



Republic of the Philippines  
**DEPARTMENT OF LABOR AND EMPLOYMENT**  
Intramuros, Manila



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Certificate No.: AJA15-0048

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**LABOR ADVISORY NO. 17-B**  
Series of 2020

**GUIDELINES ON EMPLOYMENT PRESERVATION  
UPON THE RESUMPTION OF BUSINESS OPERATION**

Pursuant to Article 5 of the Labor Code of the Philippines, as amended, and in order to assist employers to resume their business operations while preserving the employment of their workers, this Guidelines is hereby issued.

**Section 1. Coverage.** – This Advisory shall apply to all employers and their employees regardless of employment status in the private sector operating or allowed to resume business operations under the enhanced community quarantine, general community quarantine or other quarantine arrangements.

**Section 2. Health Standards.** – All employers whose business operations are allowed to continue or resume to operate shall observe the minimum health standards pursuant to the Department of Trade and Industry (DTI) and Department of Labor and Employment (DOLE) Interim Guidelines on Workplace Prevention and Control of COVID-19 dated April 30, 2020; Department Order No. 35, Series of 2020 dated May 4, 2020 on the Construction Safety Guidelines for the Implementation of All DPWH Infrastructure Projects During the COVID-19 Public Health Crisis; Department Memorandum No. 2020-0220 dated May 11, 2020 on Interim Guidelines on the Return-To-Work issued by the Department of Health (DOH); and, Joint Memorandum Circular No. 20-04 dated 14 August 2020 on DTI and DOLE Supplemental Guidelines on Workplace Prevention and Control of COVID-19.

**Section 3. Work-From-Home (WFH) or Telecommuting Work Arrangement.** – Establishments are, when feasible, highly encouraged to adopt work-from-home or implement telecommuting arrangement pursuant to Department Order No. 202, Series of 2019. Employees on work-from-home or telecommuting arrangement shall be provided with adequate support to perform the assigned task or job.

**Section 4. Alternative Work Schemes, Wage and Wage-Related Benefits.** – Transfer, assignment, job rotation, reduction of workdays, partial closure and other work arrangements including adjustment of wage and wage-related benefits of the employees shall be governed by existing laws, rules and regulations, jurisprudence, and collective bargaining agreement, if any.

**Section 5. Entitlement of Separated Employees.** – Employees who are separated from employment due to authorized cause shall be entitled to the final pay pursuant to Labor Advisory No. 6, Series of 2020, without prejudice to other benefits as provided for by law, company policy and/or collective bargaining agreement.

**Section 6. Reporting Requirement.** – Employers shall report the adopted alternative working schemes and other work arrangements including the adjustment of wage and wage-related benefits of the employees, if any; submit duly certified copy of all agreements pursuant to Sec. 3 and 4 above; and/or accomplish establishment termination report to the DOLE Regional Office having jurisdiction over their principal place of business. All reporting requirements shall be submitted pursuant to the prescribed form of the Bureau of Working Conditions.

**Section 7. Dispute Resolution.** – Any disagreement or difference arising from the implementation of this Advisory shall be resolved under the applicable grievance mechanism of the company.

In unorganized establishments where no grievance mechanism is established or the grievance mechanism is inadequate, any disagreement or difference shall be referred to the appropriate Regional Branch of the National Conciliation and Mediation Board (NCMB) or DOLE Regional Office which has jurisdiction over the workplace, for conciliation.

Unresolved disagreements or differences shall be resolved in accordance with existing rules and regulations on the visitorial and enforcement power of the Secretary of Labor and Employment and his/her duly authorized representatives.

**Section 8. Supersession Clause.** – This Labor Advisory supersedes Labor Advisory No. 17, Series of 2020.

Be guided accordingly.

9 August 2020

  
**SILVESTRE H. BELLO III**  
Secretary

Dept. of Labor & Employment  
Office of the Secretary



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