



The Return-To-Work Checklist for Philippine Companies

With the National Capital Region (NCR) -- which includes Manila, Makati, Taguig, Pasig, Quezon City, and surrounding cities -- entering a “modified enhanced community quarantine” phase (from May 16, 2020 to May 31, 2020), and other regions being placed under a less restrictive general community quarantine,¹ Philippine businesses that have had to suspend operations since March 17 will now need to step up their return-to-work plan.

Below is a general checklist² that may help with these preparations. This is based on, among others, government press briefings and announcements on COVID 19-related guidelines, and focuses on MECQ-relevant rules. As regulators seek to quickly respond and adapt to various needs and exigencies of affected areas, enterprises need to closely monitor the release of new guidelines and issuances.

	The Return-To-Work Checklist Item	Comment
A	Basics	
1	First things, first: Is your business supposed to start operating again?	<p>IATF’s Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines (IATF Guidelines) lists the enterprises that can operate under an enhanced community quarantine (ECQ), a modified ECQ (MECQ), and a general community quarantine (GCQ). The list is at https://www.officialgazette.gov.ph/downloads/2020/05may/20200515-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf.</p> <p>NCR will be under an MECQ from May 16, 2020 to May 31, 2020.</p>

¹ See Inter-Agency Task Force for the Management of Emerging Infectious Diseases Resolution No. 35 at <https://www.officialgazette.gov.ph/downloads/2020/05may/20200511-IATF-RESOLUTION-NO-35.pdf>.

² The updates here reflect certain provisions of the **Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines** (<https://www.officialgazette.gov.ph/downloads/2020/05may/20200515-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf>) issued by the Inter-Agency Task Force of Emerging Infectious Disease (IATF). The guidelines were posted on May 16, 2020, which is after we released this checklist on May 15, 2020.

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2	Full force?	<p>Certain businesses are allowed to operate during the MECQ at full capacity but subject to safety protocols. Other businesses may operate onsite but only at 50% staff at the most.</p> <p>Check the list of enterprises and the rules on their respective operating capacities at: https://www.officialgazette.gov.ph/downloads/2020/05may/20200515-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf.</p>
3	How will employees get to the office?	<p>Under the MECQ, public transportation is still suspended. Employees are going to have to take private vehicles or, if provided, a company shuttle service.</p> <p>With respect to the ID requirements to pass through quarantine checkpoints, the IATF Guidelines provide that employees may present their (a) IATF accreditation ID, (b) “[b]ona fide IDs issued by establishments exempted from the strict home quarantine requirement,” or (c) RapidPass IDs, enrollment for which “shall cover qualified private sector entities or persons.” Note that the following “shall not be subject to an ID system”: BPOs, other export-oriented enterprises, public utility vehicles, cargo vehicles.</p> <p>Please refer to Department of Trade and Industry (DTI) Memorandum Circular No. 20-22 dated May 5, 2020 at: https://dtiwebfiles.s3-ap-southeast-1.amazonaws.com/COVID19Resources/COVID-19+Advisories/050520_MC2022.pdf and https://www.officialgazette.gov.ph/downloads/2020/05may/20200515-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf.</p>
B	Health and safety at the office	
1	Do employees asked to return to work need to be tested?	<p>No.</p> <p>Under guidelines discussed by the Presidential Spokesperson in the press briefing on May 13, 2020, companies that may start operations should adopt return-to-work protocols in accordance with the MECQ guidelines and these should include the conduct of “antibody testing and confirmatory [polymerase chain reaction (PCR)] testing.” We assume testing will be for employees that will be called back to work.</p> <p>The IATF Guidelines clarify that “in no case shall the testing of all returning workers be construed as a condition precedent for his/her</p>

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		<p>return.” There are no other specifics relating to this guideline, such as when testing should be done.</p> <p>In case an employer tests its employees for COVID-19, the costs for testing are for the employer’s account. Please refer to DTI- Department of Labor and Employment (DOLE) Guidelines at: https://www.dole.gov.ph/news/dti-and-dole-interim-guidelines-on-workplace-prevention-and-control-of-covid-19/.</p> <p>In this connection, based on the Presidential Spokesperson’s press briefing on May 14, 2020 the Department of Health (DOH) will be releasing separate guidelines on return-to-work testing protocols.</p>
2	Do you need to take steps to assess the health of your employees before you ask them to return to work?	In planning re-entry, the employer should take measures to mitigate its staff risk of exposure. One measure is to require self-reporting by having employees fill up a questionnaire that asks them about their health condition, those of the people they have been quarantined with, if they observed the lockdown, among others. The guidelines do not require this, but this is being implemented by companies as part of best practice.
3	How do you deal with employees who report symptoms, or having been in contact with those who have been infected or have had symptoms?	<p>Where this has been reported by an employee who has not yet come to work, employers will need to advise the employee to take measures for his or her health and to limit the possible spread of the virus. Thus, the employer may need to ask an employee who is asymptomatic or experiencing only mild symptoms to remain at home, isolate himself if possible, and take standard measures such as rest and fluid intake. An employee who is suffering severe symptoms should be asked to immediately seek medical care. The employer may need to cooperate with the DOH or the relevant local government unit in any contact tracing effort.</p> <p>Check DTI-DOLE Guidelines at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_InterimGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf.</p>
4	Have you had your office premises disinfected?	<p>Cleaning and disinfection should be done every two hours for “high-touch areas” such as toilets, doorknobs, and switches, and once a day for workstations and other surfaces.</p> <p>If a worker is suspected of having COVID-19, the workplace shall be decontaminated with disinfectant. Please refer to our answer to item 10 below.</p> <p>Please refer to the DTI-DOLE Guidelines at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_InterimGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf.</p>

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5	Have you ensured that you will be able to comply with the requirements on health protocol and physical arrangements?	<p>The IATF Guidelines provide that “compliance with Joint DTI-DOLE Return-to-Work Guidelines and DOH Return-to-Work Guidelines shall be considered sufficient compliance with minimum health standards.”</p> <p>The DTI-DOLE Guidelines impose specific health and safety measures such as the taking of temperatures of employees and visitors, requiring physical distancing in the work area at a minimum of one meter radius space (side, back, and front) between workers, having an isolation area, and observing rules on routine disinfecting.</p> <p>Eating in communal areas is discouraged and workers are encouraged to eat in individual work areas. If eating in individual work areas is not possible, physical distancing measures should be maintained with one worker per table and one meter distance per worker.</p> <p>There must be facilities for videoconferencing or teleconferencing in case of lengthy discussions among employees.</p> <p>Companies must also designate a safety officer to monitor the implementation of COVID-19 prevention and control measures.</p> <p>Please refer to the DTI-DOLE Guidelines at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_InterimGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf.</p> <p>The DOH Guidelines on the Risk-Based Public Health Standards for COVID-19 Mitigation provide measures that employers are required to implement in the workplace such as taking of temperatures of employees and visitors, physical distancing, routine disinfecting.</p> <p>Employers also have to “limit face-to-face meetings as much as possible and adopt work-from-home arrangements.” In addition, “if work-from-home is not possible, employers should practice physical distancing in the workplace.”</p> <p>Please refer to the DOH Guidelines at: http://www.covid19.gov.ph/wp-content/uploads/2020/04/ao2020-0015.pdf.</p>
6	Have you ensured that every employee has or will have a facial mask?	<p>Each person is required to wear a face mask (even a DIY face mask such as a handkerchief) every time a person steps out of his home, as reiterated in the IATF Guidelines.</p> <p>The DTI-DOLE Guidelines provide that employers should provide appropriate face masks for workers. If cloth masks will be used, the washable type shall be worn but additional filter material, such as tissue papers inside the mask, may be added.</p>

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		<p>Clinic staff assessing workers held in isolation areas shall be provided appropriate medical PPEs, which include, but are not limited to, face masks, goggles/face shields, and/or gloves.</p> <p>Please refer to the DTI-DOLE Guidelines at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_In_terminGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf.</p>
7	<p>Have you set up a system for staff to accomplish a daily health symptom form, and provide this to the DOLE on a monthly basis? What about a form for visitors?</p>	<p>Prior to entering buildings and workplaces, all employees, workers, and visitors shall accomplish a daily health symptoms questionnaire. Their temperature will be checked and recorded in the questionnaire. A sample questionnaire is annexed to the DTI-DOLE Guidelines.</p> <p>In addition, employers shall also put up a COVID-19 hotline and call center for employees to report to if symptomatic, and a daily monitoring scheme of “suspect” employee condition.</p> <p>With respect to reporting requirements, employers shall provide the DOLE a monthly report on illness, diseases, and injuries utilizing the DOLE Work Accident / Illness Report Form.</p> <p>Please refer to the DTI-DOLE Guidelines at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_In_terminGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf.</p>
8	<p>Have you prepared a policy on health and safety guidelines, including protocol to be followed by all employees and visitors?</p>	<p>Company policies for the prevention and control of COVID-19 should be prepared in consultation with workers. Advocacy and information, education and communication (IEC) programs should be taken from the DOH, the World Health Organization, and reliable sources of information on COVID-19.</p> <p>These policies/protocols should track the requirements in the guidelines.</p> <p>Please refer to the DTI-DOLE Guidelines at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_In_terminGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf</p>
9	<p>Have you checked your privacy policy and ensured that any personal data, especially medical data, will be</p>	<p>For purposes of complying with COVID-19 rules, employers should only collect the personal data that the DOH requires for the government to conduct contact tracing. Privacy principles under the Data Privacy Act would require the employer to process the data only for the purposes for which it was collected, ensure their security, and retain the data only for as long as necessary. Further, employers should provide a privacy notice to inform visitors of the basis and collection of such data.</p>

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	collected and processed properly?	Please refer to NPC PHE Bulletin No. 3 dated March 19, 2020 at: https://www.privacy.gov.ph/2020/03/npc-phe-bulletin-no-3-collect-what-is-necessary-disclose-only-to-the-proper-authority/ .
10	Do you have a protocol to be followed in case an employee who has returned to work shows symptoms?	<p>In case an employee who has already returned to work shows symptoms, an employer should follow this procedure:</p> <p>(a) The worker shall proceed to a company-designated isolation area and, if needed, shall proceed to the hospital.</p> <p>(b) The workplace shall be decontaminated with appropriate disinfectant.</p> <p>(c) After decontamination of the work area, work can resume after 24 hours.</p> <p>(d) Workers present in the work area with the suspect COVID-19 worker shall go on a 14-day home quarantine. If the suspect COVID-19 worker has a negative result, co-workers may be allowed to report back to work.</p> <p>Please see DTI-DOLE Interim Guidelines on Workplace Prevention and Control (DTI-DOLE Guidelines) dated April 30, 2020 at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DTI_and_DOLE_InterimGuidelinesonWorkplacePreventionandControlofCOVID19__3.pdf.</p> <p>The employer may give notice to the rest of its employees that a person has tested positive for COVID-19 without disclosing the person's identity and in addition, the employer may disclose employee data to the DOH and other appropriate government agencies, as required by law.</p> <p>Please refer to NPC PHE Bulletin No. 3 dated March 19, 2020 at: https://www.privacy.gov.ph/2020/03/npc-phe-bulletin-no-3-collect-what-is-necessary-disclose-only-to-the-proper-authority/.</p>
C	While You Were Away	
1	Check all the government reporting, payment, submission deadline that you may have missed.	It's also a good time to check whether renewals you need to have completed early in the year but may have missed are in place (e.g., BIR registration, local government business permit).

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1.1	Taxes	<p>Take note of the deadlines for filing of tax returns and payment of taxes which have been extended due to the ECQ. These are based on Revenue Regulations No. 11-2020 dated April 29, 2020 at: https://www.bir.gov.ph/images/bir_files/internal_communications_1/Full%20Text%20RR%202020/Revenue%20Regulations%20No%2011-2020.pdf.</p> <p>The BIR has yet to issue guidelines on the effect of the declaration of MECQ on the extended deadlines under Revenue Regulations No. 11-2020 and whether deadlines falling due during the period of MECQ and in June will be extended. However, it has been reported in https://business.inquirer.net/297269/bir-no-more-tax-deadline-extension-as-govt-in-dire-need-of-funds that the BIR does not plan to grant a further extension of the deadlines set out in Revenue Regulations No. 11-2020 as a result of the imposition of a MECQ.</p> <table border="1" data-bbox="578 856 1458 1856"> <thead> <tr> <th></th> <th>Tax Filing or Submission</th> <th>Deadline</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Annual Income Tax Return (AITR) for Corporations for Calendar Year 2019 and for Fiscal Year Ending January 31, 2020</td> <td>June 14, 2020</td> </tr> <tr> <td>2.</td> <td>AITR for Corporations for Fiscal Year Ending February 29, 2020</td> <td>July 15, 2020</td> </tr> <tr> <td>3.</td> <td>AITR for Individuals</td> <td>June 14, 2020</td> </tr> <tr> <td>4.</td> <td>1st Calendar Quarter Income Tax Return (ITR) for Corporations</td> <td>June 29, 2020</td> </tr> <tr> <td>5.</td> <td>1st Calendar Quarter ITR for Individuals</td> <td>June 14, 2020</td> </tr> <tr> <td>6.</td> <td>Documentary Stamp Tax (DST) Return for transactions subject to DST in March 2020</td> <td>May 30, 2020</td> </tr> <tr> <td>7.</td> <td>DST Return for transactions subject to DST in April 2020</td> <td>June 4, 2020</td> </tr> <tr> <td>8.</td> <td>DST Return for transactions subject to DST in May 2020</td> <td>June 5, 2020</td> </tr> <tr> <td>9.</td> <td>Submission of Certificate for Tax Treaty Relief (CORTT) for taxes due in March, April, or May 2020</td> <td>30 days from the date of the lifting of the quarantine</td> </tr> </tbody> </table>		Tax Filing or Submission	Deadline	1.	Annual Income Tax Return (AITR) for Corporations for Calendar Year 2019 and for Fiscal Year Ending January 31, 2020	June 14, 2020	2.	AITR for Corporations for Fiscal Year Ending February 29, 2020	July 15, 2020	3.	AITR for Individuals	June 14, 2020	4.	1 st Calendar Quarter Income Tax Return (ITR) for Corporations	June 29, 2020	5.	1 st Calendar Quarter ITR for Individuals	June 14, 2020	6.	Documentary Stamp Tax (DST) Return for transactions subject to DST in March 2020	May 30, 2020	7.	DST Return for transactions subject to DST in April 2020	June 4, 2020	8.	DST Return for transactions subject to DST in May 2020	June 5, 2020	9.	Submission of Certificate for Tax Treaty Relief (CORTT) for taxes due in March, April, or May 2020	30 days from the date of the lifting of the quarantine
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1.2	Real property tax and local business tax	<p data-bbox="540 1199 1398 1297">Various LGUs in the NCR have made announcements granting an extension of the period to settle these taxes. Please check the announcements made by relevant LGU.</p> <p data-bbox="540 1335 1468 1434">The DOF has also issued a circular extending the payment of all local taxes, fees and charges imposed by LGU as of March 25, 2020 to June 25, 2020, without penalty.</p> <p data-bbox="540 1472 1487 1696">Please refer to DOF Department Circular No. 002-2020 dated April 23, 2020 at: https://www.dof.gov.ph/dof-extends-deadlines-for-payment-of-local-taxes-fees-to-june-25-waives-penalties-surcharges-during-extended-quarantine/ and https://drive.google.com/file/d/1oyxeKEGqetoTQdRDzYiuECUFeywGYhdB/view?fbclid=IwAR0OcLJi68iJHjiFjel4z6zITPLk6v0laE7Vgt2yFo2GqQs0Uz6JleRIHcl.</p>			
1.3	Employment-related	<p data-bbox="540 1738 1471 1837">The SSS has extended the deadline for the payment of monthly contributions by employers. Contributions for the applicable months of February, March and April 2020 may be paid on or before June 1, 2020.</p>			

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		<p>PhilHealth has issued a “moratorium on contribution payments for the applicable months of February to April 2020.” Premium payments for these applicable months are extended “until May 31, 2020 without interest for all Direct Contributors.”</p> <p>The Pag-IBIG Fund has granted two loan relief programs: (a) a three-month moratorium to members with a Pag-IBIG Housing Loan, Multi-Purpose Loan, and/or a Calamity Loan for loan payments falling due between March 16, 2020 to June 15, 2020, and (b) a mandatory grace period to all Pag-IBIG members who are working or residing in areas declared under ECQ for loans falling due within the period of the ECQ and its extension.</p> <p>Please refer to the following for more information:</p> <p>Extension for payment of SSS monthly contributions, reported in: https://www.sss.gov.ph/sss/DownloadContent?fileName=CI-2020-006.pdf and https://newsinfo.inquirer.net/1251077/deadline-for-sss-contribution-extended-until-june</p> <p>PhilHealth Advisory No. 2020-027 dated April 24, 2020 at: https://www.philhealth.gov.ph/advisories/2020/adv2020-0027.pdf</p> <p>Pag-IBIG Fund Offers Three-Month Moratorium on All Loans at: https://www.pagibigfund.gov.ph/2020news.html#mar182020_8 and https://news.mb.com.ph/2020/05/08/pag-ibig-fund-two-programs-providing-loan-relief-available-to-members/.</p>				
1.4	Securities and Exchange Commission (SEC) filings and submission of audited financial statements (AFS)	<p>The SEC has not extended the deadline to file the General Information Sheet (GIS) or Report of Non-Holding of Annual Stockholders’ Meeting. The report should still be filed within 30 days from the actual holding or non-holding, as the case may be, of the meeting. But it has issued circulars allowing the electronic filing of these reports and accepts documents even if they are not yet notarized.</p> <p>Please refer to the SEC circulars on this at http://www.sec.gov.ph/wp-content/uploads/2020/03/2020MCNo09-1.pdf, http://www.sec.gov.ph/wp-content/uploads/2020/04/2020MCNo10_1.pdf.</p> <p>The SEC has provided a schedule for the filing of the AFS depending the last digit of the SEC registration of the corporation, as follows:</p> <table border="1" data-bbox="609 1730 1430 1862"> <thead> <tr> <th data-bbox="609 1730 1092 1797">Schedule of Filing of AFS</th> <th data-bbox="1092 1730 1430 1797">Last Numerical Digit of SEC Registration</th> </tr> </thead> <tbody> <tr> <td data-bbox="609 1797 1092 1862">June 29, 30, July 1, 2, 3, 6, 7, 8, 9, 10</td> <td data-bbox="1092 1797 1430 1862">1 and 2</td> </tr> </tbody> </table>	Schedule of Filing of AFS	Last Numerical Digit of SEC Registration	June 29, 30, July 1, 2, 3, 6, 7, 8, 9, 10	1 and 2
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1.5	Need to file any originals or notarized versions of submission that were filed digitally during the lockdown?	<p data-bbox="542 1203 1487 1335">For filings with the SEC Corporate Governance and Finance Department, original and notarized copies of reports and documents (which were filed electronically) have to be submitted “within 10 calendar days from the date that the quarantine order has been lifted or withdrawn.”</p> <p data-bbox="542 1369 1378 1467">For the filing of hard copies of GIS and AFS, please refer to SEC Memorandum Circular No. 18 at: http://www.sec.gov.ph/wp-content/uploads/2020/05/SECMCNo18.pdf.</p> <p data-bbox="542 1501 1490 1803">Please note that for all other general and special forms and letters filed electronically, SEC Memorandum Circular No. 10 states that the “SEC shall set and announce a specific date for [such] submission.” Please check the details in the circulars at: http://www.sec.gov.ph/wp-content/uploads/2020/03/2020Notice_Guidelines_for_the_alternative_filing_of_Report_etc_through_electronic_mail_with_SEC_during_ECQ.pdf, http://www.sec.gov.ph/wp-content/uploads/2020/04/2020MCNo10_1.pdf, and http://www.sec.gov.ph/wp-content/uploads/2020/05/SECMCNo18.pdf.</p>								

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		For filings with other government agencies, please check their official websites as they may have issued specific guidelines.
1.6	Public companies and those that have secondary licenses or subject to the administration of a specific agency will need to double-check compliance	Public companies and entities in highly regulated industries or which have a secondary license are subject to reporting and filing requirements that are in addition to standard ones. Your compliance officer should be attending to this, if he hasn't already.
2	Bills: Utilities, lease payments, association dues, loans, credit card payments?	<p>Some utility companies, banks and credit card companies have announced grace periods but these may end on May 15, 2020, even with the imposition of the MECQ.</p> <p>With respect to rents, the DTI has granted a minimum grace period of 30-days on residential rents and commercial rents of Micro-, small and medium enterprises (MSMEs) falling due within the period of the ECQ.</p> <p>MSMEs are “any business activity or enterprise engaged in industry, agribusiness and/or services, whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity’s office, plant and equipment are situated” does not exceed Php 100,000,000.</p> <p>With respect to loans, banks and other financial institutions are directed to provide a 30-day grace period for loans falling due within the ECQ period. The grace period shall automatically be extended if the ECQ is extended.</p> <p>The IATF Guidelines direct banks, among others, to grant a grace period “from due date or until such time that the community quarantine is lifted, whichever is longer” for the payment of all loans “falling due within the period of ECQ or GCQ.” However, the BSP has not released an issuance confirming that the grace period will apply during the GCQ.</p> <p>The IATF Guidelines also grant, for residential and commercial rents falling due within the duration of the ECQ, MECQ, or GCQ on residential lessees and MSMEs, and “sectors not permitted to operate during said</p>

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		<p>period,” a grace period of “30 days from the last due date or until the lifting of the community quarantine.”</p> <p>Please refer to the following issuances:</p> <p>DTI Memorandum Circular No. 20-12 dated April 4, 2020 at: https://dtiwebfiles.s3-ap-southeast-1.amazonaws.com/COVID19Resources/COVID-19+Advisories/040420_MC2012.pdf</p> <p>Implementing Rules and Regulations of Section 4(aa) of Republic Act No. 11469 or the “Bayanihan to Heal As One Act” at: https://www.officialgazette.gov.ph/downloads/2020/04apr/20200401-IRR-RA-11469-RRD.pdf</p> <p>BSP Memorandum No. M-2020-028 dated April 22, 2020 at: http://www.bsp.gov.ph/downloads/regulations/attachments/2020/m028.pdf</p> <p>IATF Resolution No. 33 dated May 6, 2020 at: https://www.officialgazette.gov.ph/downloads/2020/05may/20200506-IATF-RESOLUTION-NO-33-RRD.pdf</p> <p>IATF Guidelines at: https://www.officialgazette.gov.ph/downloads/2020/05may/20200515-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf.</p>
3	Status of court cases and any other pending proceedings	<p>If you are party to a case or proceeding, your counsel should note the following:</p> <p>(a) The courts in areas under MECQ will remain physically closed until May 31, 2020. The deadlines for filing pleadings and other submissions that fall due up to May 31 are extended for another 30 days, counted from June 1.</p> <p>(b) Even if courts are physically closed to the public, they will still operate daily until 3:00 p.m. Parties may contact the courts through their official phone numbers, email addresses, and Facebook accounts (posted on the Supreme Court website) for the following:</p> <ul style="list-style-type: none"> - initiating a case with the trial courts by filing the complaint electronically - filing of pleadings or other case submissions by email, despite the extended deadlines

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		<ul style="list-style-type: none"> - inquiring about status of cases and transactions - requesting for documents - inquiring if any hearing is scheduled for videoconference, for cases before certain trial courts, Court of Appeals, Sandiganbayan, Court of Tax Appeals - filing with the opposing party a joint motion to conduct a videoconferencing hearing, for certain trial courts. <p>(c) When courts are fully operational on June 1, parties should note the following:</p> <ul style="list-style-type: none"> - file pleadings and other case submissions that were due during the ECQ and MCQ on or before June 30; - determine new schedules of hearings that were cancelled during the ECQ and MECQ by contacting the court or awaiting court notice by mail or phone. <p>For areas under GCQ, courts will be physically open from May 18 to May 29, with skeleton staff. Please refer to Supreme Court Administrative Circular No. 40-2020 dated May 15, 2020 at http://sc.judiciary.gov.ph/11371/.</p>
4	Check your compliance with obligations and undertakings to clients and third parties, and vice versa.	<p>The assumption is that even during the quarantine, the business had made some effort to communicate with clients and other parties, to deal with performance or delivery problems, compliance with obligations and the like, and vice versa.</p> <p>It will be important to review and inventory these contracts, determine any issue, determine the best ways forward, and immediately reach out to counterparties to prevent issues from escalating.</p> <p>Bigger contracts where delay and non-delivery can have significant impact will need to be studied carefully to determine what courses of action are available for you and against you. Check provisions that deal with breach, delay, force majeure, change in circumstances, damages/indemnification, and termination. These provisions may have time/notice elements so it is important to conduct that review as soon as possible.</p>

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D	Adapting to the New Normal	
1	What is the New Normal?	The IATF Guidelines define the New Normal as the “emerging behaviors, situations, and minimum public health standards that will be institutionalized in common or routine practices and remain even after the after the pandemic while the disease is not totally eradicated through means such as widespread immunization. These include actions that will become second nature to the general public as well as policies such as bans on large gatherings that will continue to remain in force.”
2	Do you need to preserve cash/decrease expenses?	Many if not most businesses will contract because of the pandemic, or experience a crunch. After management makes a review of the cash and revenue situation, the business may want to review contracts that entail expenses and see which ones are truly necessary. Contracts can be reviewed to determine if they can be pre-terminated or have options for down-sizing or amendment.
3	Do you need to review staffing?	<p>A cost center for many businesses is personnel, and like it or not a company may need to review its manpower needs and explore options, including flexible work arrangements.</p> <p>A MECQ scenario prohibits 100% return to work, so a business may need to seriously examine what salaries and benefits it is required to provide to employees who are not required to return to work.</p> <p>A business may also be forced to consider suspending part of its operations or even dismissing its employees based on authorized causes.</p> <p>Enterprises reviewing its staffing situation and exploring responses to the challenges of a COVID economy --- from trying to modify pay structures to letting personnel go --- should be mindful of the legal aspects of these approaches, make an HR plan, and consult counsel.</p>
4	Are you prepared for another lockdown?	<p>Reports from other countries indicate the possibility of an infection flare-up after a lockdown ends or even after statistics seem to show that the curve is flattening. Businesses have to prepare for a situation where an ECQ or MECQ is re-imposed, and should learn from its current difficulties.</p> <p>A pandemic playbook requires businesses to go digital: to ensure that its systems are accessible remotely, and its people have the equipment and connectivity that will allow them to work from home if needed. (Some</p>

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		<p>experts are saying that if at all possible, enterprises should work to make this shift permanent.)</p> <p>Companies will need to learn from the experience – what aspect of its operations stalled – and what are the fixes? And as a company becomes more and more digital it will need to be more and more concerned with data privacy and cybersecurity standards and compliance.</p> <p>Even as the importance of platforms and digital payment systems has been underscored by the lockdown, many enterprises will also need to focus on the need for stable logistical support. Not all goods are virtual.</p> <p>A third area that enterprises may need to budget for will be health and safety, especially those that are labor-intensive such as BPOs. Until a vaccine has been discovered and has become readily accessible, businesses can still be disrupted by a new outbreak.</p>

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This bulletin contains a summary of the legal issuances discussed above. It was prepared by SyCip Salazar Hernandez & Gatmaitan (SyCipLaw) to update its clients about recent legal developments.

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