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Philippine Regulation Updates in Response to Covid-19 (as of May 18, 2020) Masataka Sato, Michelle Marie F. Villarica

*This article is based on information available as of May 18, 2020.

I. Implementation of Community Quarantine

Beginning 16 May 2020 until 31 May 2020, the Philippines will implement the following: (i) enhanced community quarantine ("**ECQ**") for high risk areas, (ii) modified enhanced community quarantine ("**MECQ**") for transitioning risk areas, and (iii) general community quarantine ("**GCQ**") for other areas.

The categories are as follows:

- a. Enhanced Community Quarantine:
 - Cebu City
 - Mandaue City
- b. Modified Enhanced Community Quarantine:
 - All highly urbanized cities ("HUCs") of the National Capital Region (i.e. Metro Manila) and the Municipality of Pateros
 - Bataan, Bulacan, Nueva Ecija, Pampanga, Zambales, Angeles City
 - Laguna
- c. General Community Quarantine:
 - All other provinces, HUCs, independent component cities not mentioned in (a) and (b).

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II. Allowed Activities

The implementation of the above community quarantine is contained in the Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases ("IATF") on 15 May 2020 ("IATF Guidelines") and supplemented by (i) the Department of Trade and Industry ("DTI") Memorandum Circular No. 20-22 dated 5 May 2020 ("DTI Guidelines"), (ii) Department of Public Works and Highways ("DPWH") Department Order No. 35 dated 4 May 2020 ("DPWH Guidelines"), and the Department of Transportation ("DOTr") Memorandum Circular No. 2020-2185 dated 12 May 2020 ("DOTr Guidelines").

While the Guidelines include the implementation of a modified general community quarantine ("**MGCQ**"), IATF Resolution No. 37, the latest resolution issued by the IATF, does not place any area in the Philippines under MGCQ. We understand however that areas placed under GCQ will eventually transition to MGCQ.

A summary of the Guidelines follows:

	ACTIVITY	ECO	MECO	GCO	MGCQ
1.	Movement of	 Limited to accessing 	Limited to accessing	Limited to accessing	Allowed
	persons	essential goods and	essential goods and	essential goods and	Persons who are:
	1	services and for work	services and for work	services and for work	o sixty (60) years
		in permitted offices or	in permitted offices or	in permitted offices or	old and above,
		establishments or other	establishments or other	establishments or other	o those with
		activities listed below.	activities listed below.	activities listed below.	immunodeficie
		Persons who are:	 Persons who are: 	 Persons who are: 	ncy,
		o below twenty-	o below twenty-	o below twenty-	comorbidities,
		one (21) years	one (21) years	one (21) years	or other health
		old,	old,	old,	risks, and
		o sixty (60) years	o sixty (60) years	o sixty (60) years	o pregnant, and
		old and above,	old and above,	old and above,	should be granted
		o those with	o those with	o those with	alternative work
		immunodeficie	immunodeficie	immunodeficie	arrangements, if
		ncy,	ncy,	ncy,	feasible.
		comorbidities,	comorbidities,	comorbidities,	
		or other health	or other health	or other health	
		risks,	risks,	risks,	
		o pregnant	o pregnant, and	o pregnant, and	
		women, and	o those who	o those who	
		o those who reside with any	reside with any of the above	reside with any of the above	
		of the above	should, as much as	should, as much as	
		should, as much as	possible, stay at home,	possible, stay at home,	
		possible, stay at home,	except when	except when	
		except when	indispensable under	indispensable under	
		indispensable under	the circumstances to	the circumstances to	
		the circumstances to	obtain essential goods	obtain essential goods	
		obtain essential goods	and services or for	and services or for	
		and services or for	work in industries and	work in industries and	
		work in industries and	offices allowed to	offices allowed to	
		offices allowed to	operate.	operate.	
		operate.	 Movement of pastors, 	 Movement of pastors, 	
		• Movement of pastors,	priests, rabbis, imams,	priests, rabbis, imams,	
		priests, rabbis, imams,	and other religious	and other religious	
		and other religious	ministers is allowed to	ministers is allowed to	
		ministers is allowed to	perform necrological	perform necrological	
		perform necrological	or funeral rights.	or funeral rights.	
		or funeral rights.	Immediate family	Immediate family	
		Immediate family	members of those	members of those	
		members of those	deceased from causes	deceased from causes	
		deceased from causes	other than Covid-19	other than Covid-19	
		other than Covid-19	are allowed to move	are allowed to move	
		are allowed to move	from their residences	from their residences	
		from their residences to attend the wake or	to attend the wake or interment of the	to attend the wake or interment of the	
		interment of the	deceased upon	deceased upon	
		deceased upon	satisfactory proof of	satisfactory proof of	
L		ucceased upon	saustactory proof of	satisfactory proof of	

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	ACTIVITY	ECQ	MECQ	GCQ	MGCQ
		satisfactory proof of	their relationship with	their relationship with	
		their relationship with	the deceased.	the deceased.	
		the deceased.	 Pastors, priests, rabbi, 	 Pastors, priests, rabbi, 	
			imams, and other	imams, and other	
			religious ministers	religious ministers	
			may also provide home	may also provide home	
			religious services to	religious services to	
			households.	households.	
2.	Exercising	Not allowed	Individual outdoor	Individual outdoor	Allowed (including
2.	outdoors	• Not allowed	exercise such as	exercise such as	non-contact sports
	outdoors		outdoor walking,	outdoor walking,	such as golf, tennis,
			jogging or running,		table tennis, etc.)
			5 66 6 6,	jogging or running,	table tennis, etc.)
			and cycling is allowed	and cycling is allowed	
			provided that masks	provided that masks	
			are worn and a two (2)	are worn and a two (2)	
			meter distance from	meter distance from	
			others is maintained.	others is maintained.	
			 Persons below twenty 	 Persons below twenty 	
			one (21) years old,	one (21) years old,	
			sixty (60) years old	sixty (60) years old	
1			and above, those with	and above, those with	
			immunodeficiency,	immunodeficiency.	
			comorbidities, or other	comorbidities, or other	
1			health risks, and	health risks, and	
			pregnant women, and	pregnant women, and	
1			persons who reside	persons who reside	
			with the	with the	
			aforementioned are not	aforementioned may	
			allowed to exercise	go outdoors for	
			outside.	individual exercise.	
-	<u>a</u> 1				
3.	Gatherings	 Not allowed 	 Gatherings which are 	 Gatherings which are 	 Allowed provided that
			unauthorized, non-	unauthorized, non-	participants are limited
			work essential, or	work essential, or	to fifty percent (50%)
			entertainment related	entertainment related	of the venue or seating
			(e.g. movie screenings,	(e.g. movie screenings,	capacity
			concerts, and sporting	concerts, and sporting	
			events) are prohibited.	events) are prohibited.	
			Religious gatherings	Religious gatherings	
			are limited to a	are limited to a	
			maximum of five (5)	maximum of 10	
			persons.	persons.	
4.	Public	• Not allowed except:	Not allowed except:	Public transportation	Allowed in accordance
	Transportation	o commissioned	o commissioned	shall operate at a	with the DOTr
	r	shuttle services	shuttle services	reduced operational	Guidelines.
		for employees	for employees	and vehicle capacity in	Guidennes.
		of offices or	of offices or	accordance with the	
		establishments	establishments	DOTr Guidelines.	
		allowed to	allowed to	DOTI Outdellities.	
1		operate, and	operate, and		
1		o point to point	o point to point		
1		transport	transport		
1		services	services		
1		provided by the	provided by the		
		government.	government.		
1		 Subject to DOTr 	 Subject to DOTr 		
L		Guidelines	Guidelines		
5.	Private	Company shuttles are	Company shuttles are	Company shuttles are	Company shuttles are
	Transportation	allowed at fifty percent	allowed at fifty percent	allowed at fifty percent	allowed at fifty percent
1	-	(50%) of vehicle's	(50%) of vehicle's	(50%) of vehicle's	(50%) of vehicle's
1		capacity	capacity	capacity	capacity
1		 Personal vehicles are 	 Personal vehicles are 	 Personal vehicles are 	 Personal vehicles are
1		allowed at fifty percent	allowed at fifty percent	allowed at fifty percent	allowed at fifty percent
		(50%) of vehicle's	(50%) of vehicle's	(50%) of vehicle's	(50%) of vehicle's
		capacity, only one (1)	capacity, only one (1)	capacity, only one (1)	capacity, only one (1)
1					
1		passenger allowed on the driver's row	passenger allowed on the driver's row	passenger allowed on the driver's row	passenger allowed on
1		the driver's row	the driver's row	the driver's row	the driver's row
		Bicycles are allowed	Bicycles are allowed	Bicycles are allowed	Bicycles are allowed
1		with only 1 person	with only 1 person	with only 1 person	with only 1 person
1		Motorcycles are	Motorcycles are	Motorcycles are	Motorcycles are
1	1	allowed with only 1	allowed with only 1	allowed with only 1	allowed with only 1

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			ECO		MEGO		000		MCCO
	ACTIVITY		ECQ person		MECQ person		GCQ person		MGCQ person
		•	E-scooters are allowed	•	E-scooters are allowed	•	E-scooters are allowed	•	E-scooters are allowed
		-	with a maximum of 1	•	with a maximum of 1	-	with a maximum of 1	-	with a maximum of 1
			person		person		person		person
6.	Movement of	•	Movement of all types	•	Movement of all types	•	Movement of all types	•	Movement of all types
	cargo		of cargo by land, air, or		of cargo by land, air, or		of cargo by land, air, or		of cargo by land, air, or
			sea within and across		sea within and across		sea within and across		sea within and across
			areas placed under any form of community		areas placed under any form of community		areas placed under any form of community		areas placed under any form of community
			quarantine is allowed.		quarantine is allowed.		quarantine is allowed.		quarantine is allowed.
		•	Workers in the	•	Workers in the	•	Workers in the	•	Workers in the
			logistics sector are		logistics sector are		logistics sector are		logistics sector are
			allowed to transit		allowed to transit		allowed to transit		allowed to transit
			across areas under any		across areas under any		across areas under any		across areas under any
			form of quarantine provided that only a		form of quarantine provided that only a		form of quarantine provided that only a		form of quarantine provided that only a
			maximum of five (5)		maximum of five (5)		maximum of five (5)		maximum of five (5)
			personnel may operate		personnel may operate		personnel may operate		personnel may operate
			cargo and delivery		cargo and delivery		cargo and delivery		cargo and delivery
			vehicles by land, with		vehicles by land, with		vehicles by land, with		vehicles by land, with
7.	Public and		or without load.		or without load.	6	or without load.		or without load.
7.	private	•	Only public and private construction	•	Only public and private construction	•	All public and private construction projects	•	All public and private construction projects
	construction		projects that are		projects that are		are allowed subject to		are allowed subject to
			essential (i.e.		essential (i.e.		the DPWH Guidelines:		the DPWH Guidelines:
			sewerage, water		sewerage, water				
			services facilities,		services facilities,	•	Prior to deployment:	•	Prior to deployment:
			digital works, health facilities) and a		digital works, health facilities) and a		o only workers 21		o only workers 21 to 59 years old
			priority (i.e. food		priority (i.e. food		to 59 years old without pre-		without pre-
			production,		production,		existing health		existing health
			agriculture, energy,		agriculture, energy,		conditions		conditions
			housing,		housing,		o workers should		o workers should
			communication, water utilities,		communication, water utilities,		be tested for		be tested for
			manufacturing, and		manufacturing, and		Covid-19 before starting		Covid-19 before starting
			business process		business process		work and		work and
			outsourcing) are		outsourcing) are		retested if		retested if
			allowed subject to the		allowed subject to the		necessary		necessary
			DPWH Guidelines:		DPWH Guidelines:		(funding by		(funding by
		•	Prior to deployment:	•	Prior to deployment:		o workers should		o contractors) o workers should
		-	o only workers 21	•	o only workers 21		be housed in		be housed in
			to 59 years old		to 59 years old		barracks during		barracks during
			without pre-		without pre-		the project		the project
			existing health		existing health		duration, with		duration, with
			conditions o workers should		conditions o workers should		segregated facilities		segregated facilities
1			be tested for		be tested for		o contractors to		o contractors to
1			Covid-19		Covid-19		arrange private		arrange private
1			before starting		before starting		transport to		transport to
1			work and retested if		work and retested if		facilities o contractors to		facilities o contractors to
			necessary		necessary		o contractors to obtain		o contractors to obtain
			(funding by		(funding by		quarantine		quarantine
			contractors)		contractors)		passes for its		passes for its
			o workers should		o workers should		onsite		onsite
			be housed in barracks during		be housed in barracks during		employees		employees
			the project		the project	•	During deployments safe distancing is	•	During deployments o safe distancing
			duration, with		duration, with		maintained at all times		is maintained at
1			segregated		segregated		including in the		all times
			facilities		facilities		barracks		including in the
			o contractors to		o contractors to arrange private	0	daily disinfection errands outside the		barracks o daily
			arrange private transport to		transport to	0	construction site are		o daily disinfection
			facilities		facilities		minimized		o errands outside
1			o contractors to		o contractors to	0	mandated quarantine		the construction
			obtain		obtain		for all personnel		site are
1			quarantine passes for its		quarantine passes for its		returning from outside delivers and disposal		o mandated
1			onsite		onsite	0	handled by a separate		o mandated quarantine for
L	1		onsite		onsite	1	nationed by a separate	l	quarantine 101

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ACTIVITY	ECO	MECO	GCO	MGCO
	 During deployments During deployments safe distancing	 employees During deployments safe distancing is maintained at all times including in the barracks daily disinfection errands outside the construction site are minimized mandated quarantine for all personnel returning from outside delivers and disposal handled by a separate team Contractors must appoint a safety officer to ensure compliance. Please refer to the DPWH Guidelines for more information. Small scale projects (as defined by the DPWH) are not allowed. 	 team contractors must appoint a safety officer to ensure compliance. Please refer to the DPWH Guidelines for more information. 	all personnel returning from outside o delivers and disposal handled by a separate team • contractors must appoint a safety officer to ensure compliance. • Please refer to the DPWH Guidelines for more information.

III. Guidelines on Workplace Prevention and Control of Covid-19

Based on the interim guidelines issued by the DTI and the Department of Labor and Employment ("**DOLE**") on workplace prevention and control of Covid-19, private institutions that are allowed to operate are expected to comply with the following guidelines in the workplace during the implementation of the community quarantine:

Rules to minimize contact

- 1. Everyone is required to wear a mask at all times. Employers shall provide the appropriate face masks for workers.
- 2. Employers must ensure that everyone completes a daily health symptoms questionnaire prior to entering the building or workplace. If a person's response in the questionnaire needs further evaluation by the clinic staff, he or she must be isolated for evaluation in a well ventilated area designated by the employer and not allowed to enter the work premises.
- 3. Everyone must undergo a temperature check. Persons with temperature of more than 37.5 degrees Celsius must be isolated for evaluation in a well ventilated area identified by the company and not allowed to enter the work premises.
- 4. Employers must establish a disinfection process for frequent contact surfaces. Sanitizers should be available in corridors, conference areas, elevators, stairways, and areas where workers pass.
- 5. Everyone must always practice physical distancing.
- 6. Employers should, to the extent possible, impose alternative work arrangements, such as working hour shifts, working from home (where feasible), and rotations.
- 7. Prolonged face to face interaction between employees and clients are discouraged. Keep meetings with physical presence short and to a minimum number of participants. Utilize videoconferencing for lengthy discussions.
- 8. Arrange office tables to maintain proper physical distancing.
- 9. Design the workstation layout to allow for one direction movement in aisles, corridors, and walkways.

Rules in case of suspected infection

- 1. If an employee is suspected of having Covid-19, he or she must proceed to the designated isolation area in the workplace. Employers must establish transportation protocols for testing of individuals suspected of having Covid-19.
- 2. Employers should ensure that the workplace is decontaminated. Work can only resume after twenty four (24) hours and employees who entered the suspected space should undergo home quarantine for fourteen (14) days.

Covid-19 Testing

Employers may test workers for Covid-19. Ensuring the appropriate procurement and use of the testing kits is the responsibility of the employer. A company policy on Covid-19 testing shall be formulated and agreed by employers and workers in conformity with the DOH protocols.

Duties of Employers

- 1. Establish policies for the prevention and control of Covid-19 in consultation with its employees.
- 2. Provide resources and materials to keep workers healthy and the workplace safe, such as face masks, soap, hand sanitizers, disinfectants, PPEs, including Covid-19 testing kits, etc.
- 3. Designate a safety officer to monitor Covid-19 prevention and control measures.
- 4. Enhance health insurance provisions for employees.
- 5. Where feasible or required under applicable regulations, provide shuttle services or near-site accommodation for employees.
- 6. Prioritize hiring within the local community.
- 7. Set up a Covid-19 hotline or call center for employees to report if symptomatic.
- 8. Provide the DOLE, through its regional office, with a monthly report regarding illness, diseases, and injuries using the Work Accident Illness Report (WAIR) Form.¹

For more detailed guidance, please refer to the DTI and DOLE Interim Guidelines on Workplace Prevention and Control of Covid-19 dated 30 April 2020 or any updates thereto.



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¹ A copy of the WAIR Form is available at <u>http://ro10.dole.gov.ph/fndr/mis/files/WAIR.PDF</u>.