



LABOR ADVISORY NO. 12
Series of 2023

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**Payment of Wages for the Regular Holiday
on May 01, 2023 (Labor Day)**

Pursuant to Proclamation No. 42, Series of 2022, as amended by Proclamation No. 90, Series of 2022, the following pay rules shall apply:

1. If the employee does not work, the employer shall pay 100% of the employee's wage for that day, provided that the employee reports to work or is on leave of absence with pay on the day immediately preceding the regular holiday. Where the day immediately preceding the regular holiday is a non-working day in the establishment or the scheduled rest day of the employee, he or she shall be entitled to holiday pay if the employee worked or was on leave of absence with pay on the day immediately preceding the non-working day or rest day (*Basic wage x 100%*);
2. For work done during the regular holiday, the employer shall pay a total of 200% of the employee's wage for that day for the first eight hours (*Basic wage x 200%*);
3. For work done in excess of eight hours, the employer shall pay the employee an additional 30% of the hourly rate on said day (*Hourly rate of the basic wage x 200% x 130% x number of hours worked*);
4. For work done during a regular holiday that also falls on the employee's rest day, the employer shall pay the employee an additional 30% of the basic wage of 200% (*Basic wage x 200% x 130%*); and
5. For work done in excess of eight hours during a regular holiday that also falls on the employee's rest day, the employer shall pay the employee an additional 30% of the hourly rate on said day (*Hourly rate of the basic wage x 200% x 130% x 130% x number of hours worked*).

Be guided accordingly.


BIENVENIDO E. LAGUESMA
Secretary

17 April 2023

Dept. of Labor & Employment
Office of the Secretary

