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LAW OFFICES

**CLARIFICATIONS ON
THE DTI-DOLE JOINT
MEMORANDUM
CIRCULAR NO. 2020-
04-A, SERIES OF 2020
[Advisory No. 20-02 s. 2020]**



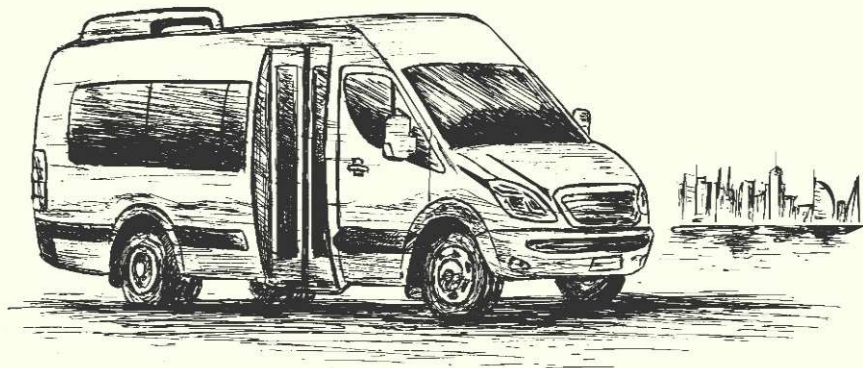
Clarifications under the Advisory

The Advisory clarified the rules on the following:

- Shuttle services;
- Workers who belong to the Most-at-Risk Population and workers below 21 years old;
- Isolation areas;
- Closure and disinfection procedures; and
- Temperature inside establishments.

Shuttle Services

Shuttle transportation



Establishments with total assets above PHP 100 Million, located inside special economic zones and other areas under the jurisdiction of Investment Promotion Agencies are required to provide shuttle services for their employees.

Total assets include those arising from loans but excludes the land on which the office, plant and equipment are situated.

Alternative arrangements such as cost-sharing, partial vouchers, use of Transport Network Vehicle Services, may be adopted by employers to facilitate the transportation needs of their employees. Employers may contract the services of Public Utility Vehicles to subsidize public transport operations.

Most-at-Risk Population (MARP) and Workers below 21 years old

While work from home arrangements are still highly encouraged, employees classified as MARP (such as senior citizens, pregnant women, and those with health conditions) and those who are between 18 to 21 years old may be allowed to report to work for eight (8) hours.



These employees must first undergo a fit-to-work examination and secure a medical certificate from any competent authority (i.e., an occupational health physician or government physician with occupational health training) certifying the employee's fitness to work for regular hours.

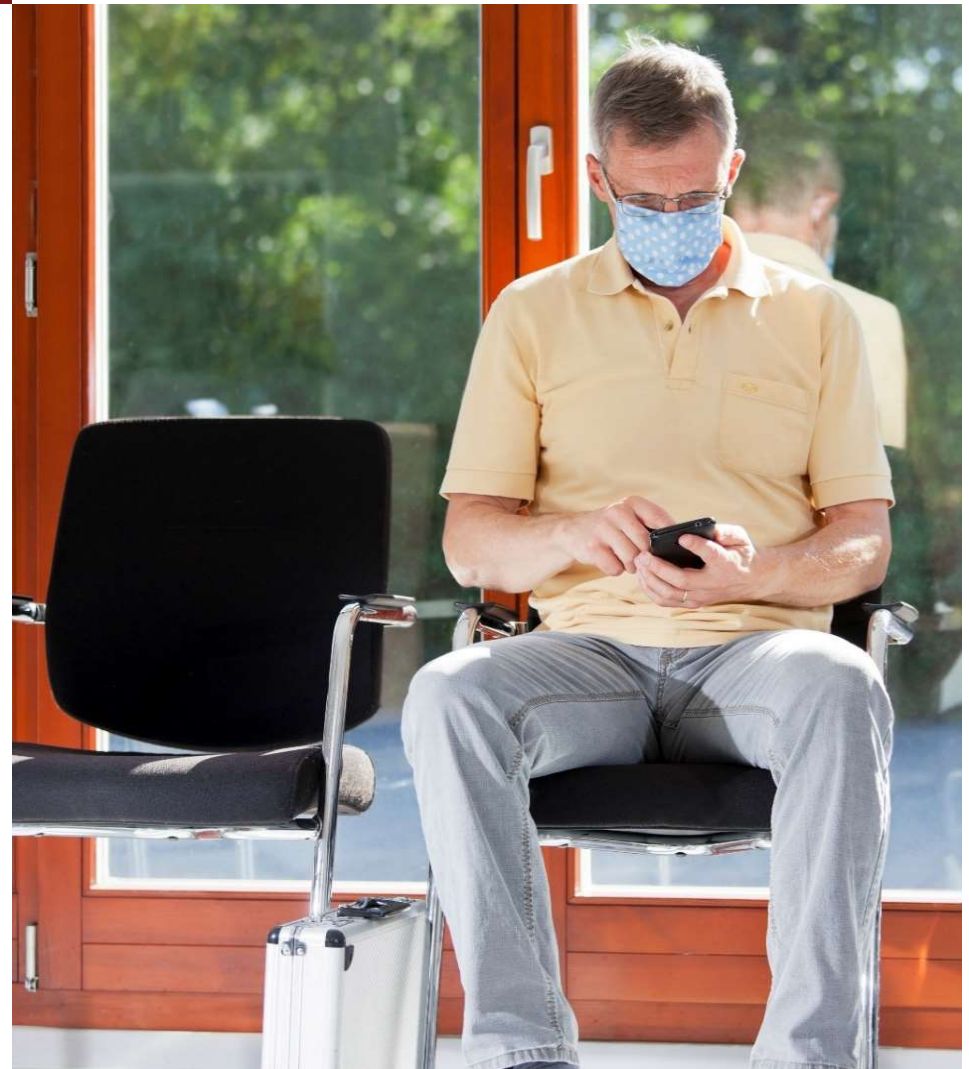


Isolation Areas

The requirement of designating an isolation area of one (1) room for every two hundred (200) employees shall be based on the average number of employees actually reporting to work per shift.

Isolation rooms may be outside the establishments as long as it is within the control of the employer (i.e., it is readily available when necessary). A temporary holding facility for employees and visitors with symptoms must be set up within the immediate vicinity of the workplace and/or building.

Employers may make arrangements with a temporary treatment and monitoring facility nearby or with the Barangay for immediate referral of symptomatic employees.



Closure and Disinfection



Employers are encouraged to establish their policies on the temporary closure of the workplace, disinfection, and more extensive contact tracing practices to ensure continuity of operations.

Granular lockdown of the building/facility for disinfection may be allowed, provided that the building or workplace has a policy and/or Occupational Safety and Health (“**OSH**”) program to maintain the safety of employees in the areas that are not subject of the closure during disinfection. The policy and/or OSH program must ensure the safe entry of affected employees after disinfection.

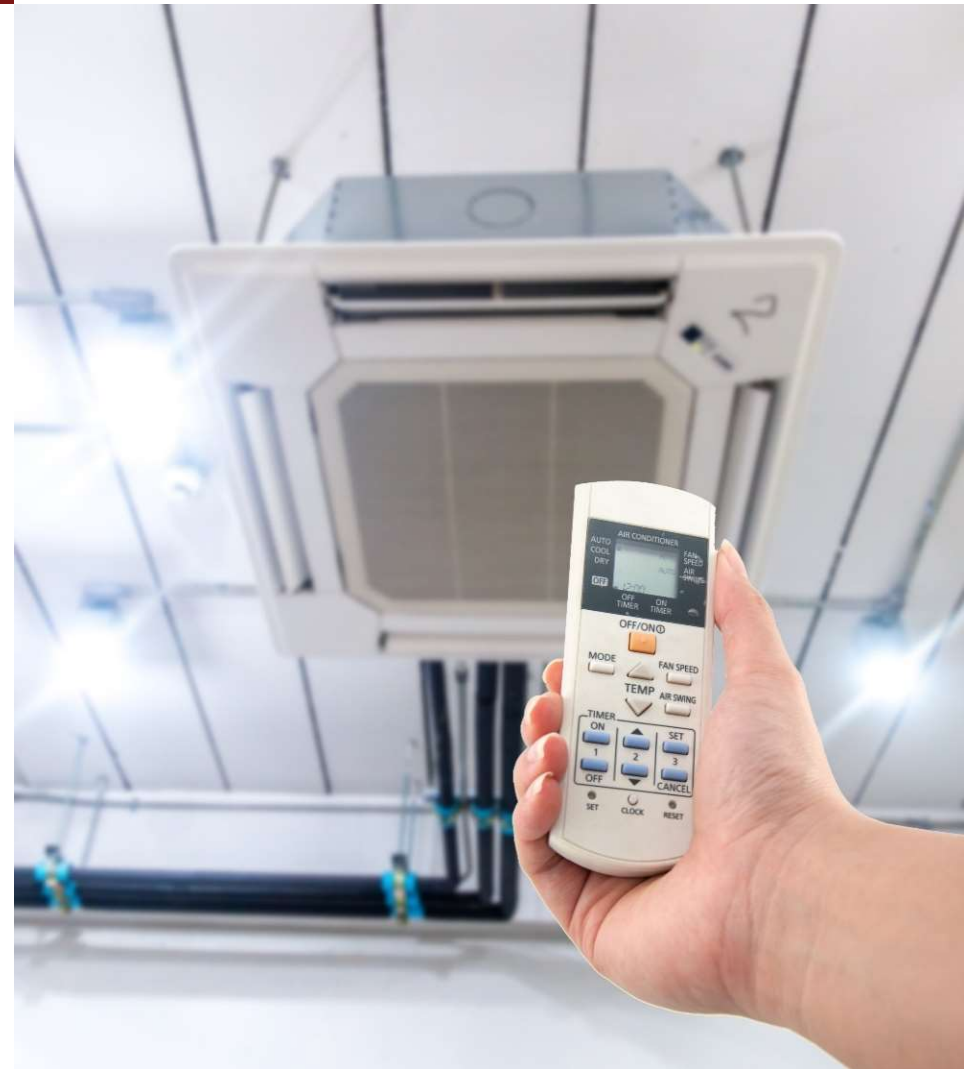
Shorter lockdown period of less than twenty-four (24) hours for disinfection (disinfection time of three (3) to four (4) hours) is allowed provided that the safety of employees is ensured under the company policy and/or OSH program.

A certificate of return to work from the specialists/cleaners/disinfecting agents must be secured.

Temperature

Air conditioning temperature in establishments shall be set according to the nature of their operations.

Malls and shopping centers may lower the air conditioning temperature up to twenty-four (24) degrees centigrade.





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OS Law assists its clients with their needs across a spectrum of business concerns including general corporate and commercial matters, company establishment and registration, contract negotiation and drafting, mergers and acquisitions, joint ventures, corporate restructuring and foreign direct investments.

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