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LABOR ADVISORY NO. 23
Series of 2023

**GUIDELINES ON MINIMUM PUBLIC HEALTH STANDARDS IN WORKPLACES
RELATIVE TO THE LIFTING OF THE STATE OF PUBLIC HEALTH EMERGENCY
DUE TO COVID-19**

Pursuant to Article 5 of the Labor Code of the Philippines, as renumbered, and Republic Act No. 11058 and its implementing rules and regulations, and in relation to Proclamation No. 297 issued by President Ferdinand R. Marcos, Jr. on 21 July 2023, and DOH Department Circular No. 2023-0324, the following guidelines are hereby issued:

I. COVERAGE

This Advisory shall cover all employers and employees in the private sector.

II. SHARED RESPONSIBILITY IN ENSURING SAFE AND HEALTHY WORKING CONDITIONS

Employers and employees have a shared responsibility to ensure safe and healthy working conditions in accordance with the provisions of the Labor Code, as renumbered, and Republic Act No. 11058 and their implementing rules and regulations.

The Safety and Health Committee shall review, evaluate, and update their occupational safety and health program by conducting hazard identification, risk assessment, and control, including regular health and medical surveillance and referral mechanism to the nearest health service provider.

To further ensure safe and healthy working conditions, employers shall promote vaccination among all employees, including contractors' deployed workers, and their families. However, any employee who refuses or fails to get vaccinated shall not be discriminated against in terms of tenure, promotion, training, pay, and other benefits, among others, or terminated from employment. No vaccine, no work policy shall not be allowed. Employers shall also ensure the availability of workplace sanitation and hygiene facilities.

Employers and employees shall be guided by the protocols on masking, good hygiene, frequent handwashing and sanitation, observance of physical distancing, good ventilation, quarantine, isolation, and vaccination pursuant to DOH Department Circular No. 2023-0324. The cost of preventive and control measures for workplace illnesses and diseases, including the cost of vaccines, shall be borne by the employer.

III. EMPLOYEES' BENEFITS

Employers and employees may agree to the provision of sick leave benefit, access to medical insurance coverage, any assistance during isolation, paid leave for vaccination, and other benefits unless there is a more favorable existing company policies, rules, regulations, and provisions of the collective bargaining agreement.

IV. REPORTORIAL REQUIREMENTS

Employers, through their occupational safety and health personnel, shall:

- a. Submit the Work Accident and Injuries Report monthly through the Establishment Reporting System (<https://reports.dole.gov.ph>) in compliance with DOLE Labor Advisory 7, Series of 2022 and the Annual Medical Report to the DOLE Regional/Provincial/Field Office having jurisdiction over the establishment in accordance with Rule 1965 of the Occupational Safety and Health Standards; and
- b. Report COVID-19-positive cases to the Local Government Units in accordance with DOH Administrative Order No. 2020-0013 (Revised Guidelines for the Inclusion of COVID-19 in the List of Notifiable Diseases for Mandatory Reporting to the Department of Health).

V. ISSUANCES DURING THE STATE OF PUBLIC HEALTH EMERGENCY

All issuances listed in Annex A that were effective only during the State of Public Health Emergency and other issuances inconsistent herewith are hereby withdrawn, revoked, or cancelled.

Be guided accordingly.


BIENVENIDO E. LAGUESMA
Secretary

 Department of Labor and Employment
Office of the Secretary



20 September 2023

Annex A

Labor Advisories

1. Labor Advisory No. 04, Series of 2020 - Guidelines on 2019 Novel Coronavirus (nCov) Prevention and Control at the Workplace
2. Labor Advisory No. 09, Series of 2020 - Guidelines on the Implementation of Flexible Work Arrangements as Remedial Measure due to the Ongoing Outbreak of Coronavirus Disease 2019 (COVID-19)
3. Labor Advisory No. 11, Series of 2020 - Supplemental Guidelines Relative to Remedial Measures in view of the Ongoing Outbreak of Coronavirus Disease 2019 (COVID-19)
4. Labor Advisory No. 14, Series of 2020 - Clarification on the Non-Inclusion of the One-Month Enhanced Community Quarantine Period on the Six-Month Probationary Period
5. Labor Advisory No. 14-A, Series of 2020 - Supplemental Guidelines on the Non-Inclusion of the Community Quarantine Period in the Six-month Probationary Period
6. Labor Advisory No. 17, Series of 2020 - Guidelines on Employment Preservation upon the Resumption of Business Operation
7. Labor Advisory No. 18, Series of 2020 - Guidelines on the Cost of COVID-19 Prevention and Control Measures
8. Labor Advisory No. 21, Series of 2020 - Guidelines on the Verification of the Qualifications of Private Health Workers and or their Beneficiaries on the Grant of Compensation
9. Labor Advisory No. 31, Series of 2020 - Payment of Deferred Holiday Pay During the National Emergency Arising from the COVID-19 Situation
10. Labor Advisory No. 03, Series of 2021 - Guidelines on the Administration of COVID-19 Vaccines in the Workplace
11. Labor Advisory No. 08, Series of 2021 - Promotion of Covid-19 Vaccination in the Private Sector
12. Labor Advisory No. 01, Series of 2022 - Isolation and Quarantine Leaves of Employees in the Private Sector
13. Labor Advisory No. 05, Series of 2022 - Guidelines on the Payment of Wages for Employees in the Private Sector Covered in the National COVID-19 Vaccination Day (NVD)
14. Labor Advisory No. 10, Series of 2022 - Guidelines on the Administration of COVID-19 Vaccine Booster Doses for Employees in the Private Sector
15. Labor Advisory No. 18, Series 2022 - COVID-19 Prevention, Control and Reporting Protocols in the Workplace
16. Labor Advisory No. 24, Series of 2022 - Guidelines on the Administration of COVID-19 Vaccine Doses for Private Sector Employees on Special Vaccination Days
17. Labor Advisory No. 22, Series of 2022 - Guidelines on the Voluntary Wearing of Face Masks in Workplaces