



HANDBOOK

WORKERS' STATUTORY MONETARY BENEFITS



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Bureau of Working Conditions



HANDBOOK ON WORKERS' STATUTORY MONETARY BENEFITS

DEPARTMENT OF LABOR AND EMPLOYMENT
BUREAU OF WORKING CONDITIONS
INTRAMUROS, MANILA
2020

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This Handbook is published by the
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Cover Art : Arnel De Mesa



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



FOREWORD

The Department of Labor and Employment is pleased to release the 2020 Edition of the Handbook on Workers' Statutory Monetary Benefits.

This edition contains provisions of Republic Act No. 11210 otherwise known as the "105-Day Expanded Maternity Leave Law". The legislation affirms the importance of women in nation building enshrined in the 1987 Constitution. Under this new law, a woman employee shall enjoy an increased number of maternity leave, salary differential, an option to allocate a portion to the child's father or alternate caregiver, and an extension of the maternity leave when warranted.

Moreover, included herein is the recently enacted Republic Act No. 11360 and its Implementing Rules and Regulations mandating that 100% of service charges collected by establishments be given to all covered employees.

Similar to our previous works, we invested every effort to incorporate all updates on labor standards and developments on labor laws, rules and regulations. Hence, in this edition, we updated the applicable minimum wage for *kasambahay* from Php2,500.00 to Php4,500.00; and from Php3,500.00 to Php5,000.00, in chartered cities and first-class municipalities and National Capital Region, respectively.

We hope that this Handbook will serve as a ready and practical reference in maintaining increased awareness on workers' and employers' rights and responsibilities, among others, for employees, employers, as well as students, practitioners and the general public.

Faced with advances in the world of work resulting to various emerging employment issues, we remain steadfast in making our policies and programs suitable to the demands of the times. We commit to be dedicated in promptly addressing violations of labor laws to maintain decent and productive employment opportunities to all Filipino workers in the country.

We sincerely offer this humble work to both workers and employers with the hope of fostering a culture of voluntary compliance with labor laws in all workplaces.

Mabuhay po tayong lahat!


SILVESTRE H. BELLO III
Secretary



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COMPLIANCE GUIDE

Applicable Labor Standards	Retail & Service Establishments		Non-Agriculture/ Agriculture	Reference (Page no.)
	Employing 1 to 5 workers	Employing 1 to 9 workers		
Minimum Wage	✓	✓	✓	2
Holiday pay	N/A	N/A	✓	12
Premium pay	✓	✓	✓	16
Overtime pay	✓	✓	✓	19
Night shift differential	N/A	✓	✓	21
Service charges	✓	✓	✓	24
Service incentive leave	N/A	N/A	✓	25
Maternity leave	✓	✓	✓	27
Paternity leave	✓	✓	✓	28
Parental leave	✓	✓	✓	30
Leave for VAWC	✓	✓	✓	33
Special leave for women	✓	✓	✓	35
13 th month pay	✓	✓	✓	37
Separation pay	✓	✓	✓	42
Retirement pay	N/A	N/A**	✓	45
ECC benefits*	✓	✓	✓	49
PhilHealth benefits*	✓	✓	✓	53
SSS benefits*	✓	✓	✓	58
Pag-IBIG benefits *	✓	✓	✓	62

*will be paid by the Government

** employing not more than 10 workers

Subsidized Meals and Snacks

The employer may provide subsidized meals and snacks to his employees provided that the subsidy shall not be less than 30% of the fair and reasonable value of such facilities. In such case, the employer may deduct from the wages of the employees not more than 70% of the value of the meals and snacks enjoyed by the employees, provided further that such deduction is with the written authorization of the employees concerned. (Sec. 4, Rule VII-A, Book III of the Rules Implementing the Labor Code). For the computation of the fair and reasonable value of the meals given, the employer may seek assistance from concerned Regional Tripartite Wages and Productivity Board (RTWPBs).

Salary of *Kasambahay* who works as salesclerk

A *Kasambahay* who works as salesclerk should receive salary in accordance with the prescribed minimum wage which is applicable in the retail and service establishments, under existing Wage Orders.

1

MINIMUM WAGE

Republic Act No. 6727 (also known as the “Wage Rationalization Act”) mandates the fixing of the minimum wages applicable to different industrial sectors, namely, non-agriculture, agriculture plantation, and non-plantation, cottage/handicraft, and retail/service, depending on the number of workers or capitalization or annual gross sales in some sectors.

The Rules Implementing RA 6727 define the industrial sectors as follows:

“Agriculture” refers to farming in all its branches and, among others, includes the cultivation and tillage of the soil, production, cultivation, growing and harvesting of any agricultural or horticultural commodities, dairying, raising of livestock or poultry, the culture of fish and other aquatic products in farms or ponds, and any activities performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, but does not include the manufacturing and/or processing of sugar, coconut, abaca, tobacco, pineapple, aquatic or other farm products.

“Retail Establishment” is one principally engaged in the sale of goods to end-users for personal or household use. A retail establishment that regularly engages in wholesale activities loses its retail character.

“Service Establishment” is one principally engaged in the sale of service to individuals for their own or household use and is generally recognized as such.

The said law rationalized wage determination by establishing the mechanism and proper standards through the creation of Regional Tripartite Wages and Productivity Boards (RTWPBs) authorized to determine the daily minimum wage rates in the following different regions based on established criteria:

National Capital Region (NCR) or Metro Manila
Cordillera Administrative Region (CAR)
Region I - Northern Luzon or Ilocos
Region II - Cagayan Valley

- Region III - Central Luzon
- Region IV-A - CALABARZON (Cavite, Laguna, Batangas, Rizal, Quezon)
- Region IV-B - MIMAROPA (Mindoro, Marinduque, Romblon, Palawan)
- Region V - Bicol
- Region VI - Western Visayas
- Region VII - Central Visayas
- Region VIII - Eastern Visayas
- Region IX - Western Mindanao or Zamboanga Peninsula
- Region X - Northern Mindanao
- Region XI - Southern Mindanao or Davao
- Region XII - Central Mindanao or SOCCSKSARGEN (South Cotabato, North Cotabato, Sultan Kudarat-Sarangani, General Santos)
- Region XIII - Caraga
- Autonomous Region in Muslim Mindanao (ARMM)

The Regional Wage Orders prescribe the daily minimum wage rates per industry per locality within the region and in some instances depending on the number of workers and the capitalization of enterprises. The Wage Orders likewise provide the basis and procedure for application for exemption from compliance therefrom. Some Wage Orders grant allowances instead of wage increases.

A. Coverage

A.1 The wage increases prescribed under Wage Orders apply to all private sector workers and employees receiving the daily minimum wage rates or those receiving up to a certain daily wage ceiling, where applicable, regardless of their position, designation, or status of employment, and irrespective of the method by which their wages are paid, except workers of duly registered Barangay Micro Business Enterprises (BMBEs) with Certificate of Authority pursuant to Republic Act No. 10644.

A.2 Upon application with and as determined by an RTWPB, based on documentation and other requirements in accordance with applicable rules and regulations issued by the National Wages and Productivity Commission (NWPC), a company/establishment may be exempted from compliance with a Wage Order for a period not to exceed one (1) year.

B. Minimum Wage Rates

DAILY MINIMUM WAGE (MW)*

National Capital Region

(As of January 2020)

Cities/Municipalities			
Caloocan, Las Piñas, Makati, Malabon, Mandaluyong, Manila, Marikina, Muntinlupa, Parañaque, Pasay, Pasig, Quezon, San Juan, Taguig, Valenzuela, and Municipalities of Navotas and Pateros			
Sector/Industry	Basic Wage/ Integration of COLA	Basic Wage Increase	New Minimum Wage Rates
Non-agriculture	₱ 512.00	₱ 25.00	₱537.00
Agriculture	₱ 475.00	₱ 25.00	₱500.00
Plantation			
Non-plantation			
Retail/Service Establishments			
Employing 15 workers or less			
Manufacturing Establishments	₱ 475.00	₱ 25.00	₱500.00
Regularly employing less than 10 workers			

*Above wage rate is pursuant to Wage Order No. NCR – 22 which took effect on 22 November 2018

Summary of Current Regional Daily Minimum Wage Rates
Non-Agriculture, Agriculture^a
(In Pesos)
(As of February 2020)

REGION	WO No./ DATE OF EFFECTIVITY	NON- AGRICULTURE	AGRICULTURE	
			Plantation	Non-Plantation
NCR	WO 22 / November 22, 2018	₱500.00 - ₱537.00	₱500.00	
CAR	WO 20 / November 18, 2019	340.00 - 350.00	340.00 - 350.00	
I	WO 20 / April 30, 2019	282.00 - 340.00	295.00	282.00
II	WO 19 / November 25, 2018	360.00	340.00	
III	WO 22 / January 1, 2020	369.00 - 420.00	354.00 - 390.00	342.00 - 374.00
IV-A ^b	WO 18 / April 28, 2018	317.00 - 400.00	303.00 - 370.00	303.00 - 356.00
IV-B	WO 09 / November 27, 2018	294.00 - 320.00	294.00 - 320.00	
V	WO 19 / September 21, 2018	310.00	310.00	
VI	WO 25 / November 26, 2019	310.00 - 395.00	315.00	
VII	WO 22 / January 5, 2020	356.00 - 404.00	351.00 - 394.00	
VIII ^c	WO 21 / August 18, 2019	315.00	285.00	
IX	WO 20 / July 30, 2018	316.00	303.00	
X	WO 20 / November 1, 2018	343.00 - 365.00	331.00 - 353.00	
XI ^d	WO 20 / August 16, 2018	396.00	391.00	
XII ^e	WO 21 / February 2, 2020	326.00	305.00	
Caraga	WO 16 / May 1, 2019	320.00	320.00	
BARMM	WO 01 / January 1, 2020	300.00 - 325.00	290.00 - 300.00	

SOURCE: National Wages and Productivity Commission

^a For inquiries on minimum wage, you may visit the National Wages and Productivity Commission (NWPC) at 2F & 3F, DY Intl., Building, San Marcelino corner Gen. Malvar Streets, Malate, Manila, call telephone numbers (02) 8527-8014/ (02) 8527-5171 or e-mail at info@nwpc.dole.gov.ph. You may also visit the NWPC website at <https://nwpc.dole.gov.ph>.

^b Granted ₱14.00-₱21.50 increase in basic pay upon effectivity; there shall be one wage rate for agriculture per covered area classification to be given in two (2) tranches; implementation of the remaining tranches (3rd to 7th) per WO 17 to be given in three (3) tranches to conclude in December 1, 2020; increase in selected areas from ₱0.50 - ₱5.00 to further simplify the wage rates per sector & area classification

^c Granted ₱20.00 increase in basic pay to be given in two (2) tranches: ₱10 upon effectivity and ₱10.00 on the 7th month from effectivity

^d Granted ₱56.00 increase in basic pay to be given in two tranches; ₱30.00 upon effectivity and ₱26.00 on February 16, 2019.

^e Granted ₱25 increase in basic pay to be given in two (2) tranches: ₱15 upon effectivity and ₱10 on May 1, 2020

C. Basis

The basis of the minimum wage rates prescribed by law shall be the normal working hours of eight (8) hours a day.

D. Monthly-Paid Employees and Daily-Paid Employees

Monthly-paid employees are those who are paid every day of the month, including unworked rest days, special days, and regular holidays. Factor 365 days in a year is used in determining the equivalent monthly salary of monthly-paid employees.

Daily-paid employees are those who are paid on the days they actually worked and on unworked regular holidays.

Computation of the Estimated Equivalent Monthly Rate (EEMR) of Monthly-Paid and Daily-Paid Employees

For monthly-paid employees:

Factor 365 days in a year is used in determining the equivalent annual and monthly salary of monthly-paid employees. To compute their Estimated Equivalent Monthly Rate (EEMR), the procedure is as follows:

$$\frac{\text{Applicable Daily Rate (ADR)} \times 365}{12 \text{ months}} = \text{EEMR}$$

Where 365 days/year	=	297	Ordinary working days
		52	Rest days
		12	Regular holidays
		4	Special days [†]
		<u>365</u>	Total equivalent no. of days/year

For daily-paid employees:

The following factors and formula may be used in computing the EEMR of different groups of daily-paid employees for purposes of entitlement to minimum wages and allied benefits under existing laws:

1. For those who are required to work everyday, including Sundays or rest days, special days and regular holidays

[†] December 8 was declared as Special non-working day per RA 10966 – Feast of Immaculate Conception of Mary

$$\frac{\text{Applicable Daily Rate (ADR)} \times 393.80}{12 \text{ months}} = \text{EEMR}$$

Where 393.80 days/year	=	297	Ordinary working days
		67.60	52 Rest days
		24	12 Regular holidays
		<u>5.20</u>	4 Special days ^g
		393.80	Total equivalent no. of days/year

2. For those who do not work and are not considered paid on Sundays or rest days

$$\frac{\text{Applicable Daily Rate (ADR)} \times 313^h}{12 \text{ months}} = \text{EEMR}$$

Where 313 days/year	=	297	Ordinary working days
		12	Regular holidays
		4	Special days (if considered paid; if actually worked, this is equivalent to 5.20 days)
		<u>313</u>	Total equivalent no. of days/year

3. For those who do not work and are not considered paid on Saturdays and Sundays or rest days

$$\frac{\text{Applicable Daily Rate (ADR)} \times 261^i}{12 \text{ months}} = \text{EEMR}$$

Where 261 days/year	=	245	Ordinary working days
		12	Regular holidays
		4	Special days (if considered paid; if actually worked, this is equivalent to 5.20 days)
		<u>261</u>	Total equivalent no. of days/year

Without prejudice to existing company policies, practices and/or agreements, the above formula are merely suggestions and may be used as guides in determining the equivalent monthly minimum wage rates.

E. Minimum Wage and Rights of *Kasambahay*

As of February 2020, the minimum wage of *Kasambahay* shall not be less than the following:

^g December 8 was declared as Special non-working day per RA 10966 – Feast of Immaculate Conception of Mary

^h Factor 309 may be used instead of 313 if the 4 special days are not considered paid

ⁱ Factor 257 may be used instead of 261 if the 4 special days are not considered paid

REGION	WO No./ DATE OF EFFECTIVITY	MONTHLY MINIMUM WAGE	
		Cities & 1st Class Municipalities	Other Municipalities
NCR	NCR-DW-02 / January 2, 2020	₱5,000.00	
CAR	CAR-DW-03 / May 1, 2019	4,000.00	3,000.00
I	RBI-DW-02 / April 30, 2019	4,500.00	3,500.00
II	RBII-DW-02 / November 25, 2018	3,500.00	
III	RBIII-DW-02 / January 1, 2020	4,500.00	4,000.00
IV-A	RBIVA-DW-02 / March 1, 2019	3,500.00	3,000.00
IV-B	RB-IVB-DW-02 / August 21, 2019	3,500.00	
V	RBV-DW-01 / June 2, 2017	3,000.00	2,500.00
VI	RBVI-DW-03 / May 8, 2019	4,000.00	
VII	RBVII-DW-02 / January 5, 2020	5,000.00	4,000.00
VIII	RBVIII-DW-02 / January 1, 2020	4,500.00	4,000.00
IX	RBIX-DW-02 / November 22, 2019	3,500.00	3,000.00
X	RBX-DW-02 / January 1, 2020	4,000.00	3,000.00
XI	RBXI-DW-01 / December 16, 2017	3,000.00	2,000.00
XII	RBXII-DW-02 / February 23, 2020	4,000.00	3,500.00
CARAGA	RBXIII-DW-02 / October 4, 2019	3,500.00	3,000.00

SOURCE: National Wages and Productivity Commission

After one year from the effectivity of the *Batas Kasambahay* and periodically thereafter, the Regional Tripartite Wages and Productivity Boards (RTWPBs) shall review and if proper, determine and adjust the minimum wage rates of *Kasambahay*. The RTWPBs shall conduct consultations/hearings with stakeholders prior to the issuance of a wage order.

Rights and Benefits of *Kasambahay*:

1. Minimum wage;
2. Other mandatory benefits, such as the daily and weekly rest periods;
3. Service Incentive Leave;
4. 13th month pay;
5. Freedom from employers' interference in the disposal of wages;
6. Coverage under the SSS, PhilHealth and Pag-IBIG laws;
7. Standard of treatment;
8. Board, lodging and medical attendance;
9. Right to privacy;
10. Access to outside communication;
11. Access to education and training;

12. Right to form, join, or assist labor organization;
13. Right to be provided a copy of the employment contract;
14. Right to certificate of employment;
15. Right to terminate the employment; and
16. Right to exercise their own religious beliefs and cultural practices.

F. Effect of Reduction of Workdays on Wages

In situations where the employer has to reduce the number of regular working days to prevent serious losses, such as when there is a substantial slump in the demand for his/her goods or services or when there is lack of raw materials, the employer may deduct the wages corresponding to the days taken off from the workweek, consistent with the principle of “no work, no pay.” This is without prejudice to an agreement or company policy which provides otherwise.

G. Penalty and Double Indemnity for Violation of the Prescribed Increases or Adjustments in the Wage Rates (RA 8188)

Any person, corporation, trust, firm, partnership, association or entity which refuses or fails to pay any of the prescribed increases or adjustments in the wage rates made in accordance with RA 6727, shall be punished by a fine of not less than Twenty-five Thousand Pesos (₱25,000.00) nor more than One Hundred Thousand Pesos (₱100,000.00) or imprisonment of not less than two (2) years nor more than four (4) years, or both such fine and imprisonment at the discretion of the court: *Provided*, That any person convicted hereof shall not be entitled to the benefits provided for under the Probation Law.

The employer concerned shall be ordered to pay an amount equivalent to double the unpaid benefits owing to the employees: *Provided*, That payment of indemnity shall not absolve the employer from the criminal liability imposable hereof.

If the violation is committed by a corporation, trust, firm, partnership, association or any other entity, the penalty of imprisonment shall be imposed upon the entity's responsible officers, including, but not limited to, the president, vice-president, chief executive officer, general manager, managing director or partner.

H. Barangay Micro Business Enterprises (BMBEs)

BMBEs or business enterprises engaged in the production, processing or manufacturing of products or commodities including agro-processing, trading and services whose total assets, excluding the land on which the particular business entity's office, plant and equipment are situated, are not more than Three Million Pesos (₱3,000,000) shall be exempt from the coverage of the Minimum Wage Law: Provided, that all employees shall still be entitled to the same benefits given to regular employees such as social security and health care benefits.

The DTI, through the Negosyo Center in the city or municipality level, shall have the sole power to issue the Certificate of Authority for BMBEs to avail of the benefits provided by R.A. No. 9178, otherwise known as the "Barangay Micro Business Enterprises (BMBEs) Act of 2012".¹

The BMBE workers and owners shall agree on the acceptable wage rates based on the wage advisories issued by the RTWPBs.

I. Minimum Wage of Workers Paid by Results

All workers paid by results, including homeworkers and those who are paid on piece rate, takay, pakyaw or task basis, shall receive not less than the prescribed minimum wage rates under the Regional Wage Orders for normal working hours which shall not exceed eight (8) hours a day, or a proportion thereof.

The wage rates of workers who are paid by results may be determined through time and motion studies or consultation with representatives of employers' and workers' organizations in a tripartite called by the DOLE Secretary.

J. Minimum Wage of Apprentices, Learners, and Persons with disability

Wage of apprentices and learners shall in no case be less than seventy-five (75%) percent of the applicable minimum wage rates.

Apprentices and learners are those who are covered by apprenticeship and learnership agreements duly approved by the Technical Education and Skills Development Authority (TESDA).

A qualified employee with disability shall be subject to the same terms and conditions of employment and the same compensation, privileges,

¹ Section 5 (b) of R.A. No. 10644.

benefits, fringe benefits or allowances as a qualified able-bodied person (Sec. 1 of RA 10524 or the Magna Carta for Persons with Disability).

K. Coverage from Income Tax of Minimum Wage Earners

Effective January 1, 2018, salaried individuals earning annual gross compensation of ₱250,000 or below per year are exempted from paying income taxes.^k

The following income of MWEs shall also be exempt from income tax:

1. Statutory Minimum Wage (SMW) inclusive of the COLA;
2. Holiday pay;
3. Overtime pay;
4. Night shift differential pay; and
5. Hazard pay.

^k Revenue Regulations No. 11-2018, Amending Certain Provisions of Revenue Regulations No. 2-98, as Amended, to Implement Further Amendments Introduced by Republic Act No. 10963

2

HOLIDAY PAY

(Article 94)

A. Definition

Holiday pay refers to the payment of the regular daily wage for any unworked regular holiday.

B. Coverage

This benefit applies to all employees except:

1. Government employees, whether employed by the National Government or any of its political subdivisions, including those employed in government-owned and/or controlled corporations with original charters or created under special laws;
2. Those of retail and service establishments regularly employing less than ten (10) workers;
3. *Kasambahay* and persons in the personal service of another;
4. Managerial employees, if they meet all of the following conditions:
 - 4.1. Their primary duty is to manage the establishment in which they are employed or of a department or subdivision thereof;
 - 4.2. They customarily and regularly direct the work of two or more employees therein; and
 - 4.3. They have the authority to hire or fire other employees of lower rank; or their suggestions and recommendations as to hiring, firing, and promotion, or any other change of status of other employees are given particular weight.
5. Officers or members of a managerial staff, if they perform the following duties and responsibilities:
 - 5.1. Primarily perform work directly related to management policies of their employer;
 - 5.2. Customarily and regularly exercise discretion and independent judgment;
 - 5.3. (a) Regularly and directly assist a proprietor or managerial employee in the management of the establishment or subdivision thereof in which he or she is employed; or (b) execute, under general supervision, work along specialized or technical lines requiring special training, experience, or knowledge; or (c) execute, under general supervision, special assignments and tasks; and

- 5.4. Do not devote more than twenty percent (20%) of their hours worked in a workweek to activities which are not directly and closely related to the performance of the work described in paragraphs 5.1, 5.2, and 5.3 above.
6. Field personnel and other employees whose time and performance is unsupervised by the employer, including those who are engaged on task or contract basis, purely commission basis or those who are paid a fixed amount for performing work irrespective of the time consumed in the performance thereof.

C. Regular Holidays

Every employee covered by the Holiday Pay Rule is entitled to the minimum wage rate (daily basic wage and COLA). This means that the employee is entitled to at least 100% of his/her minimum wage rate even if he/she did not report for work, provided he/she is present or is on leave of absence with pay on the work day immediately preceding the holiday.

Work performed on that day merits at least twice (200%) the daily wage of the employee.

Illustration:

Using the NCR minimum wage of ₱537.00 per day for the non-agricultural sector, effective November 22, 2018 under Wage Order No. NCR-22.

For work within eight (8) hours, plus 100% of the minimum wage of 100% or a total of 200%.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	₱537 x 200% = ₱1,074.00
Retail/Service Establishment employing less than 10 workers	₱500.00	Not covered or exempted

Where the holiday falls on the scheduled rest day of the employee, work performed on said day merits at least an additional 30% of the employee's regular holiday rate of 200% or a total of at least 260% (Please see **3. Premium Pay**).

When a regular holiday falls on a Sunday, the following Monday shall not be a holiday, unless a proclamation is issued declaring it a special day.

Unless otherwise modified by law, order, or proclamation, the following are the twelve (12) regular holidays in a year under Executive Order No. 292, as amended by Republic Act 9849:

New Year's Day	January 1
Maundy Thursday	Movable Date
Good Friday	Movable Date
<i>Araw ng Kagitingan</i>	Monday nearest April 9
Labor Day	Monday nearest May 1
Independence Day	Monday nearest June 12
National Heroes' Day	Last Monday of August
Eidl Fitr	Movable Date
Eidl Adha	Movable Date
Bonifacio Day	Monday nearest November 30
Christmas Day	December 25
Rizal Day	Monday nearest December 30

When *Araw ng Kagitingan* falls on the same day as Maundy Thursday or Good Friday, a covered employee is entitled to at least two hundred percent (200%) of his/her daily wage even if said day is unworked. Where the employee is required to work on that day, he/she is entitled to an additional 100% of the daily wage.

D. Absences

1. All covered employees shall be entitled to holiday pay when they are on leave of absence with pay on the workday immediately preceding the regular holiday. Employees who are on leave of absence without pay on the day immediately preceding a regular holiday may not be paid the required holiday pay if they do not work on such regular holiday.
2. Employers shall grant the same percentage of the holiday pay as the benefit granted by competent authority in the form of employee's compensation or social security payment, whichever is higher, if the employees are not reporting for work while on such leave benefits.
3. Where the day immediately preceding the holiday is a non-work day in the establishment or the scheduled rest day of the employee, he/she shall not be deemed to be on leave of absence on that day, in which case he/she shall be entitled to the holiday pay if he/she worked on the day immediately preceding the nonwork day or rest day.

E. Successive Regular Holidays

Where there are two (2) successive regular holidays, like Maundy Thursday and Good Friday, an employee may not be paid for both holidays if he/she absents himself/herself from work on the day immediately preceding the first holiday, unless he/she works on the first holiday, in which case he/she is entitled to his/her holiday pay on the second holiday.

F. Temporary or Periodic Shutdown/Cessation of Work

In cases of temporary or periodic shutdown and temporary cessation of work of an establishment, as when a yearly inventory or when the repair or cleaning of machineries and equipment is undertaken, the regular holidays falling within the period shall be compensated in accordance with the Rules Implementing the Labor Code, as amended.

G. Holiday Pay of Certain Employees

1. Where the covered employee is paid on piece-rate basis, his / her holiday pay shall not be less than his/her average daily earnings for the last seven (7) actual work days preceding the regular holiday; provided, however, that in no case shall the holiday pay be less than the applicable statutory minimum wage rate.
2. Seasonal workers may not be paid the required holiday pay during off-season when they are not at work.
3. Workers who do not have regular working days, such as stevedores, shall be entitled to this benefit.

3

PREMIUM PAY

(Articles 91-93)

A. Definition

Premium pay refers to the additional compensation for work performed within eight (8) hours on non-work days, such as rest days and special days.

B. Coverage

This benefit applies to all employees except:

1. Government employees, whether employed by the National Government or any of its political subdivisions, including those employed in government-owned and/or controlled corporations with original charters or created under special laws;
2. Managerial employees, if they meet all of the following conditions:
 - 2.1. Their primary duty is to manage the establishment in which they are employed or of a department or subdivision thereof;
 - 2.2. They customarily and regularly direct the work of two or more employees therein;
 - 2.3. They have the authority to hire or fire other employees of lower rank; or their suggestions and recommendations as to hiring, firing, and promotion, or any other change of status of other employees are given particular weight.
3. Officers or members of a managerial staff, if they perform the following duties and responsibilities:
 - 3.1. Primarily perform work directly related to management policies of their employer;
 - 3.2. Customarily and regularly exercise discretion and independent judgment;
 - 3.3. (a) Regularly and directly assist a proprietor or managerial employee in the management of the establishment or subdivision thereof in which he or she is employed; or (b) execute, under general supervision, work along specialized or technical lines requiring special training, experience, or knowledge; or (c) execute, under general supervision, special assignments and tasks; and
 - 3.4. Do not devote more than twenty percent (20%) of their hours worked in a workweek to activities which are not directly and closely related to the performance of the work described in paragraphs 3.1, 3.2, and 3.3 above.

4. *Kasambahay* and persons in the personal service of another;
5. Workers who are paid by results, including those who are paid on piece rate, *takay*, *pakyaw*, or task basis, and other nontime work, if their output rates are in accordance with the standards prescribed in the regulations, or where such rates have been fixed by the Secretary of Labor and Employment; and
6. Field personnel, if they regularly perform their duties away from the principal or branch office or place of business of the employer and whose actual hours of work in the field cannot be determined with reasonable certainty.

C. Special Days

1. Special Days

Unless otherwise modified by law, order, or proclamation, the following are the four (4) special days in a year under Executive Order No. 292, as amended by Republic Act 9849, as further amended by Republic Act No. 10966¹ that shall be observed in the Philippines:

Ninoy Aquino Day	Monday nearest August 21
All Saints Day	November 1
Feast of Immaculate Conception of Mary	December 8
Last Day of the Year	December 31

The “no work, no pay” principle applies during special days and on such other special days as may be proclaimed by the President or by Congress.

Workers who are not required or permitted to work on special days are not entitled to any compensation. This, however, is without prejudice to any voluntary practice or provision in the Collective Bargaining Agreement (CBA) providing for payment of wages and other benefits for days declared as special days even if unworked.

On the other hand, work performed on special days merits additional compensation of at least thirty percent (30%) of the basic wage or a total of one hundred thirty percent (130%). Where the employee works on a special day falling on his rest day, he/she shall be entitled to an additional compensation of at least fifty percent (50%) of his/her basic wage or a total of one hundred fifty percent (150%).

¹ December 8 was declared as Special (non-working) Day pursuant to RA 10966 on December 28, 2017 – Feast of Immaculate Conception of Mary

2. Special Work Days

For work performed on a declared Special Work Day, an employee is entitled only to his/her daily wage. No premium pay is required since work performed on said day is considered work on an ordinary workday.

D. Premium Pay Rates

The COLA shall not be included in the computation of premium pay. The minimum statutory premium pay rates are as follows:

1. For work performed on rest days or on special days: Plus 30% of the daily basic wage of 100% or a total of 130%.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	₱537 x 130% = ₱698.10
Retail/Service Establishment	₱500.00	₱500 x 130% = ₱650.00

2. For work performed on a rest day which is also a special day: Plus 50% of the daily basic wage of 100% or a total of 150%.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	₱537 x 150% = ₱805.50
Retail/Service Establishment	₱500.00	₱500 x 150% = ₱750.00

3. For work performed on a regular holiday which is also the employee's rest day (not applicable to employees who are not covered by the holiday-pay rule): Plus 30% of the regular holiday rate of 200% based on his/her daily basic wage rate or a total of 260%.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	(₱537.00 x 260%) = ₱1,396.20
Retail/Service Establishment employing less than 10 workers	₱500.00	Not covered by holiday pay rule

4

OVERTIME PAY

(Article 87)

A. Definition

Overtime pay refers to the additional compensation for work performed beyond eight (8) hours a day.

B. Coverage

Same as those covered under 3. Premium Pay.

C. Overtime Pay Rates

The COLA shall not be included in the computation of overtime pay. The minimum overtime pay rates vary according to the day the overtime work is performed, as follows:

1. For work in excess of eight (8) hours performed on ordinary working days: Plus 25% of the hourly rate.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	$\text{₱}537/8 \times 125\% = \text{₱}67.125 \times 125\% \times \text{number of hours OT work}$
Retail/Service Establishment	₱500.00	$\text{₱}500/8 \times 125\% = \text{₱}62.50 \times 125\% \times \text{number of hours OT work}$

2. For work in excess of eight (8) hours performed on a scheduled rest day or a special day: Plus 30% of the hourly rate on said days.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	$\text{₱}537/8 \times 130\% \times 130\% = \text{₱}67.125 \times 130\% \times 130\% \times \text{number of hours OT work}$
Retail/Service Establishment	₱500.00	$\text{₱}500/8 \times 130\% \times 130\% = \text{₱}62.50 \times 130\% \times 130\% \times \text{number of hours OT work}$

3. For work in excess of eight (8) hours performed on a special day which falls on a scheduled rest day: Plus 30% of the hourly rate on said days.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	$\text{₱}537/8 \times 150\% \times 130\% = \text{₱}67.125 \times 150\% \times 130\% \times \text{number of hours OT work}$
Retail/Service Establishment	₱500.00	$\text{₱}500/8 \times 150\% \times 130\% = \text{₱}62.50 \times 150\% \times 130\% \times \text{number of hours OT work}$

4. For work in excess of eight (8) hours performed on a regular holiday: Plus 30% of the hourly rate on said days.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	$\text{₱}537/8 \times 200\% \times 130\% = \text{₱}67.125 \times 200\% \times 130\% \times \text{number of hours OT work}$
Retail/Service Establishment employing less than 10 workers	₱500.00	Not covered by the rule on holiday pay

5. For work in excess of eight (8) hours performed on a regular holiday which falls on a scheduled rest day: Plus 30% of the hourly rate on said days.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	$\text{₱}537/8 \times 260\% \times 130\% = \text{₱}67.125 \times 260\% \times 130\% \times \text{number of hours OT work}$
Retail/Service Establishment employing less than 10 workers	₱500.00	Not covered by the rule on holiday pay

D. Stipulated Overtime Rates

Generally, the premium pay for work performed on rest days, special days, or regular holidays is included as part of the regular rate of the employee in the computation of overtime pay for overtime work rendered on said days, especially if the employer pays only the minimum overtime rates prescribed by law.

The employees and employer, however, may stipulate in their collective agreement the payment for overtime work at rates higher than those provided by law.

5

NIGHT SHIFT DIFFERENTIAL

(Article 86)

A. Definition

Night Shift Differential (NSD) refers to the additional compensation of ten percent (10%) of an employee's regular wage for each hour of work performed between 10 p.m. and 6 a.m.

B. Coverage

This benefit applies to all employees except:

1. Government employees, whether employed by the National Government or any of its political subdivisions, including those employed in government-owned and/or controlled corporations with original charters or created under special laws;
2. Those of retail and service establishments regularly employing not more than five (5) workers;
3. *Kasambahay* and persons in the personal service of another;
4. Managerial employees, if they meet all of the following conditions:
 - 4.1. Their primary duty is to manage the establishment in which they are employed or of a department or subdivision thereof;
 - 4.2. They customarily and regularly direct the work of two or more employees therein; and
 - 4.3. They have the authority to hire or fire other employees of lower rank; or their suggestions and recommendations as to hiring, firing, and promotion, or any other change of status of other employees are given particular weight.
5. Officers or members of a managerial staff, if they perform the following duties and responsibilities:
 - 5.1. Primarily perform work directly related to management policies of their employer;
 - 5.2. Customarily and regularly exercise discretion and independent judgment;
 - 5.3. (a) Regularly and directly assist a proprietor or managerial employee in the management of the establishment or subdivision thereof in which he or she is employed; or (b) execute, under general supervision, work along specialized or technical lines requiring special training, experience,

- or knowledge; or (c) execute, under general supervision, special assignments and tasks; and
- 5.4. Do not devote more than twenty percent (20%) of their hours worked in a workweek to activities which are not directly and closely related to the performance of the work described in paragraphs 5.1, 5.2, and 5.3 above;
6. Field personnel and those whose time and performance are unsupervised by the employer.

C. Computation of Night Shift Differential

The COLA shall not be included in the computation of night shift pay. The table below may be used to guide computations:

Work on:

Pay equals

Ordinary day	100% or 1
Sunday or rest day	130% or 1.3
Special day	130% or 1.3
Special day falling on rest day	150% or 1.5
Regular Holiday	200% or 2
Regular Holiday falling on rest day	260% or 2.6
Double holiday	300% or 3
Double holiday falling on rest day	390% or 3.9
Ordinary day, night shift	$1 \times 1.1 = 1.1$ or 110%
Rest day, night shift	$1.3 \times 1.1 = 1.43$ or 143%
Special day, night shift	$1.3 \times 1.1 = 1.43$ or 143%
Special day, rest day, night shift	$1.5 \times 1.1 = 1.65$ or 165%
Regular Holiday, night shift	$2 \times 1.1 = 2.2$ or 220%
Regular Holiday, rest day, night shift	$2.6 \times 1.1 = 2.86$ or 286%
Double holiday, night shift	$3 \times 1.1 = 3.3$ or 330%
Double holiday, rest day, night shift	$3.9 \times 1.1 = 4.29$ or 429%
Ordinary day, overtime (OT)	$1 \times 1.25 = 1.25$ or 125%
Rest day, overtime	$1.3 \times 1.3 = 1.69$ or 169%
Special day, overtime	$1.3 \times 1.3 = 1.69$ or 169%
Special day, rest day, overtime	$1.5 \times 1.3 = 1.95$ or 195%
Regular Holiday, overtime	$2 \times 1.3 = 2.6$ or 260%
Regular Holiday, rest day, overtime	$2.6 \times 1.3 = 3.38$ or 338%
Double holiday, overtime	$3 \times 1.3 = 3.9$ or 390%
Double holiday, rest day, overtime	$3.9 \times 1.3 = 5.07$ or 507%
Ordinary day, night shift, overtime	$1 \times 1.1 \times 1.25 = 1.375$ or 137.5%
Rest day, night shift, overtime	$1.3 \times 1.1 \times 1.3 = 1.859$ or 185.9%

Special day, night shift, overtime	$1.3 \times 1.1 \times 1.3 = 1.859$ or 185.9%
Special day, rest day, night shift, OT	$1.5 \times 1.1 \times 1.3 = 2.145$ or 214.5%
Regular Holiday, night shift, OT	$2 \times 1.1 \times 1.3 = 2.86$ or 286%
Reg. Holiday, rest day, night shift, OT	$2.6 \times 1.1 \times 1.3 = 3.718$ or 371.8%
Double holiday, night shift, OT	$3 \times 1.1 \times 1.3 = 4.29$ or 429%
Double holiday, rest day, night shift, OT	$3.9 \times 1.1 \times 1.3 = 5.577$ or 557.7%

The minimum night shift pay rates vary according to the day the night shift work is performed.

Sector/Industry	Rate	Amount
Non-agriculture	₱537.00	₱537/8 x *110% = ₱67.125 x 110% x number of hours work
Retail/Service Establishment employing 15 workers or less	₱500.00	₱500/8 x *110% = ₱62.50 x 110% x number of hours work

*** This value may be substituted based on the above rates depending on the day the night shift work is performed.**

6

SERVICE CHARGES

(Article 96, as amended by RA No. 11360)

A. Coverage

All establishments collecting service charges such as hotels, restaurants, and other similar establishments, including those entities operating primarily as private subsidiaries of the Government.

B. Covered Employees

All employees, except managerial employees as defined by law, under the direct employ of the covered establishment, regardless of their positions, designations or employment status, and irrespective of the method by which their wages are paid.

C. Distribution of Service Charges

All service charges actually collected shall be distributed completely and equally, based on actual hours or days of work or service rendered, among the covered employees, including those already receiving the benefit of sharing in the service charges.

D. Frequency of Distribution

The service charges collected shall be distributed and paid to the covered employees once every two (2) weeks or twice a month at intervals not exceeding sixteen (16) days.

E. Increase in Minimum Wage

In the event that the minimum wage is increased by law or wage order, the service charges paid to the employees shall not be considered in determining the establishment's compliance with the increased minimum wage.

7

SERVICE INCENTIVE LEAVE

(Article 95)

A. Coverage

Every employee who has rendered at least one (1) year of service is entitled to Service Incentive Leave (SIL) of five (5) days with pay.

This benefit applies to all employees except:

1. Government employees, whether employed by the National Government or any of its political subdivisions, including those employed in government-owned and/or controlled corporations with original charters or created under special laws;
2. Persons in the personal service of another;
3. Managerial employees, if they meet all of the following conditions:
 - 3.1. Their primary duty is to manage the establishment in which they are employed or of a department or subdivision thereof;
 - 3.2. They customarily and regularly direct the work of two or more employees therein; and
 - 3.3. They have the authority to hire or fire other employees of lower rank; or their suggestions and recommendations as to hiring, firing, and promotion, or any other change of status of other employees are given particular weight.
4. Officers or members of a managerial staff, if they perform the following duties and responsibilities:
 - 4.1. Primarily perform work directly related to management policies of their employer;
 - 4.2. Customarily and regularly exercise discretion and independent judgment;
 - 4.3. (a) Regularly and directly assist a proprietor or managerial employee in the management of the establishment or subdivision thereof in which he or she is employed; or (b) execute, under general supervision, work along specialized or technical lines requiring special training, experience, or knowledge; or (c) execute, under general supervision, special assignments and tasks; and
 - 4.4. Do not devote more than twenty percent (20%) of their hours worked in a workweek to activities which are not directly and closely related to the performance of the work described in paragraphs 4.1, 4.2, and 4.3 above;

5. Field personnel and those whose time and performance is unsupervised by the employer;
6. Those already enjoying this benefit;
7. Those enjoying vacation leave with pay of at least five (5) days; and
8. Those employed in establishments regularly employing less than ten (10) employees.

B. Meaning of “one year of service”

The phrase “one year of service” of the employee means service within twelve (12) months, whether continuous or broken, reckoned from the date the employee started working. The period includes authorized absences, unworked weekly rest days, and paid regular holidays. If through individual or collective agreement, company practice or policy, the period of the working days is less than twelve (12) months, said period shall be considered as one year for the purpose of determining the entitlement to the service incentive leave.

C. Usage/Conversion to Cash

The service incentive leave may be used for sick and vacation leave purposes. The unused service incentive leave is commutable to its money equivalent at the end of the year. In computing, the basis shall be the salary rate at the date of conversion.

The use and conversion of this benefit may be on a pro rata basis.^m

Illustration: An employee was hired on 1 January 2000 and resigned on 1 March 2001. Assuming that he/she has not used or commuted any of his/her accrued SIL, he/she is entitled to the conversion of his/her accrued SIL, upon his/her resignation, as follows:

SIL earned as of 31 December 2000	5 days
Proportionate SIL for January and February 2001	
$(2/12) \times 5 \text{ days}$	<u>0.833 day</u>
Total accrued SIL as of 1 March 2001	5.833 days

^m Based on the opinion of DOLE Legal Service.

8

MATERNITY LEAVE

(RA 8282, as amended by RA 11210ⁿ)

A. Coverage

This benefit applies to all covered female employees, regardless of civil status, employment status, and the legitimacy of her child.

B. The Maternity Leave Benefit

The maternity leave benefit shall be for one hundred five (105) days with full pay, and additional fifteen (15) days with full pay in case the female employee qualifies as a solo parent under RA 8972, or the "solo Parents' Welfare Act of 2000". in case of miscarriage or emergency termination of pregnancy, the maternity leave shall be for sixty (60) days with full pay.

In cases of live childbirth, an additional maternity leave of thirty (30) days without pay, can be availed of, at the option of the female employee, provided that the employer shall be given due notice.

C. Eligibility

To qualify for the maternity leave benefit, the female employee must have at least three monthly contributions to the SSS in the twelve-month period immediately preceding the semester of childbirth, miscarriage, or emergency termination of pregnancy, and she shall have notified her employer of her pregnancy and the probable date of her childbirth, which notice shall be transmitted to SSS in accordance its rules and regulations.

D. Salary Differential

The employer shall pay for the difference between the full salary and the actual cash benefits received from the SSS.

ⁿ RA 11210, otherwise known as the "105-Day Expanded Maternity Leave Law"

9

PATERNITY LEAVE

(RA 8187)

A. Coverage

Paternity Leave is granted to all married male employees in the private sector, regardless of their employment status (e.g., probationary, regular, contractual, project basis). The purpose of this benefit is to allow the husband to lend support to his wife during her period of recovery and/or in nursing her newborn child.

Government employees are also entitled to the paternity leave benefit. They shall be governed by the Civil Service rules.

B. The Paternity Leave Benefit

Paternity leave benefit shall apply to the first four (4) deliveries of the employee's lawful wife with whom he is cohabiting. For this purpose, "cohabiting" means the obligation of the husband and wife to live together.

If the spouses are not physically living together because of the workstation or occupation, the male employee is still entitled to the paternity leave benefit.

The paternity leave shall be for seven (7) calendar days, with full pay, consisting of basic salary and mandatory allowances fixed by the Regional Wage Board, if any, provided that his pay shall not be less than the mandated minimum wage.

Usage of the paternity leave shall be after the delivery, without prejudice to an employer's policy of allowing the employee to avail of the benefit before or during the delivery, provided that the total number of days shall not be more than seven (7) calendar days for each covered delivery.

C. Conditions for Entitlement

A married male employee shall be entitled to paternity leave benefit provided that he has met the following conditions:

1. He is an employee at the time of the delivery of his child;
2. He is cohabiting with his spouse at the time that she gives birth or suffers a miscarriage;
3. He has applied for paternity leave with his employer within a reasonable period of time from the expected date of delivery by his pregnant spouse, or within such period as may be provided by company rules and regulations, or by collective bargaining agreement; and
4. His wife has given birth or suffered a miscarriage.

D. Application for Paternity Leave

The married male employee shall apply for paternity leave with his employer within a reasonable period of time from the expected date of delivery by his pregnant spouse, or within such period as may be provided by company rules and regulations, or by collective bargaining agreement. In case of a miscarriage, prior application for paternity leave shall not be required.

E. Non-conversion to Cash

In the event that the paternity leave is not availed of, it shall not be convertible to cash and shall not be cumulative.

F. Crediting of Existing Benefits

1. If the existing paternity leave benefit under the collective bargaining agreement, contract, or company policy is greater than seven (7) calendar days as provided for in RA 8187, the greater benefit shall prevail.
2. If the existing paternity leave benefit is less than that provided in RA 8187, the employer shall adjust the existing benefit to cover the difference.

Where a company policy, contract, or collective bargaining agreement provides for an emergency or contingency leave without specific provisions on paternity leave, the employer shall grant to the employee seven (7) calendar days of paternity leave.

10

PARENTAL LEAVE FOR SOLO PARENTS

(RA 8972)

A. Coverage

Parental leave for solo parents is granted to any solo parent or individual who is left alone with the responsibility of parenthood due to:

1. Giving birth as a result of rape or, as used by the law, other crimes against chastity;
2. Death of spouse;
3. Spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
4. Physical and/or mental incapacity of spouse as certified by a public medical practitioner;
5. Legal separation or de facto separation from spouse for at least one (1) year: Provided that he/she is entrusted with the custody of the children;
6. Declaration of nullity or annulment of marriage as decreed by a court or by a church: Provided, that he/she is entrusted with the custody of the children;
7. Abandonment of spouse for at least one (1) year;
8. Unmarried father/mother who has preferred to keep and rear his/her child/children, instead of having others care for them or give them up to a welfare institution;
9. Any other person who solely provides parental care and support to a child or children: Provided, that he/she is duly licensed as a foster parent by the Department of Social Welfare and Development (DSWD) or duly appointed legal guardian by the court; and
10. Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance, or prolonged absence of the parents or solo parent: Provided, that such abandonment, disappearance, or prolonged absence lasts for at least one (1) year.

B. Definition of Terms

“Parental leave” shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required.

“Child” refers to a person living with and dependent on the solo parent for support. He/she is unmarried, unemployed, and below eighteen (18) years of age, or even eighteen (18) years old and above but is incapable of self-support because he/she is mentally- and/or physically-challenged.

C. The Parental Leave Benefit

The parental leave, in addition to leave privileges under existing laws, shall be for seven (7) work days every year, with full pay, consisting of basic salary and mandatory allowances fixed by the Regional Wage Board, if any, provided that his/her pay shall not be less than the mandated minimum wage.

D. Conditions for Entitlement

A solo parent employee shall be entitled to the parental leave, provided that:

1. He/she has rendered at least one (1) year of service, whether continuous or broken;
2. He/she has notified his/her employer that he/she will avail himself/herself of it, within a reasonable period of time; and
3. He/she has presented to his/her employer a Solo Parent Identification Card, which may be obtained from the DSWD office of the city or municipality where he/she resides.

E. Non-conversion to Cash

In the event that the parental leave is not availed of, it shall not be convertible to cash, unless specifically agreed on previously.

F. Crediting of Existing Leave

If there is an existing or similar benefit under a company policy or a collective bargaining agreement, the same shall be credited as such. If the same is greater than the seven (7) days provided for in RA 8972, the greater benefit shall prevail.

Emergency or contingency leave provided under a company policy or a collective bargaining agreement shall not be credited as compliance with the parental leave provided for under RA 8972.

G. Termination of the Benefit

A change in the status or circumstance of the parent claiming the benefit under the law, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for this benefit.

H. Protection Against Work Discrimination

No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his/her being a solo parent.

11

LEAVE FOR VICTIMS OF VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (RA 9262)

A. Definition

“Violence against women and their children,” as used in Republic Act 9262 (the “Anti-Violence Against Women and Their Children Act of 2004”), “refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which will result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.”

B. Coverage and Purpose

Private sector women employees who are victims as defined in RA 9262 shall be entitled to the paid leave benefit under such terms and conditions provided herein.

The leave benefit shall cover the days that the woman employee has to attend to medical and legal concerns.

C. Requirement for Entitlement

To be entitled to the leave benefit, the only requirement is for the victim-employee to present to her employer a certification from the barangay chairman (*Punong Barangay*) or barangay councilor (*barangay kagawad*) or prosecutor or the Clerk of Court, as the case may be, that an action relative to the matter is pending.

D. The Benefit

In addition to other paid leaves under existing labor laws, company policies, and/or collective bargaining agreements, the qualified victim-employee shall be entitled to a leave of up to ten (10) days with full pay,

consisting of basic salary and mandatory allowances fixed by the Regional Wage Board, if any.

The said leave shall be extended when the need arises, as specified in the protection order issued by the barangay or the court.

E. Usage of the Benefit

The usage of the ten-day leave shall be at the option of the woman employee. In the event that the leave benefit is not availed of, it shall not be convertible into cash and shall not be cumulative.

12

SPECIAL LEAVE FOR WOMEN

(RA 9710)

A. Coverage

Any female employee regardless of age and civil status shall be entitled to a special leave benefit under such terms and conditions provided herein.

B. Definition of Term

“Gynecological disorders” refers to disorders that would require surgical procedures such as, but not limited to dilatation and curettage and those involving female reproductive organs such as the vagina, cervix, uterus, fallopian tubes, ovaries, breast, adnexa and pelvic floor, as certified by a competent physician. It shall also include hysterectomy, ovariectomy and mastectomy.

C. Conditions for Entitlement

1. She has rendered at least six (6) months continuous aggregate employment service for the last twelve (12) months prior to surgery;
2. She has filed an application for special leave with her employer within a reasonable period of time from the expected date of surgery or within such period as may be provided by company rules and regulations or collective bargaining agreement; and
3. She has undergone surgery due to gynecological disorders as certified by a competent physician.

D. The Special Leave Benefit

The employee is entitled to special leave benefit of two (2) months with full pay based on her gross monthly compensation.

Gross monthly compensation refers to the monthly basic pay plus mandatory allowances fixed by the regional wage boards.

E. Usage

The special leave shall be granted to the qualified employee after she has undergone surgery without prejudice to an employer allowing an employee to receive her pay before or during the surgery.

F. Non-conversion to Cash

The special leave shall be non-cumulative and non-convertible to cash unless otherwise provided by a collective bargaining agreement (CBA).

13

THIRTEENTH-MONTH PAY

(PD 851)

A. Coverage

All employers are required to pay their rank and file employees thirteenth-month pay, regardless of the nature of their employment and irrespective of the methods by which their wages are paid, provided they worked for at least one (1) month during a calendar year. The thirteenth-month pay should be given to the employees not later than December 24 of every year.

B. Definition of Rank-and-File Employees

The Labor Code, as amended, distinguishes a rank-and-file employee from a managerial employee. A managerial employee is one who is vested with powers or prerogatives to lay down and execute management policies and/or to hire, transfer, suspend, layoff, recall, discharge, assign, or discipline employees, or to effectively recommend such managerial actions. All employees not falling within this definition are considered rank-and-file employees.

The above distinction shall be used as guide for the purpose of determining who are rank-and-file employees entitled to the thirteenth-month pay.

C. Minimum Amount

The thirteenth-month pay shall not be less than one-twelfth (1/12) of the total basic salary earned by an employee in a calendar year.

The "basic salary" of an employee for the purpose of computing the thirteenth-month pay shall include all remunerations or earnings paid by his or her employer for services rendered. It does not include allowances and monetary benefits which are not considered or integrated as part of the regular or basic salary, such as the cash equivalent of unused vacation and sick leave credits, overtime, premium, night shift differential and holiday pay, and cost of living allowance (COLA). However, these salary-

related benefits should be included as part of the basic salary in the computation of the thirteenth-month pay if these are treated as part of the basic salary of the employees, through individual or collective agreement, company practice or policy.

D. Formula and Computation of 13th Month Pay

$$\frac{\text{Total basic salary earned during the year}}{12 \text{ months}} = \text{proportionate 13th month pay}$$

Illustration:

Using the basic wage in the National Capital Region at ₱502.00 (from January 1, 2018 to November 21, 2018) and ₱537.00 (from November 22, 2018 to December 31, 2018) per day and a six-day workweek or an equivalent Monthly Basic Salary of ₱12,466.33 and ₱13,290.75, respectively, to wit:

January	no absence	₱12,466.33
February	no absence	₱12,466.33
March	1 day leave w/pay	₱12,466.33
April	no absence	₱12,466.33
May	5 days leave w/o pay	₱ 9,956.33
June	2 days leave w/pay	₱12,466.33
July	no absence	₱12,466.33
August	2 days leave w/pay	₱12,466.33
September	no absence	₱12,466.33
October	on leave w/o pay	no salary
November	on leave w/o pay	no salary
December	no absence	<u>₱13,290.75</u>
Total basic salary earned for the year		<u>₱122,977.72</u>

$$\frac{\text{₱122,977.72}}{12 \text{ months}} = \text{₱10,248.14 is the proportionate 13th month pay}$$

E. Exempted Employers

The following employers are not covered by PD 851:

1. The government and any of its political subdivisions, including government-owned and controlled corporations, except those corporations operating essentially as private subsidiaries of the government;

2. Employers who are already paying their employees thirteenth-month pay or more in a calendar year or its equivalent at the time of the issuance of PD 851;
3. Persons in the personal service of another in relation to such workers; and
4. Employers of those who are paid on purely commission, boundary or task basis, and those who are paid a fixed amount for performing specific work, irrespective of the time consumed in the performance thereof (except those workers who are paid on piece-rate basis, in which case their employer shall grant them thirteenth-month pay).

As used herein, "workers paid on piece-rate basis" shall refer to those who are paid a standard amount for every piece or unit of work produced that is more or less regularly replicated, without regard to the time spent in producing the same.

The term "its equivalent" as used in item D.2 above shall include Christmas bonus, midyear bonus, cash bonuses, and other payments amounting to not less than one-twelfth (1/12) of the basic salary but shall not include cash and stock dividends, cost of living allowance, and all other allowances regularly enjoyed by the employee, as well as nonmonetary benefits.

F. Time of Payment of Thirteenth-Month Pay

The thirteenth-month pay shall be paid not later than December 24 of every year. An employer, however, may give to his or her employees one-half (1/2) of the thirteenth-month pay before the opening of the regular school year and the remaining half on or before December 24 of every year. The frequency of payment of this monetary benefit may be the subject of an agreement between the employer and the recognized/collective bargaining agent of the employees.

G. Thirteenth-Month Pay for Certain Types of Employees

1. Employees who are paid on piecework basis are entitled to the thirteenth-month pay.
2. Employees who are paid a fixed or guaranteed wage plus commission are also entitled to the thirteenth-month pay, based on their earnings during the calendar year (i.e., on both their fixed or guaranteed wage and commission).

In the consolidated cases of *Boie Takeda Chemicals, Inc. vs. Dionisio de la Serna*, G.R. No. 92174 December 10, 1993, and *Philippine Fuji Xerox Corporation vs. Cresenciano B. Trajano and Philippine Fuji Xerox Employees Union*, G.R. No. 102552 December 10, 1993, the Supreme Court ruled that commissions, while included in the generic term *wage*, are not part of "basic salary/wage" and therefore should not be included in computing the thirteenth-month pay. Thus:

In remunerative schemes consisting of a fixed or guaranteed wage plus commission, the fixed or guaranteed wage is patently the "basic salary" for this is what the employee receives for a standard work period. Commissions are given for extra efforts exerted in consummating sales or other related transactions. They are, as such, additional pay, which this Court has made clear do not form part of the "basic salary" (228 SCRA 329 [1993]).

3. Employees with multiple employers

Government employees working part-time in a private enterprise, including private educational institutions, as well as employees working in two or more private firms, whether on full-time or part-time basis, are entitled to the thirteenth-month pay from all their private employers, regardless of their total earnings from each of their employers.

H. Thirteenth-Month Pay of Resigned or Separated Employee

An employee who has resigned or whose services are terminated at any time before the time of payment of the thirteenth-month pay is entitled to this monetary benefit in proportion to the length of time he or she has worked during the year, reckoned from the time he or she has started working during the calendar year up to the time of his or her resignation or termination from the service. Thus, if he or she worked only from January to September, his or her proportionate thirteenth-month pay should be equal to one-twelfth (1/12) of his or her total basic salary earned during that period.

I. Thirteenth-Month Pay of Female Employee who is on Maternity Leave^o

The salary differential shall be included as part of the basic salary for purposes of computation of the 13th month pay of the rank-and-file employee.

^o Department Advisory No. 01, Series of 2019

J. Non-inclusion in Regular Wage

The thirteenth-month pay is not part of the regular wage of employees for purposes of determining overtime and premium payments, fringe benefits, contributions to the State Insurance Fund, Social Security System, National Health Insurance Program, and private retirement plans.

K. Coverage from Income Tax of the 13th Month Pay

13th month pay and other benefits, such as productivity incentives, and Christmas bonus, not exceeding Ninety Thousand Pesos (₱90,000.00) are exempt from taxation.^P

^P Revenue Regulations No. 11-2018, Amending Certain Provisions of Revenue Regulations No. 2-98, as Amended, to Implement Further Amendments Introduced by Republic Act No. 10963

14

SEPARATION PAY

(Articles 298-299^a)

Separation pay is given to employees in instances covered by Articles 298 and 299 (formerly Articles 283 and 284) of the Labor Code of the Philippines. An employee's entitlement to separation pay depends on the reason or ground for the termination of his or her services. An employee may be terminated for just cause (i.e., gross and habitual neglect of duty, fraud, or commission of a crime), and other similar causes as enumerated under Article 297 (formerly Article 282) of the Labor Code and, generally, may not be entitled to separation pay.^f On the other hand, where the termination is for authorized causes, separation pay is due.

A. One-Half (1/2) Month Pay per Year of Service

An employee is entitled to receive a separation pay equivalent to one-half (1/2) month pay for every year of service, a fraction of at least six (6) months being considered as one (1) whole year, if his/her separation from the service is due to any of the following authorized causes:

1. Retrenchment to prevent losses (i.e., reduction of personnel effected by management to prevent losses);
2. Closure or cessation of operation of an establishment not due to serious losses or financial reverses; and
3. When the employee is suffering from a disease not curable within a period of six (6) months and his/her continued employment is prejudicial to his/her health or to the health of his/her co-employees.
4. Lack of service assignment of security guard for a continuous period of six (6) months^g

In no case will an employee get less than one (1) month separation pay if the separation is due to the above stated causes.

^a Formerly Articles 283-284 renumbered pursuant to DOLE Department Advisory No. 1, Series of 2015 issued on 21 July 2015.

^f The Supreme Court has ruled in certain cases that separation pay shall be granted the workers.

^g Department Order No. 150 s. 2016 Revised Guidelines Governing the Employment and Working Conditions of Security Guards and Other Private Security Personnel in the Private Security Industry

B. One-Month Pay per Year of Service

An employee is entitled to separation pay equivalent to his/her one-month pay for every year of service, a fraction of at least six (6) months being considered as one whole year, if his/her separation from service is due to any of the following:

1. Installation by employer of labor-saving devices;
2. Redundancy, as when the position of the employee has been found to be excessive or unnecessary in the operation of the enterprise; and
3. Impossible reinstatement of the employee to his or her former position or to a substantially equivalent position for reasons not attributable to the fault of the employer, as when the reinstatement ordered by a competent authority cannot be implemented due to closure or cessation of operations of the establishment/employer, or the position to which he or she is to be reinstated no longer exists and there is no substantially equivalent position in the establishment to which he or she can be assigned.[†]
4. Lack of service assignment of security guard by reason of age^u.

C. Notice of Termination

The employer may terminate the employment of any employee due to the above-mentioned authorized causes by serving a written notice on the employee and the Department of Labor and Employment through its regional office having jurisdiction over the place of business at least one (1) month before the intended date thereof.

D. Basis of Separation Pay

The computation of separation pay of an employee shall be based on his/her latest salary rate.

E. Inclusion of Regular Allowance in the Computation

In the computation of separation pay, it would be error not to integrate the allowance with the basic salary. The salary base properly used in

[†] Gaco vs. NLRC, et al., G.R. No. 104690, February 23, 1994.

^u Department Order No. 150 s. 2016 Revised Guidelines Governing the Employment and Working Conditions of Security Guards and Other Private Security Personnel in the Private Security Industry

computing the separation pay should include not just the basic salary but also the regular allowances that an employee has been receiving.^v

F. Coverage from Income Tax of Separation Pay

Exempted from taxation is the separation pay received by an employee as a result of his/her separation from the service of the employer due to death, sickness or other physical disability or for other cause beyond the control of said employee such as retrenchment, redundancy or cessation of business operations.^w

^v *Planters' Products, Inc. vs. NLRC*, G.R. No. 78524, January 20, 1989.

^w BIR Ruling No. 057-2014; Sec. 32 (B) (6) (b) of the National Internal Revenue Code, as amended.

15

RETIREMENT PAY

(Article 302^x)

A. Coverage

1. Employees shall be retired upon reaching the age of sixty (60) years or more but not beyond sixty-five (65) years old [and have served the establishment for at least five (5) years].
2. This benefit applies to all employees except:
 - 1) government employees;
 - 2) employees of retail, service and agricultural establishments/operations regularly employing not more than ten (10) employees.

B. Amount of Retirement Pay

The minimum retirement pay shall be equivalent to one-half (1/2) month salary for every year of service, a fraction of at least six (6) months being considered as one (1) whole year.

For the purpose of computing retirement pay, "one-half month salary" shall include all of the following:

1. Fifteen (15) days salary based on the latest salary rate;
2. Cash equivalent of five (5) days of service incentive leave;
3. One-twelfth (1/12) of the thirteenth-month pay.
($1/12 \times 365/12 = .083 \times 30.41 = 2.5$)

Thus, "one-half month salary" is equivalent to 22.5 days (*Capitol Wireless, Inc. v. Honorable Secretary Ma. Nieves R. Confesor, G. R. No. 117174, November 13, 1996*).

The COLA shall not be included in the computation of retirement pay.

^x Formerly Article 287 renumbered pursuant to DOLE Department Advisory No. 1, Series of 2015 issued on 21 July 2015.

Illustration:

Minimum Retirement Pay = Daily Rate^y x 22.5 days x number of years in service

Other benefits may be included in the computation of the retirement pay upon agreement of the employer and the employee or if provided in the Collective Bargaining Agreement (CBA).

C. Retirement Benefit under a Collective Bargaining Agreement or Applicable Contract

Any employee may retire or be retired by his or her employer upon reaching the retirement age established in the collective bargaining agreement (CBA) or other applicable agreement/contract and shall receive the retirement benefit granted therein; provided, however, that such retirement benefit shall not be less than the retirement pay required under RA 7641, and provided further that if such retirement benefit under the agreement is lesser, the employer shall pay the difference.

Where both the employer and the employee contribute to a retirement fund pursuant to the applicable agreement, the employer's total contributions and the accrued interest thereof should not be less than the total retirement benefit to which the employee would have been entitled had there been no such retirement benefits' fund. If such total portion from the employer is lesser, the employer shall pay the deficiency.

D. Retirement Benefit of Workers who are Paid by Results

For covered workers who are paid by results and do not have a fixed monthly salary rate, the basis for the determination of the salary for fifteen (15) days shall be their average daily salary (ADS). The ADS is derived by dividing the total salary or earnings for the last twelve months reckoned from the date of retirement by the number of actual working days in that particular period, provided that the determination of rates of payment by results are in accordance with the established regulations.

E. Retirement Benefit of Part-time Workers

Part-time workers are also entitled to retirement pay of "one-half month salary" for every year of service under RA 7641 after satisfying the following conditions precedent for optional retirement: (a) there is no retirement plan between the employer and the employee and (b) the

^y Cebu Institute of Technology vs. Ople, GR No. 58870, Dec. 18, 1987- Existing laws exclude allowances from the basic salary or wage in the computation of the amount of retirement and other benefits payable to an employee.

employee should have reached the age of sixty (60) years, and should have rendered at least five (5) years of service with the employer.

Applying the foregoing principle, the components of retirement benefit of part-time workers may likewise be computed at least in proportion to the salary and related benefits due them.

F. Retirement Benefit of Underground or Surface Mine Employees under Republic Act No. 8558, as amended by Republic Act No. 10757^z

The retirement age of underground or surface mine employees has been reduced to a much lower age. For this purpose, an underground or surface mine employee refers to any person employed to extract mineral deposits underground or in the surface, or to work in excavations or workings such as shafts, winzes, tunnels, drifts, crosscuts, raises, working places whether abandoned or in use beneath or in the earth's surface for the purpose of searching for and extracting mineral deposits. Moreover, surface mine workers shall only include mill-plant workers, electrical, mechanical and tailings pond personnel.

In the absence of a retirement plan or other applicable agreement providing for retirement benefit of underground mine employees in the establishment, an employee may retire upon reaching the compulsory retirement age of sixty (60) years or upon optional retirement at the age of fifty (50) years, provided he/she has served for at least five (5) years as an underground mine employee or in underground mine of the establishment.

G. Retirement Benefit of Racehorse Jockeys

The compulsory retirement age of professional racehorse jockeys who are duly licensed by the Philippine Racing Commission (PHILRACOM) is fifty-five (55) years old, provided that he/she has served for at least five (5) years as racehorse jockey and has paid additional premium to the SSS.

H. Retirement Benefit of *Kasambahay* and Persons in the Personal Service of Another

Kasambahay and persons in the personal service of another are entitled to retirement benefit pursuant to Department Order No. 20 s. 1994^{aa}.

^z An Act Reducing the Retirement Age of Surface Mine Workers from Sixty (60) to Fifty (50) Years, amending for the purpose Article 302 of PD 442, otherwise known as the "Labor Code of the Philippines" which was signed into law on 08 April 2016.

I. Other Benefits upon Retirement

The retirement benefits under RA 7641 and RA 8558 are separate and distinct from those granted by the Social Security System.

Under the law, upon optional or compulsory retirement, the employee is also entitled to the proportionate thirteenth-month pay for the calendar year and to the cash equivalent of accrued leave benefits.

J. Coverage from Income Tax of Retirement Pay

Exempted from taxation are the retirement benefits received under RA 7641 (now Article 302 herein) and those received by officials and employees of private firms, whether individual or corporate, in accordance with a reasonable private benefit plan maintained by the employer: Provided, That the retiring official or employee has been in the service of the same employer for at least ten (10) years and is not less than fifty (50) years of age at the time of his retirement: Provided, further, That the benefits granted under this subparagraph shall be availed of by an official or employee only once.

For purposes herein, the term 'reasonable private benefit plan' means a pension, gratuity, stock bonus or profit-sharing plan maintained by an employer for the benefit of some or all of his officials or employees, wherein contributions are made by such employer for the officials or employees, or both, for the purpose of distributing to such officials and employees the earnings and principal of the fund thus accumulated, and wherein it is provided in said plan that at no time shall any part of the corpus or income of the fund be used for, or be diverted to, any purpose other than for the exclusive benefit of the said officials and employees.^{bb}

^{aa} Department Order No. 20, series of 1994 - Amending Section 2 of RA 7641.

^{bb} Pursuant to Section 32(B)(6)(a) of the National Internal Revenue Code of the Philippines, as amended.

16

BENEFITS UNDER THE EMPLOYEES' COMPENSATION PROGRAM

(PD 626)

A. The Employees' Compensation Program

The Employees' Compensation Program (ECP) is a government program designed to provide a compensation package to public and private sector employees or their dependents in the event of work-related sickness, injury, disability, or death.^{cc}

B. Coverage

1. The ECP covers all workers in the formal sector.
2. Coverage in the ECP starts on the first day of employment.
3. Employees in the private sector who are compulsory members of the Social Security System (SSS)^{dd}, with employer-employee relationship.

C. The Benefits

Loss of income benefit or a cash benefit given to a worker to compensate for lost income due to his or her inability to work.

Medical benefits which include the reimbursement of the cost of medicine for the illness or injury, payments to providers of medical care, hospital care, surgical expenses, and the costs of appliances and supplies where necessary. The medical services are limited to ward services of an accredited hospital.

Rehabilitation services which include physical therapy, vocational training, and special assistance provided to employees who sustain a disability as a result of sickness or injury arising out of employment. The objective is to develop the workers' mental, vocational, and social potential and to help them remain as productive members of society.

^{cc} For more information, please write the Employees' Compensation Commission (ECC), Information and Public Assistance Division located at 355 Sen. Gil Puyat Avenue, Makati City or contact them at Telephone Nos. (02) 8896-7837 or (02) 8899-4251 local 226; facsimile at (02) 8897-7597; or e-mail at info@ecc.gov.ph or complaints@ecc.gov.ph. You may also visit its website at www.ecc.gov.ph.

^{dd} Non-registration of an employee with the SSS is not prejudicial to his/her EC claim in the event that the same has been declared as work-connected. (Art.167 (g) in relation to Art. 168, P.D. No. 626, as amended)

Carer's allowance which is provided to an employee who suffers from a work-connected permanent partial and permanent total disability.^{ee}

Death and Funeral benefits which are granted to beneficiaries of an employee in the event of work-connected death. Death benefits shall also be granted to the beneficiaries in cases where the cause of the employee is a complication or natural consequence of his/ her compensated permanent total disability.^{ff}

D. Kinds of Disability

There are three (3) types of loss of income benefits:

Temporary Total Disability (TTD) benefit which is given to an employee who is unable to work for a continuous period not exceeding 120 days.

Permanent Partial Disability (PPD) benefit which is given to a worker who loses a body part and consequently the loss of the use of that body part.

Permanent Total Disability (PTD) benefit which is given if the employee's inability to work lasts for more than 240 days. PTD benefit can be claimed in the following cases:

1. complete loss of sight of both eyes;
2. loss of two limbs at or above the ankles or wrists;
3. permanent and complete paralysis of two limbs;
4. brain injury resulting in incurable imbecility or insanity; and
5. such cases as determined by the SSS and approved by the Commission.^{gg}

E. Filing of Claims

Employees can claim only for work-connected sickness, injuries, or death.

Who may file: The claimant or his/her representative may file an appropriate claim with the GSIS, in case of public sector claimant, or with the SSS, in case of private sector claimant.

^{ee} Board Resolution No. 90-12-0090, Dec. 20, 1990 in relation to E.O. No. 134, April 23, 2013

^{ff} Board Resolution No. 10-09-116, Sept. 2, 2010 in relation to Art. 194 (b) of P.D. No. 626, as amended

^{gg} Art. 192 (c), (6), P.D. 626, as amended, in relation to Rule IX, Sec. 1 (6), Amended Rules on Employees' Compensation

When: A claim must be filed within three (3) years from:

- a. In case of sickness – from the time the employee lost his earning capacity;
- b. In case of injury – from the time it was sustained;
- c. In case of death – from the time of death of the covered member.^{hh}

How: Fill in the prescribed forms supplied by the GSIS or SSS and attach the supporting documents required for every contingency.

Where to File: All EC claims may be filed by the claimant at his option in the Regional Office/ Branch of the System ([GSIS- public sector]; [SSS-private sector]) nearest to the public place of work or residence.”ⁱⁱ

Period of Appeal. The claimant shall file with the GSIS or the SSS, as the case may be, a notice of appeal within thirty (30) calendar days from receipt of the decision.

F. Obligations/Responsibilities of Employers

1. **Contribution to the State Insurance Fund (SIF).** – The employer shall contribute in behalf of his or her employees to the SIF, from which payments for benefits are drawn.
2. **Registration.** – Every employer (and every employee as well) shall be registered with the GSIS or SSS by accomplishing the prescribed forms.
3. **Safety Devices.** – The employer shall comply with health and safety laws and shall take the necessary precautions for the prevention of work-related disability or death.
4. **Employer’s Logbook.** –
 - All employers shall keep a logbook to record chronologically the sickness, injury or death of their employees, setting forth therein their names, dates and places of the contingency, nature of the contingency and absences.
 - Entries in the logbook shall be made within five (5) days from notice or knowledge of the occurrence of the contingency.

^{hh} ECC Circular No. 03-709, July 22, 2009

ⁱⁱ ECC Board Resolution No. 10-10-157, Oct. 20, 2010

- Within five days after entry in the logbook, the employer shall report to the System only those contingencies he deems to be work-connected.”^{jj}

5. Provision for Medical Services. – In addition to EC benefits, existing medical services being provided by the employer shall be maintained and continued to be enjoyed by their employees.^{kk}

^{jj} Art. 205 [a], P.D. No. 626, as amended

^{kk} Art. 175, P.D. 626, as amended

17

PHILHEALTH BENEFITS

(RA 7875, as amended by RA 9241)

A. The National Health Insurance Program

The National Health Insurance Program (NHIP), formerly known as Medicare, is a health insurance program for SSS members and their dependents whereby the healthy subsidize the sick who may find themselves in need of financial assistance when they get hospitalized.

The Philippine Health Insurance Corporation^{II} or PhilHealth is the mandated administrator of the Medicare program (now known as NHIP) under the National Health Insurance Act of 2013 (Republic Act 7875 as amended by RA 9241 and 10606)

B. Coverage

The program covers the following:

1. **Members in the Formal Economy** - includes those with formal contracts and fixed terms of employment including workers in the government and private sector, whose premium contribution payments are equally shared by the employee and the employer.
2. **Sponsored Members** - includes members whose contributions are being paid for by another individual, government agencies, or private entities.
3. **Members in the Informal Economy** - includes a wide range of individuals and sectors ranging from the self-earning to migrant workers.
4. **Lifetime Members** - members who have reached the age of retirement under the law and have paid at least 120 monthly premium contributions.

^{II} For inquiries on NHIP coverage, benefits and procedures for SSS members, you may visit the Philippine Health Insurance Corporation (PhilHealth) at the Citystate Centre Bldg., 709 Shaw Blvd., Barangay Oranbo, Pasig City, call its Hotline at (02) 8441-7442, send a message through its textline number at +63 917-898-7442, or e-mail at actioncenter@philhealth.gov.ph. You may also visit the PhilHealth website at <https://www.philhealth.gov.ph/>

5. **Indigent Members** - persons who have no visible means of income, or whose income is insufficient for family subsistence, as identified by the Department of Social Welfare and Development (DSWD), based on specific criteria.
6. **Senior Citizens** - those who are 60 years old and above and are not currently covered by any of the existing membership categories of PhilHealth.

C. The Benefits

A unified benefit package for all PhilHealth members is being implemented which includes the following categories of personal health services:

1. Inpatient hospital care:

- Room and board;
- Services of health care professionals;
- Diagnostic, laboratory, and other medical examination services;
- Use of surgical or medical equipment and facilities;
- Prescription drugs and biologicals, subject to the limitations stated in Section 37 of RA 7875; and
- Inpatient education packages.

2. Outpatient care:

- Services of health care professionals;
- Diagnostic, laboratory, and other medical examination services;
- Personal preventive services;
- Prescription drugs and biologicals, subject to the limitations described in Section 37 of RA 7875; and
- Emergency and transfer services.

**The New PhilHealth Inpatient Benefit Schedule
Effective April 5, 2009**

HOSPITAL CATEGORIES

Level 1 Hospitals (Primary)

Benefit Item	Case Type	
	A	B
Room and Board*	₱300/day	₱300/day
Drugs and Medicines**	₱2,700	₱ 9,000
X-ray, Laboratory and Others**	₱1,600	₱ 5,000
Operating Room	₱500	
Professional Fees		
a. Daily visits		
General Practitioner (Groups 1, 5, and 6)		
Per Day	₱300	₱400
Maximum per confinement	₱1,200	₱2,400
Specialist (Groups 2, 3, and 4)		
Per Day	₱500	₱600
Maximum per confinement	₱2,000	₱3,600
b. Surgery (for Case Types A and B)		
	Surgeon	Anesthesiologist
General Practitioner First Tier (Group 1)	RVU x PCF 40 = PF1	40% of surgeon's fee (PF1)
With training Second Tier (Groups 5 and 6)	RVU x PCF 48 = PF2	48% of surgeon's fee (PF1)
Diplomate/fellow Third Tier (Groups 2, 3, and 4)	RVU x PCF 56 = PF3	56% of surgeon's fee (PF1)
	Max. of ₱2,000 per confinement	Max. fee computed as percentage of ₱2,000

Level 2 Hospitals (Secondary)

Benefit Item	Case Type		
	A	B	C
Room and Board*	₱ 400/day	₱ 400/day	₱ 600/day
Drugs and Medicines**	₱ 3,360	₱ 11,200	₱ 22,400
X-ray, Laboratory and Others**	₱ 2,240	₱ 7,350	₱ 14,700
Operating Room	For procedures with RVU 30 & below = ₱750		
	For procedures with RVU 31 to 80 = ₱1,200		
	For procedures with RVU 81 to 600 RVU x PCF 15		
	(Minimum = ₱2,200 and Maximum = ₱7,500)		

Level 2 Hospitals (Secondary)				
Benefit Item	Case Type			
	A	B	C	
Professional Fees				
a. Daily visits				
General Practitioner (Groups 1, 5, and 6)				
Per Day	P300	P400	P500	
Maximum per confinement	P1,200	P2,400	P4,000	
Specialist (Groups 2, 3, and 4)				
Per Day	P500	P600	P700	
Maximum per confinement	P2,000	P3,600	P5,600	
b. Surgery (for Case Types A, B and C)				
	Surgeon		Anesthesiologist	
General Practitioner First tier (Group 1)	RVU x PCF 40 = PF1 Maximum of P3,200		40% of surgeon's fee (PF1) Maximum of P1,280	
With training Second tier (Groups 5 and 6)	RVU x PCF 48 = PF2		48% of surgeon's fee (PF1)	
Diplomate/fellow Third tier (Groups 2, 3, and 4)	RVU x PCF 56 = PF3		56% of surgeon's fee (PF1)	
Levels 3 & 4 Hospitals (Tertiary)				
Benefit Item	Case Type			
	A	B	C	D
Room and Board*	P500/day	P500/day	P800/day	P1,100/day
Drugs and Medicines**	P 4,200	P 14,000	P 28,000	P 40,000
X-ray, Lab. and Others**	P 3,200	P 10,500	P 21,000	P 30,000
Operating Room	For procedures with RVU 30 & below = P1,200			
	For procedures with RVU 31 to 80 = P1,500			
	For procedures with RVU 81 to 600: RVU x PCF 20 (Minimum = P3,500)			
Professional Fees				
a. Daily visits				
General Practitioner (Groups 1, 5, and 6)				
Per Day	P300	P400	P500	P600
Maximum per confinement	P1,200	P2,400	P4,000	P6,000

*Maximum of 45 days per year.

** per single period of confinement.

Levels 3 & 4 Hospitals (Tertiary)				
Benefit Item	Case Type			
	A	B	C	D
Specialist (Groups 2, 3, and 4)				
Per Day	P500	P600	P700	P800
Maximum per Confinement	P2,000	P3,600	P5,600	P8,000
b. Surgery	For RVU 500 and below		For RVU 501 and above	
	Surgeon	Anesthesiologist	Surgeon	Anesthesiologist
General Practitioner <i>First Tier</i> (Group 1)	RVU x PCF 40 = PF1 Max. of P3,200	40% of surgeon's fee (PF1) Max. of P1,280	RVU x PCF 40 = PF1 Max. of P3,200	40% of surgeon's fee (PF1) Max. of P1,280
With training <i>Second Tier</i> (Groups 5 and 6)	RVU x PCF 48 = PF2	48% of surgeon's fee (PF1)	RVU x PCF 48 = PF2	48% of surgeon's fee (PF1)
Diplomate/fellow <i>Third Tier</i> (Groups 2, 3, and 4)	RVU x PCF 56 = PF3	56% of surgeon's fee (PF1)	RVU x PCF 80 = PF4	40% of surgeon's fee (PF4)

<p>The following are also included in your PhilHealth benefits:</p> <ul style="list-style-type: none"> • Outpatient Malaria Package starting 01 December 2008 • Normal Spontaneous Delivery up to fourth childbirth starting 01 January 2009 • Voluntary Surgical Contraception Procedures starting 01 October 2008 • Cataract Package starting 01 May 2009 • A(H1N1) Package starting 01 May 2009 	<p>Additional Update</p> <ul style="list-style-type: none"> • In compliance to PhilHealth Circular Nos. 22, s. 2007 and 11, s. 2008, the hospital's Statement of Account (SA) or Billing Statement (BS) should be attached to a claim application. • No need to attach an SA or BS to claim applications for packages like Maternity Care Package, SARS, Peritoneal Dialysis, and Avian Flu.
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18

SOCIAL SECURITY BENEFITS

(RA 1161, as amended by RA 11199)

A. The Social Security Program

The Social Security Program provides a package of benefits in the event of death, disability, sickness, maternity, old age, and unemployment. Basically, the Social Security System (SSS) provides for a replacement of income lost on account of the aforementioned contingencies.^{mm}

B. Coverage

A private employee, whether permanent, temporary or provisional.

C. The Benefits

C.1 Sickness

The sickness benefit is a daily cash allowance paid for the number of days a member is unable to work due to sickness or injury.

A member is qualified to avail himself/herself of this benefit if:

1. He/she is unable to work due to sickness or injury and is confined either in a hospital or at home for at least four (4) days;
2. He/she has paid at least three (3) monthly contributions within the 12-month period immediately before the semester of sickness or injury;
3. He/she has used up all company sick leaves with pay for the current year; and
4. He/she has notified his/her employer.

The amount of the member's Sickness Benefit Allowance is equivalent to ninety percent (90%) of his/her average daily salary credit (ADSC).

^{mm} For inquiries on SSS benefits and other related matters, you may visit the **Social Security System (SSS)** at the SSS Building, East Avenue, Diliman, Quezon City or its nearest branch office, or contact them at (02) 8920-6401 (trunkline), (02) 8920-6446 to 55 (SSS Call Center), (02) 7917-7777 (IVRS), 1-800-10-2255777, or e-mail at member_relations@sss.gov.ph. You may also visit its website at www.sss.gov.ph.

The Sickness Benefit is granted up to a maximum of 120 days in a calendar year.

C.2. Maternity (see Title #8. **Maternity Leave on page 27**)

C.3. Disability

It is a cash benefit paid granted to a member who becomes permanently disabled, either partially or totally.

A member who suffers partial or total permanent disability with at least one (1) contribution paid to the SSS prior to the semester of contingency is qualified to avail the benefit.

The complete and permanent loss of/use of any of the following parts of the body under permanent partial disability and its number of months are as follows:

one thumb - 10	sight of one eye - 25	one big toe - 6
one index finger - 8	hearing of one ear - 10	one hand - 39
one middle finger - 6	hearing of both ears - 50	one arm - 50
one ring finger - 5	one foot - 31	one ear - 10
one little finger - 3	one leg - 46	both ears - 20

The following fall under permanent total disability:

1. Complete loss of sight of both eyes;
2. Loss of two limbs at or above the ankle or wrists;
3. Permanent complete paralysis of two limbs;
4. Brain injury causing insanity; and
5. Other cases as determined and approved by the SSS and/or Commission.

Types of disability benefits:

1. Monthly pension is paid to a disabled member who has paid at least 36 monthly contributions to the SSS; or
2. Lump sum amount is granted to those with less than 36 monthly contributions.

C.4. Retirement

It is a cash benefit granted to a member who can no longer work due to old age.

A member who has paid at least 120 monthly contributions to the SSS prior to the semester of retirement is qualified to receive a monthly pension of lifetime cash benefit if:

- a. He/she is at least 60 years old and separated from employment or ceased to be self-employed/OFW/household worker (optional retirement).
- b. He/she is at least 65 years old, whether employed/self-employed, working as OFW/household helper or not (technical retirement).
- c. He/she is a surface or underground mineworker and is:
 - i. At least 55 years old (optional retirement) or at least 60 years old (technical retirement) whose date of actual retirement is not earlier than March 13, 1998 but not later than April 26, 2016 or at least 50 years old (optional retirement) or at least 60 years old (technical retirement) whose date of actual retirement is not earlier than April 27, 2016; and
 - ii. He/she must have been working as surface or underground mineworker for at least five (5) years, either continuous or accumulated, prior to the semester of retirement.
- d. He/she is a racehorse jockey and is:
 - i. At least 55 years old (technical retirement) and whose date of actual retirement is not earlier than May 24, 2016;
 - ii. He/she must have been employed and certified as racehorse jockey by his employer, who must be duly licensed by the Philippine Racing Commission (PHILRACOM)
 - iii. He/she must have been working as a racehorse jockey for at least five (5) years, either continuous or accumulated, prior to the semester of retirement.

If the member has less than 120 contributions, the member shall be entitled to a lump sum equivalent to the contributions paid by him/her or on his/her behalf. However, the member has the option to continue paying contributions to complete the 120 months to become eligible for monthly pension.

C.5. *Death*

It is a cash benefit granted to the beneficiaries of a deceased member.

The primary beneficiaries are the legitimate dependent spouse until he or she remarries and legitimate, legitimated, legally adopted or illegitimate dependent children of the member. In the absence of primary

beneficiaries, the secondary beneficiaries are the dependent parents of the member. In their absence, the person designated by the member as beneficiary in his/her member's record will be the recipient.

For primary beneficiaries to be entitled to monthly pension, deceased member must have paid at least 36 monthly contributions prior to the semester of death. If with less than 36 monthly contributions prior to the semester of death, a lump sum amount is granted to the primary beneficiaries.

Secondary/designated beneficiaries and legal heirs are entitled to lump sum benefit only regardless of the number of contributions paid by the member.

C.6. Funeral

It is a cash benefit given to whoever paid for the funeral expenses of the deceased member.

To be qualified for the benefit, the employee-member must have been:

- a. Reported for coverage by his/her employer; or
- b. Subject to compulsory coverage but was not reported for covered by his/her employer.

C.7. Unemployment (also known as involuntary separation benefit)

It is a cash benefit granted to covered employees, including *Kasambahay* and OFWs who are involuntary separated from employment (e.g. due to retrenchment or downsizing, closure or cessation of operation, installation of labor-saving devices, redundancy, etc.)

19

PAG-IBIG BENEFITS

(Republic Act No. 9679)

A. The Home Development Mutual Fund (HDMF)

The Home Development Mutual Fund, otherwise known as Pag-IBIG (*Pagtutulungan sa kinabukasan: Ikaw, Bangko, Industriya at Gobyerno*) Fund is a mutual provident savings system for private and government employees and other earning groups, supported by matching mandatory contributions of their respective employers with housing as the primary investment.ⁿⁿ

B. Coverage

I. Mandatory Membership

- All employees who are or ought to be covered by the Social Security System (SSS), provided that actual membership in the SSS shall not be a condition precedent to the mandatory coverage in the Fund. It shall include, but are not limited to:
 - A private employee, whether permanent, temporary, or provisional who is not over sixty (60) years old;
 - A household helper earning at least ₱1,000.00 a month. A household helper is any person who renders domestic services exclusively to a household such as a driver, gardener, cook, governess, and other similar occupations;
 - A Filipino seafarer upon the signing of the standard contract of employment between the seafarer and the manning agency, which together with the foreign ship owner, acts as the employer;
 - A self-employed person regardless of trade, business or occupation, with an income of at least ₱1,000.00 a month and not over sixty (60) years old;
 - An expatriate who is not more than sixty (60) years old and is compulsorily covered by the Social Security System (SSS), regardless of citizenship, nature and duration of employment, and

ⁿⁿ For inquiries, letters may be sent to Members Relations Department (MRD), 2nd Flr, JELP Business Solution Center, 409 Shaw Boulevard, Brgy. Addition Hills, Mandaluyong City, or you may call its Hotline at (02) 8724-4244 or email at publicaffairs@pagibigfund.gov.ph. You may also send your letters directly to the concerned Pag-IBIG Branch or Department, addressed to the Office of the Manager.

the manner by which the compensation is paid. In the absence of an explicit exemption from SSS coverage, the said expatriate, upon assumption of office, shall be covered by the Fund.

An expatriate shall refer to a citizen of another country who is living and working in the Philippines.

- All employees who are subject to mandatory coverage by the Government Service Insurance System (GSIS), regardless of their status of appointment, including members of the judiciary and constitutional commissions;
- Uniformed members of the Armed Forces of the Philippines, the Bureau of Fire Protection, the Bureau of Jail Management and Penology, and the Philippine National Police;
- Filipinos employed by foreign-based employers, whether they are deployed here or abroad or a combination thereof.

II. Voluntary Membership

An individual at least 18 years old but not more than 65 years old may register with the Fund under voluntary membership. However, said individual shall be required to comply with the set of rules and regulations for Pag-IBIG members including the amount of contribution and schedule of payment. In addition, they shall be subject to the eligibility requirements in the event of availment of loans and other programs/benefits offered by the Fund.

The following shall be allowed to apply for voluntary membership:

- Non-working spouses who devote full time to managing the household and family affairs, unless they also engage in another vocation or employment which is subject to mandatory coverage, provided the employed spouse is a registered Pag-IBIG member and consents to the Fund membership of the non-working spouse;
- Filipino employees of foreign government or international organization, or their wholly-owned instrumentality based in the Philippines, in the absence of an administrative agreement with the Fund;
- Employees of an employer who is granted a waiver or suspension of coverage by the Fund under RA 9679;
- Leaders and members of religious groups;
- A member separated from employment, local or abroad, or ceased to be self-employed but would like to continue paying his/her personal contribution. Such member may be a pensioner, investor, or any other individual with passive income or allowances;
- Public officials or employees who are not covered by the GSIS such as Barangay Officials, including Barangay Chairmen, Barangay Council Members, Chairmen of the Barangay Sangguniang Kabataan, and Barangay Secretaries and Treasurers;

- Such other earning individuals/groups as may be determined by the Board by rules and regulations.

C. The Benefits

The Fund offers its members the following benefits:

1. **Savings or Provident Savings Program** is a fast, easy and affordable way for a member to save for his future needs. The contributions that a member makes together with the employer counterpart are credited to his Total Accumulated Value (TAV). A member contributing two percent of his monthly compensation doubles his savings immediately with the addition of the employer counterpart contribution. Meanwhile, a member contributing one percent of his monthly compensation triples his savings as the employer counterpart remains at two percent. Aside from being fully guaranteed by the national government, members' contributions are deducted from the gross income prior to computation of the income tax. Members' savings earn annual dividends that are also tax-free. The dividend rate varies depending on the net income of the Fund at yearend.
2. **Short-Term Loan Programs** are meant to provide assistance to its members, provided they are active and have made at least 24 monthly contributions. There are two short-term loan programs that a member may avail of when the need arises. The Multi-Purpose Loan Program was designed to help finance members' immediate medical, educational or livelihood needs; minor home improvement, purchase of appliance and furniture, and other related needs. Meanwhile, the Calamity Loan Program is extended to members who have been affected by a recent calamity, as proven by a declaration of calamity in their area of residence.
3. **Housing Programs** that an eligible member may avail of in the form of housing loans are either the End-User Financing Program or the *Magaang Pabahay, Disenteng Buhay* Program. Under the End-User Financing Program, a member may avail of a loan to finance any of the following (Circular 247):
 - a. Purchase of a fully developed lot not exceeding one 1,000 square meters, which should be within a residential area;
 - b. Purchase of a residential house and lot, townhouse or condominium unit, inclusive of a parking slot. The unit may be:

- Old or brand new;
- A property mortgaged with the Fund; or
- An acquired asset, which is disposed of through sealed public bidding, negotiated sale, or the Rent-to-Own Program.

c. Construction or completion of a residential unit on a lot owned by the member;

d. Home improvement, i.e. any alteration in an existing residential unit intended by a homeowner to be a permanent integral part of the property, which will enhance its durability and material value;

e. Refinancing of an existing mortgage with an institution acceptable to the Fund, provided that:

- The loan is not in default within the 12 months prior to the date of application;
- The said loan has a repayment history of at two years with the original mortgagee.

f. Combination of loan purposes, which shall be limited to the following:

- Purchase of a fully developed lot not exceeding 1,000 square meters and construction of a residential unit thereon;
- Purchase of a residential unit, whether old or new, with home improvement;
- Refinancing of an existing mortgage with home improvement;
- Refinancing of an existing mortgage, specifically a lot loan, with construction of a residential unit thereon.

Under the *Magaang Pabahay, Disenteng Buhay* Program, a qualified member may purchase an acquired asset of the Fund either in cash or through a housing loan at very reasonable prices. A buyer who purchases an acquired asset in cash is entitled to a 20% discount on the property's sales price, while a buyer who purchases through a housing loan is entitled to a 15% discount on the property's sales price.

To qualify for a Pag-IBIG housing loan, a member must satisfy the following requirements:

- a. Must be a member under the Pag-IBIG I for at least 24 months, as evidenced by the remittance of at least 24 monthly contributions at the time of loan application.
- b. Not more than 65 years old at the date of loan application and must be insurable; provided further that he is not more than 70 years old at loan maturity;
- c. Has the legal capacity to acquire and encumber real property;
- d. Has passed satisfactory background/credit and employment/business checks conducted by the developer and the Pag-IBIG Fund;

- e. Has no outstanding Pag-IBIG housing loan, either as a principal borrower or co-borrower;
- f. Has not availed of a Pag-IBIG housing loan that was foreclosed, cancelled, bought back due to default, or subjected to *dacion en pago*, which shall include cases where the borrower is no longer interested to pursue the loan and surrenders the property;
- g. May have an outstanding Pag-IBIG multi-purpose loan but which is updated in payments at the time of loan application. A member whose multi-purpose loan is in arrears shall be required to pay his arrears over the counter to update his account.

D. Monthly Contribution

The monthly contributions for the members are below indicated:

Monthly Compensation	Employee Share	Percentage of Monthly Compensation Employer Share
P1,500 and below	1%	2%
Over P1,500	2%	2%

The maximum monthly compensation used in computing the employee contributions is currently set at ₱5,000. This means that the maximum member contribution and employer counterpart per month are both currently ₱100.

Directory of DOLE Regional Offices

<p style="text-align: center;">National Capital Region (NCR) DOLE-NCR Building, 967 Maligaya, Malate, Manila, 1004 Tel. #: (02) 8400-6242, (02) 8400-3918, (02) 8400-6241 Telefax: (02) 8400-6242 E-mail: dolencr2008@gmail.com</p>	<p style="text-align: center;">Cordillera Administrative Region (CAR) Cabinet Hill, Baguio City 2600 Tel. #: (074) 443-5339, (074) 424-0824, (074) 442-2447 E-mail: dolecar88@pldtdsl.net, dolecar88@yahoo.com, car@dole.gov.ph</p>
<p style="text-align: center;">Region I Parammata Building B, Biday, San Fernando City, La Union 2500 Tel. #: (072)607-9981, (072)607-8114, (072)888-0302, (072)888-0047 E-mail: dole_ro1@yahoo.com</p>	<p style="text-align: center;">Region II Regional Government Center, Carig Sur, Tuguegarao City, Cagayan 3500 Tel. #: (078) 304-5085, (078) 304-5085 E-mail: ro2@dole.gov.ph, dolero2@gmail.com</p>
<p style="text-align: center;">Region III Diosdado Macapagal Regional Government Center, Barangay Maimpis, City of San Fernando, Pampanga 2000 Tel. #: (045) 455-1619 Telefax: (045) 455-1613, (045) 455-1614. (045) 861-4383 E-mail: dolero3@gmail.com, ordro3@gmail.com</p>	<p style="text-align: center;">Region IV-A CALABARZON 3/F & 4/F, Andenson Bldg. II, Parian, Calamba City, Laguna 4027 Tel. #: (049) 545-7360 Telefax: (049) 545-7357 E-mail: dolero4a@gmail.com</p>
<p style="text-align: center;">Region IV-B MIMAROPA 3/F Confil Bldg. Roxas Drive cor. Sampaquita St., Lumangbayan, Calapan City, Oriental Mindoro Tel. #: (043) 288-2078 Telefax: (043) 288-2080 E-mail: doleregion4b@yahoo.com</p>	<p style="text-align: center;">Region V Doña Aurora St., Old Albay, Legaspi City 4500 Tel. #: (052) 481-0768 E-mail: ro5dole@yahoo.com</p>
<p style="text-align: center;">Region VI Swan Rose Bldg., Commission Civil St., Jaro, Iloilo City 5000 Tel. #: (033) 320-8026, (033) 509-0400 E-mail: doleregion6@yahoo.com</p>	<p style="text-align: center;">Region VII 3rd & 4th Flr., DOLE-RO7 Bldg. Gen. Maximil Ave. corner Gorordo Ave., Cebu City Tel. #: (032) 266-9722 & Telefax: (032)-416-6167 E-mail: dole_centralvisayas@yahoo.com, ro7@dole.gov.ph</p>
<p style="text-align: center;">Region VIII DOLE Compound, Trece Martires St., Tacloban City 6500 Tel. #: (053) 325-6293 Telefax: (053) 523-4220 E-mail: ro8@dole.gov.ph, doletacloban@yahoo.com</p>	<p style="text-align: center;">Region IX 3/F, QNS Bldg., Veterans. Avenue Extension, Tumaga Road, Zamboanga City 7000 Tel. #: (062) 993-1754 Telefax: (062) 991-2673 E-mail: dole9record@yahoo.com</p>
<p style="text-align: center;">Region X Trinidad Building, Corrales-Yacapin Street, Cagayan de Oro City 9000 Telefax: (088) 858-1658 E-mail: dole10.imsd@gmail.com</p>	<p style="text-align: center;">Region XI 4/F AMQ Bldg., Corner Dacudao Ave. and Lakandula St., Agdao, Davao City 8000 Tel. #: (082) 227-4289, (082) 227-3157, (082) 226-2481 E-mail: dole11regionaloffice@gmail.com</p>
<p style="text-align: center;">Region XII 102 Acepal Bldg., Mabini Extension, Koronadal City, South Cotabato 9506 Tel. #: (083) 228-2190 Telefax: (083)228-2190, (083)520-0125 E-mail: dole12.ro@gmail.com</p>	<p style="text-align: center;">Region XIII Caraga Regional Office Nimfa Tiu Bldg., JP Rosales Ave. Butuan City 8600 Tel. #: (085) 817-2358 Telefax: (085) 342-9503 E-mail: dolecaraga13@gmail.com</p>

Directory of DOLE-NCR Field Offices

<p>CAMANAVA Field Office (CFO) 5/F Araneta Square Center, Monumento Circle, Caloocan City 1400 Tel. #: (02) 8282-1842, (02) 8283-5044 Telefax: (02) 8367-3188 Email: dole_camanava@yahoo.com <i>Jurisdiction: Cities of Caloocan, Malabon, Navotas, and Valenzuela</i></p>	<p>MUNTAPARLAS Field Office (MFO) 3/F Valenzuela Building, No. 263 Alabang- Zapote Road, Pamplona, Las Piñas City Tel. #: (02) 8815-0086, (02) 8808-6165 Telefax: (02) 8808-0422 Email: mtpifo@yahoo.com <i>Jurisdiction: Cities of Muntinlupa, Taguig, Parañaque, and Las Piñas</i></p>
<p>Manila Field Office (MFO) 4/F DY International Bldg., 1650 General Malvar cor. San Marcelino, Malate, Manila 1650 Tel. #: (02) 8244-1532, (02) 8244-1318 Telefax: (02) 5302-9269, (02) 5302-9270 Email: dolencr_wawd@yahoo.com</p>	<p>PAPAMAMARISAN Field Office (PFO) 4/F Rudgen Bldg. II, 317 Shaw. Blvd., Pasig City 1600 Tel. #: (02) 8477-3630 Telefax: (02) 8534-3893 Email: papamamarisan@yahoo.com <i>Jurisdiction: Cities of Pasig, Pateros, Mandaluyong, Marikina, and San Juan</i></p>
<p>Makati-Pasay Field Office (MPFO) 2/F, ECC Building, Sen Gil Puyat Avenue Extension, Makati City 1200 Tel. #: (02) 8772-8210, (02) 8800-7211 Telefax: (02) 8800-7211, (02) 8336-5062 Email: dolencrmpfo@yahoo.com</p>	<p>Quezon City Field Office (QCFO) 4/F, Arcadia Bldg. Quezon Avenue Quezon City 1100 Tel. #: (02) 8921-4973 Telefax: (02) 8376-5983 Email: dolencrcqco@yahoo.com</p>

**For inquiries, please call DOLE Hotline at 1349
or the DOLE Regional Office having jurisdiction
over the workplace of the employee.**

The BWC

The Bureau of Working Conditions (BWC) is responsible for the formulation and development of labor standards in the areas of hours of work, occupational safety and health, and other conditions of employment.

In May 1982, the Bureau of Labor Standards, which was created in June 1957 under Reorganization Plan No. 20-A, was renamed the Bureau of Working Conditions. The BWC performs all functions in relation to the formulation of policies and enforcement of labor standards performed by the then Wage Administrative Service and the Industrial Safety Division of the Bureau of Labor.

Vision

The Bureau of Working Conditions envisions well-guided employers and workers committed to a safe, healthful, and productive work environment, adaptive to industry trends and developments, and equitably enjoying the gains of joint endeavors.

Mission

- To formulate policies and initiate legislations on labor standards, based on relevant information culled from monitoring, consultations, networking, and researches.
- To standardize the use of enforcement instruments and to clothe the inspectorate system with strong enforcement authority to ensure compliance with laws and regulations.
- To develop and sustain the capability of enterprises toward self-management of safety and health in workplaces, thus, upholding the principle of shared responsibility between workers and employers.
- To enhance the capability of small enterprises in implementing practical and efficient methods of improving working conditions and productivity.
- To inform and advise the public on labor standards, including occupational safety and health, and on innovative work practices or arrangements.



Bureau of Working Conditions

 3rd Flr., DOLE Building, Muralla St.,
Intramuros, Manila, Philippines

 www.bwc.dole.gov.ph

 fb.com/bwc1949

 DOLE Hotline 1349