



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).

This newsletter was written by its authors and does not reflect the views or opinion of Nishimura & Asahi. In addition, this newsletter is not intended to create an attorney-client relationship or to be legal advice and should not be considered to be a substitute for legal advice. Individual legal and factual circumstances should be taken into consideration in consultation with professional local counsel prior to taking any action related to the subject matter of this newsletter.

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	ECQ	MECQ	GCQ	MGCQ
1. Movement of persons	<ul style="list-style-type: none"> • Limited to accessing essential goods and services and for work in permitted offices or establishments or other activities listed below. • Persons who are: <ul style="list-style-type: none"> o below twenty-one (21) years old, o sixty (60) years old and above, o those with immunodeficiency, comorbidities, or other health risks, o pregnant women, and o those who reside with any of the above • should, as much as possible, stay at home, except when indispensable under the circumstances to obtain essential goods and services or for work in industries and offices allowed to operate. • Movement of pastors, priests, rabbis, imams, and other religious ministers is allowed to perform necrological or funeral rights. • Immediate family members of those deceased from causes other than Covid-19 are allowed to move from their residences to attend the wake or interment of the deceased upon 	<ul style="list-style-type: none"> • Limited to accessing essential goods and services and for work in permitted offices or establishments or other activities listed below. • Persons who are: <ul style="list-style-type: none"> o below twenty-one (21) years old, o sixty (60) years old and above, o those with immunodeficiency, comorbidities, or other health risks, o pregnant, and o those who reside with any of the above • should, as much as possible, stay at home, except when indispensable under the circumstances to obtain essential goods and services or for work in industries and offices allowed to operate. • Movement of pastors, priests, rabbis, imams, and other religious ministers is allowed to perform necrological or funeral rights. • Immediate family members of those deceased from causes other than Covid-19 are allowed to move from their residences to attend the wake or interment of the deceased upon satisfactory proof of 	<ul style="list-style-type: none"> • Limited to accessing essential goods and services and for work in permitted offices or establishments or other activities listed below. • Persons who are: <ul style="list-style-type: none"> o below twenty-one (21) years old, o sixty (60) years old and above, o those with immunodeficiency, comorbidities, or other health risks, o pregnant, and o those who reside with any of the above • should, as much as possible, stay at home, except when indispensable under the circumstances to obtain essential goods and services or for work in industries and offices allowed to operate. • Movement of pastors, priests, rabbis, imams, and other religious ministers is allowed to perform necrological or funeral rights. • Immediate family members of those deceased from causes other than Covid-19 are allowed to move from their residences to attend the wake or interment of the deceased upon satisfactory proof of 	<ul style="list-style-type: none"> • Allowed • Persons who are: <ul style="list-style-type: none"> o sixty (60) years old and above, o those with immunodeficiency, comorbidities, or other health risks, and o pregnant, and should be granted alternative work arrangements, if feasible.

ACTIVITY		ECQ	MECQ	GCQ	MGCQ
		satisfactory proof of their relationship with the deceased.	their relationship with the deceased. <ul style="list-style-type: none"> Pastors, priests, rabbi, imams, and other religious ministers may also provide home religious services to households. 	their relationship with the deceased. <ul style="list-style-type: none"> Pastors, priests, rabbi, imams, and other religious ministers may also provide home religious services to households. 	
2.	Exercising outdoors	<ul style="list-style-type: none"> Not allowed 	<ul style="list-style-type: none"> Individual outdoor exercise such as outdoor walking, jogging or running, and cycling is allowed provided that masks are worn and a two (2) meter distance from others is maintained. Persons below twenty one (21) years old, sixty (60) years old and above, those with immunodeficiency, comorbidities, or other health risks, and pregnant women, and persons who reside with the aforementioned are not allowed to exercise outside. 	<ul style="list-style-type: none"> Individual outdoor exercise such as outdoor walking, jogging or running, and cycling is allowed provided that masks are worn and a two (2) meter distance from others is maintained. Persons below twenty one (21) years old, sixty (60) years old and above, those with immunodeficiency, comorbidities, or other health risks, and pregnant women, and persons who reside with the aforementioned may go outdoors for individual exercise. 	<ul style="list-style-type: none"> Allowed (including non-contact sports such as golf, tennis, table tennis, etc.)
3.	Gatherings	<ul style="list-style-type: none"> Not allowed 	<ul style="list-style-type: none"> Gatherings which are unauthorized, non-work essential, or entertainment related (e.g. movie screenings, concerts, and sporting events) are prohibited. Religious gatherings are limited to a maximum of five (5) persons. 	<ul style="list-style-type: none"> Gatherings which are unauthorized, non-work essential, or entertainment related (e.g. movie screenings, concerts, and sporting events) are prohibited. Religious gatherings are limited to a maximum of 10 persons. 	<ul style="list-style-type: none"> Allowed provided that participants are limited to fifty percent (50%) of the venue or seating capacity
4.	Public Transportation	<ul style="list-style-type: none"> Not allowed except: <ul style="list-style-type: none"> o commissioned shuttle services for employees of offices or establishments allowed to operate, and o point to point transport services provided by the government. Subject to DOTr Guidelines 	<ul style="list-style-type: none"> Not allowed except: <ul style="list-style-type: none"> o commissioned shuttle services for employees of offices or establishments allowed to operate, and o point to point transport services provided by the government. Subject to DOTr Guidelines 	<ul style="list-style-type: none"> Public transportation shall operate at a reduced operational and vehicle capacity in accordance with the DOTr Guidelines. 	<ul style="list-style-type: none"> Allowed in accordance with the DOTr Guidelines.
5.	Private Transportation	<ul style="list-style-type: none"> Company shuttles are allowed at fifty percent (50%) of vehicle's capacity Personal vehicles are allowed at fifty percent (50%) of vehicle's capacity, only one (1) passenger allowed on the driver's row Bicycles are allowed with only 1 person Motorcycles are allowed with only 1 	<ul style="list-style-type: none"> Company shuttles are allowed at fifty percent (50%) of vehicle's capacity Personal vehicles are allowed at fifty percent (50%) of vehicle's capacity, only one (1) passenger allowed on the driver's row Bicycles are allowed with only 1 person Motorcycles are allowed with only 1 	<ul style="list-style-type: none"> Company shuttles are allowed at fifty percent (50%) of vehicle's capacity Personal vehicles are allowed at fifty percent (50%) of vehicle's capacity, only one (1) passenger allowed on the driver's row Bicycles are allowed with only 1 person Motorcycles are allowed with only 1 	<ul style="list-style-type: none"> Company shuttles are allowed at fifty percent (50%) of vehicle's capacity Personal vehicles are allowed at fifty percent (50%) of vehicle's capacity, only one (1) passenger allowed on the driver's row Bicycles are allowed with only 1 person Motorcycles are allowed with only 1

ACTIVITY		ECQ	MECQ	GCQ	MGCQ
		<ul style="list-style-type: none"> person E-scooters are allowed with a maximum of 1 person 	<ul style="list-style-type: none"> person E-scooters are allowed with a maximum of 1 person 	<ul style="list-style-type: none"> person E-scooters are allowed with a maximum of 1 person 	<ul style="list-style-type: none"> person E-scooters are allowed with a maximum of 1 person
6.	Movement of cargo	<ul style="list-style-type: none"> Movement of all types of cargo by land, air, or sea within and across areas placed under any form of community quarantine is allowed. Workers in the logistics sector are allowed to transit across areas under any form of quarantine provided that only a maximum of five (5) personnel may operate cargo and delivery vehicles by land, with or without load. 	<ul style="list-style-type: none"> Movement of all types of cargo by land, air, or sea within and across areas placed under any form of community quarantine is allowed. Workers in the logistics sector are allowed to transit across areas under any form of quarantine provided that only a maximum of five (5) personnel may operate cargo and delivery vehicles by land, with or without load. 	<ul style="list-style-type: none"> Movement of all types of cargo by land, air, or sea within and across areas placed under any form of community quarantine is allowed. Workers in the logistics sector are allowed to transit across areas under any form of quarantine provided that only a maximum of five (5) personnel may operate cargo and delivery vehicles by land, with or without load. 	<ul style="list-style-type: none"> Movement of all types of cargo by land, air, or sea within and across areas placed under any form of community quarantine is allowed. Workers in the logistics sector are allowed to transit across areas under any form of quarantine provided that only a maximum of five (5) personnel may operate cargo and delivery vehicles by land, with or without load.
7.	Public and private construction	<ul style="list-style-type: none"> Only public and private construction projects that are essential (i.e. sewerage, water services facilities, digital works, health facilities) and a priority (i.e. food production, agriculture, energy, housing, communication, water utilities, manufacturing, and business process outsourcing) are allowed subject to the DPWH Guidelines: Prior to deployment: <ul style="list-style-type: none"> only workers 21 to 59 years old without pre-existing health conditions workers should be tested for Covid-19 before starting work and retested if necessary (funding by contractors) workers should be housed in barracks during the project duration, with segregated facilities contractors to arrange private transport to facilities contractors to obtain quarantine passes for its onsite 	<ul style="list-style-type: none"> Only public and private construction projects that are essential (i.e. sewerage, water services facilities, digital works, health facilities) and a priority (i.e. food production, agriculture, energy, housing, communication, water utilities, manufacturing, and business process outsourcing) are allowed subject to the DPWH Guidelines: Prior to deployment: <ul style="list-style-type: none"> only workers 21 to 59 years old without pre-existing health conditions workers should be tested for Covid-19 before starting work and retested if necessary (funding by contractors) workers should be housed in barracks during the project duration, with segregated facilities contractors to arrange private transport to facilities contractors to obtain quarantine passes for its onsite 	<ul style="list-style-type: none"> All public and private construction projects are allowed subject to the DPWH Guidelines: Prior to deployment: <ul style="list-style-type: none"> only workers 21 to 59 years old without pre-existing health conditions workers should be tested for Covid-19 before starting work and retested if necessary (funding by contractors) workers should be housed in barracks during the project duration, with segregated facilities contractors to arrange private transport to facilities contractors to obtain quarantine passes for its onsite employees During deployments <ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> All public and private construction projects are allowed subject to the DPWH Guidelines: Prior to deployment: <ul style="list-style-type: none"> only workers 21 to 59 years old without pre-existing health conditions workers should be tested for Covid-19 before starting work and retested if necessary (funding by contractors) workers should be housed in barracks during the project duration, with segregated facilities contractors to arrange private transport to facilities contractors to obtain quarantine passes for its onsite employees During deployments <ul style="list-style-type: none"> safe distancing is maintained at all times including in the barracks daily disinfection errands outside the construction site are minimized mandated quarantine for

ACTIVITY	ECQ	MECQ	GCQ	MGCQ
	<ul style="list-style-type: none"> employees • During deployments <ul style="list-style-type: none"> o safe distancing is maintained at all times including in the barracks o daily disinfection o errands outside the construction site are minimized o mandated quarantine for 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. • Small scale projects (as defined by the DPWH) are not allowed. 	<ul style="list-style-type: none"> employees • During deployments <ul style="list-style-type: none"> o safe distancing is maintained at all times including in the barracks o daily disinfection o errands outside the construction site are minimized o mandated quarantine for 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. • Small scale projects (as defined by the DPWH) are not allowed. 	<ul style="list-style-type: none"> team • contractors must appoint a safety officer to ensure compliance. • Please refer to the DPWH Guidelines for more information. 	<ul style="list-style-type: none"> 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.



[Masataka Sato](#)

Partner, Singapore Office
m_sato@jurists.co.jp



[Michelle Marie F.
Villarica](#)

Foreign Attorney, Singapore Office
michelle.villarica@jurists.jp

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

Public Relations Section, Nishimura & Asahi

Otemon Tower, 1-1-2 Otemachi, Chiyoda-ku, Tokyo 100-8124, JAPAN

Tel: +81-3-6250-6202 Fax: +81-3-6250-7200 E-mail: newsletter@jurists.co.jp URL: <https://www.jurists.co.jp/en>

© Nishimura & Asahi 2020