be available in the country; is the charging of vaccines to the medicine allowance of employees against the provision of LA No. 3 of DOLE which states that, “no cost shall be directly or indirectly charged to employees?”

Vaccines for COVID-19 are critical tools for helping bring the pandemic under control when combined with existing prevention measures. However, the charging of the procurement of vaccines on employees’ medicine allowance may be considered as indirect charging since the medicine allowance as a benefit was intended for other purpose. DOLE Labor Advisory No. 3 does not allow charging of any cost, directly or indirectly to employees.

3. How does COVID 19 vaccines prevent disease?

COVID-19 vaccination works by teaching the body’s immune system how to recognize and fight the virus that causes COVID-19. This protects persons that were inoculated with COVID 19 vaccine from getting sick with COVID-19.

4. What are the possible side effects of vaccination?

The possible side effects of a vaccine include pain, redness, itchiness or swelling at the injection site (which may last a few hours); as well as tiredness, headache, muscle pain, chills, fever, and nausea throughout the rest of the body. These are normal signs that the body is building protection. These side effects could affect one’s ability to do daily activities, but these inconveniences should go away in a few days.

5. What is the protocol in case an employee develops severe adverse effect after administration of commercially available COVID-19 vaccine?

Prior to any immunization program, the OSH Committee must develop protocols specific to the establishments to address varying logistical needs for emergency care administration. Considerations for the protocol include the availability of OH/medical

personnel, availability of medication, availability of transport and availability of receiving facility. The observation period shall also be considered as this can range from 30 mins to several days after vaccine administration. Workers should be provided counsel before and after vaccination and an emergency hotline be made available for all vaccine recipients.

6. Are there risks for complications when given the COVID-19 vaccine?

Yes, like all other vaccines, there are risks of complications. However, the benefit of protection against severe COVID 19 is greater than the risk. Anyone that will be vaccinated shall be properly evaluated and closely monitored based on DOH protocols. Severe or life threatening reactions may appear but are extremely rare.

7. What are the responsibilities of the company, employee, and Philippine government in the implementation of the newly released workplace guidelines? What are the liabilities of an employer should an employee develop adverse effect [and lead to death] after administration of vaccine?

Establishments are responsible for creating an immunization program from awareness raising to administration and look out over adverse events. It is the responsibility of the workers to cooperate with such programs and be truthful about their medical conditions. The government together with the specialists in their own right, shall to the best of abilities provide vaccines that are reviewed (given time and evidence constraints) for safety and efficacy. The Government through the COVID 19 Vaccination Program Act of 2021, sets aside indemnity funds to address adverse reactions attributed to vaccines granted EUA status.

8. Can workplaces require COVID 19 vaccination for their workers as pre condition for work and continuity of work once the vaccine becomes commercially available in the country?

No, vaccination is not mandatory. Section 12 of RA11525 otherwise known as COVID 19 Vaccine Program Act of 2021 declared that the vaccine card which is issued to all vaccinated individuals shall not be a mandatory requirement for employment.

Requiring vaccination as a pre-condition for hiring and work continuity, is discriminatory and contrary to the principle of decent work as it is the policy of the government that citizens including workers may refuse vaccination as part of their individual health rights. While vaccination is not mandatory, the government still highly encourages the public to get vaccinated and be protected against preventable disease.

9. Can a principal require its contractor/subcontractor to deploy only vaccinated workers?

No, this is a clear case of work discrimination. Affected workers are encouraged to report incidents to the DOLE RO/FO having jurisdiction to their workplace.

10. If there are employees who refuse to be vaccinated, can we require them to undergo a regular mandatory swab testing to be conducted twice a month, the cost of which shall be shouldered by the company Will a mandatory swab testing be considered a discriminatory act?

While the goal of an occupational safety and health program is to foster a safe and healthy occupational environment; employees' participation should also be taken into consideration in decision and policy making. Company policy on COVID 19 needs the active participation of workers. Swab testing when done should be justified and not arbitrarily done as there are constraints of the test. Thus, mandatory swab testing in place of vaccination shall depend on what will be agreed upon by parties.

11. Can an employee refuse to work should an employer do not provide a vaccine to his/her employees?

No. Vaccination is not a standalone control measure for COVID 19 as there is still the minimum public health standards which is considered still as the best control measure that will help control virus transmission in the workplace. Nonetheless, the worker may still opt to consult with the management on possible work arrangement that he/she may avail. Alternatively, workers can avail of vaccination by reaching out to their respective LGUs for schedule of immunization.

12. Who will get the vaccines first? What will be the order of priority?

Based on the recommendations from the Interim National Immunization Technical Advisory Group (iNITAG), Frontline health workers, senior citizens, indigent population, and uniformed personnel are the priority groups to be vaccinated.

The following are currently the order of priority:

- A1: Frontline workers in health facilities both national and local, private and public, health professionals and non-professionals like students, nursing aides, janitors, barangay health workers, etc.
- A2: Senior citizens aged 60 and above
- A3: Persons with co-morbidities not otherwise included in the preceding categories
- A4: Frontline personnel in essential sectors including uniformed personnel, seafarers and those in working sectors identified by the IATF as essential during ECQ
- A5: Indigent population not otherwise included in the preceding categories
- B1: Teachers, Social Workers
- B2: Other Government Workers
- B3: Other essential workers
- B4. Socio-demographic groups at significantly higher risk other than senior citizens and indigenous people
- B5: Overseas Filipino Workers
- B6: Other Remaining Workforce
- C: Rest of the Filipino population not otherwise included in the above groups

13. Why will the prioritized groups get the vaccine first?

While the goal of the government is to vaccinate every citizen of this country, the country is working under the context of limited global supply of the COVID 19 vaccine. Thus the Inter-Agency Task Force for the management of Emerging Disease (IATF) adopted the prioritization framework and criteria of the iNITAG in allocating first tranches

of vaccines against COVID 19 that will arrive in the country. The framework ensures that those who have the highest exposure and death will be protected from the disease. This is also part of the agreement of the Philippines with the WHO COVAX facility that provides the country with millions of doses provided that the agreed upon priority list be strictly adhered to.

14. Are vaccines for COVID 19 commercially available? Is there a guideline on how the company can procure the COVID 19 vaccines from the government? Is there any reporting compliance (e.g. forms) that companies need to submit to your office? How can schools avail of vaccination program for their employees?

No, COVID-19 vaccines cannot be purchased from private clinics or pharmacies. Current COVID-19 vaccines have Emergency Use Authorization (EUA) only and are not commercially available. Schools, like all other private establishments, which developed their workplace immunization program and has included COVID 19 in such may communicate their vaccinations intentions through agencies of the government overseeing them such, as the DepEd, CHED or their respective LGUs.

Following the clarification made by the government, stating that private sector companies are allowed to procure vaccines, companies desiring to procure vaccines are required to enter into a tripartite agreements with the Philippine National Government and the vaccine manufacturers because COVID 19 is not yet commercially available in the market.

15. What is an Emergency Use Authorization?

It is an authorization granted through risk based procedure for assessing unregistered (under development) vaccines or drugs during public health emergencies of international concern. It aims to expedite the availability of of the vaccine or drug to people affected by public health based on essential set of available quality, safety, and efficacy performance data.

16. Once vaccinated, can one stop practicing other preventive measures such as social distancing and wearing masks?

No. Stopping a pandemic as fast as possible requires using all the tools available. It takes time for the body to build protection after any vaccination, and the COVID-19 vaccine may not protect individuals until a week or two after the second shot (dose). Other steps, like covering the mouth and nose with a mask and staying at least one M away from others, help reduce the chance of being exposed to the virus and spreading it to others. Together, getting vaccinated for COVID-19 and following the government's prescribed minimum public health standards will protect oneself and others.

17. When one can return to work, when is the soonest time one can return to work after vaccination?

Depending on the vaccine and its expected side effects, vaccinated individuals are expected to return to work immediately or within 24 to 48 hours after vaccination. Symptoms are usually quickly resolved by intake of simple medications.

18. What are the guidelines in implementing a vaccination program in schools?

Guidelines on vaccination in schools (and establishments) shall be developed, together with the workers to conform with the recommendations of relevant NGAs (i.e. DOH, DOLE, DepED, CHED, DENR) and their respective LGUs.

19. What are the accountabilities of schools in the vaccination program?

Vaccination program is not a mandatory requirement for schools {and establishments}. However, the government welcomes private institutions as schools to have this program for their stakeholders {workers and students}. Adverse drug reaction is of paramount concern and it is expected that establishments implementing an immunization program have already in place provisions for medications and transport facilities, to respond to adverse drug reactions both immediately or during the delayed response phase. Schools/establishments are encouraged to seek the support of the concerned government agency in the administration of COVID 19 vaccines.

20. In preparation for the company's adoption and implementation of its vaccination policy, will DOL E be issuing further guidance on the implementation of vaccination program in the workplace?

Policies on COVID 19 are continuously evolving. Depending on the current COVID 19 situation and latest medical discoveries, policies may be issued by the government to complement and synergize previous policies. Thus, depending on future occurrences, the DOLE may issue policies concerning COVID 19 vaccination in the workplace. In the meantime, please be guided by DOLE Labor Advisory No, 03-21 – Guidelines on the Administration of COVID-19 Vaccines in the Workplace.

21. Are all companies required to comply with Labor Advisory No 03-21?

RA11525 Covid-19 Vaccination Program Act of 2021 requires compliance by all sectors concerned and DOLE LA No. 3-21 is aligned to this law.

22. Are companies required to have a vaccine policy/program?

Yes, as provided for in the Labor Advisory, covered establishments which wishes to have COVID 19 vaccination program should adopt and implement the appropriate vaccination policy in the workplace as part of their occupational safety and health which must be consistent with DOH and IATF guidelines and other existing laws, rules and regulations.

This is consistent with Rule 1966 of the OSHS which provides that the OH program shall include immunization programs along with other OH programs/services (i.e health examination, health education and counseling, etc.)

23. Are there any preparation/requirements needed to do by the workers prior to vaccination?

Be in good physical health condition. Prior vaccination, ensure workers are provided with the appropriate information about the company vaccination policy and program (i.e. benefits, side effects, strategies to undertake, dos and dont's, how to's

etc.). Workers are encouraged to disclose medical conditions or to provide honest and truthful information about their health condition and exposures to COVID, if any.

24. What will be the treatment for workers who manifest symptoms of vaccine side effect like fever, body malaise etc., which causes him/her to be absent from work?

Absences due to side effects of vaccine can be chargeable to sick leave or earned leave credits. Should there be no available leave credits, employers are encouraged to offer flexible arrangements.

25. Is there any reporting requirement to the Department as to the vaccination program implemented by the company?

It is not required to report but companies are encouraged to report and reflect it under Annual Medical Report (AMR) and/or keep data/records on vaccination (i.e. nos. of employees vaccinated, adverse effects through the health and safety committee. These data can help improve vaccination. It is the Department of Health which requires reporting of all those vaccinated.

26. Conduct of vaccination offsite or outside company premises which entail travel time going to the vaccination site be considered compensable?

Offsite vaccination be conducted during working hours (compensable time) and not during rest day.