



Republic of the Philippines
Judicial and Bar Council
Manila

**ALTERNATIVE WORK ARRANGEMENTS AND HEALTH PROTOCOLS IN
RESPONSE TO THE CORONAVIRUS DISEASE PANDEMIC DURING
COMMUNITY QUARANTINE**

On 8 March 2020, His Excellency President Rodrigo R. Duterte issued Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines by reason of the increasing number of Coronavirus disease (COVID-19) positive cases.

An Enhanced Community Quarantine (ECQ) throughout Luzon was implemented beginning the midnight of 16 March 2020 until 12 April 2020, and was extended until 30 April 2020 due to continuous increase in the number of cases all throughout the country.

On 30 April 2020, Executive Order No. 112, s. 2020¹ was issued extending ECQ only in high-risk geographic areas of the Philippines including the National Capital Region (NCR), and placing under General Community Quarantine (GCQ) the rest of the country from 1-15 May 2020.

Subsequently, on 12 May 2020, the Executive Department announced the extension of Community Quarantine with slight modification as the country opens the long road back to economic recovery. Hence, a Modified Enhanced Community (MECQ) quarantine now applies to some areas including the NCR.

In view of the declaration on the imposition of MECQ, the Supreme Court on 14 May 2020 issued Administrative Circular No. 39-2020² directing all employees to adopt Work From Home (WFH) arrangements following the Revised Interim Guidelines³ for Alternative Work Arrangements and Support Mechanisms for Workers in the Government During the Period of State of National Emergency Due to COVID-19 Pandemic issued by the Civil Service Commission (CSC) on 7 May 2020.

In consideration of the premises set forth, the Judicial and Bar Council (JBC) issues these Alternative Work Arrangements and Health Protocols in Response to the COVID-19 pandemic to harmonize existing health policies issued by pertinent government agencies, which shall apply to all employees of JBC Offices while under the COMMUNITY QUARANTINE⁴.

¹ Imposing an Enhanced Community Quarantine in High-Risk Geographic Areas of the Philippines and a General Community Quarantine in the rest of the Country from 1 to 15 May 2020, Adopting the Omnibus Guidelines on the Implementation Thereof, and for other Purposes.

² Modified Enhanced Community Quarantine in Certain Areas until 31 May 2020.

³ Memorandum Circular No. 10, s. 2020.

⁴ Refers to the restriction of movement within, into, or out of the area of quarantine of individuals, large groups or people, or communities, designed to reduce the likelihood of transmission of COVID-19 among persons in and to persons outside the affected area. *Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines. Inter-Agency Task Force for Management of Emerging Infectious Disease. p.2.*

I. ALTERNATIVE WORK ARRANGEMENT

1. JBC Offices rendering essential service, the completion of which may not be accomplished at home, may allow their personnel to physically report for work, subject to social distancing measures, size of office, nature of functions, most minimal exposure to the virus, and health condition. These personnel shall serve as JBC skeleton workforce (SWF)⁵.

The Chiefs of Offices shall, in coordination with each other, implement a SWF of JBC personnel whose tasks are essential and which may not be accomplished at home such as receiving personnel receptionists, photocopiers, utility personnel responsible for disinfecting the office, etc. The Chiefs of Offices shall create work groups among JBC personnel so that there is no overlapping of the same personnel on the same days to avoid cross-contamination between work groups.

However, employees who are below 21 years old and those who are 60 years old and above, as well as those with immunodeficiency, comorbidities, or other health risks and pregnant women shall work from their homes at all times except when their services are indispensable under the circumstances or when office work is permitted.⁶ JBC staff falling under any of these categories shall make known their condition to the Chief of The Office of the Administrative and Financial Services (OAFS) who shall require proof and record the same.

The OAFS shall ensure that all the JBC Offices will be open to conduct business from Monday to Friday. It shall adopt a monitoring mechanism during the implementation of the SWF scheme to ensure that public service delivery is not prejudiced.

2. JBC personnel who are not scheduled to work as SWF, shall be considered on a WFH⁷ arrangement. They shall always make themselves available via tele or videoconferencing, e-mail, online messaging, and other means of communication.

- a. WFH arrangements may be allowed for the following tasks: research; policy formulation/review/amendment; project work, including but not limited to, drafting of proposals/project studies/training modules; data encoding/processing; adjudication of cases or review of cases, including legal work; budget planning and forecasting; recording, examination and interpretation of financial records and reports; evaluation and formulation of accounting, auditing and management control systems; computer programming; database maintenance; design work/drafting of drawing plans; preparation of information materials; sending/receiving e-mail; HR tasks (*e.g. computation of leave credits, preparation of payroll etc., as the case maybe*); and other analogous tasks which require the use of a computer and the World Wide Web (Internet) for reading, encoding, printing or submission of written outputs for the review,

⁵ Refers to a work arrangement where a minimum number of employees is required to man the office to render service when full staffing is not possible. *CSC Memorandum Circular No. 10, s. 2020.*

⁶ *Ibid.*

⁷ Refers to an output-oriented work arrangement that authorizes the worker to produce outputs/results and accomplishments outside of the office. *Ibid.*

evaluation or final presentation/assessment of the immediate supervisor, the head of office or the management.⁸ Hence, for the JBC:

a.1 The Regular Members who prepare questions, conduct meetings and interviews, and review numerous policies and documents shall perform their tasks through their computers and the internet in their respective homes;

a.2 The Regular Members' Court Attorneys who perform research work, draft materials for the Regular Members and other documents as may be required, review and revise policies submitted by the Chiefs of Office for approval by the Regular Members, create and administer decision writing examinations, investigation of applicants, review of applicants' documentary requirements, and other legal work as may be instructed by the Regular Members shall work in their respective homes and submit their output to the Regular Members through e-mail;

a.3 The Regular Members' Executive Assistants shall perform all their administrative tasks, to the extent possible, in their respective homes, and shall report to the office only when absolutely necessary and when approved by the Regular Member in-charge;

a.4 The Chiefs of Offices shall, to the extent possible, perform all their legal work and administrative responsibilities in their respective homes and shall arrange the working schedule of all their staff, ensuring that there shall be SWF at all times in the JBC office;

a.5 Court Attorneys of the operating offices of the JBC shall perform all their legal work and prepare their reports and other responsibilities as may be assigned by their respective Chiefs of Office in their respective homes to the extent possible;

a.6 Psychologists may prepare and conduct examinations through online video conferencing applications and prepare their output in their respective homes;

a.7 Technical staff of the JBC who are in charge with the systems, websites, live streaming, and other technologically advanced programs shall, to the extent possible, work in their homes except during the times that they need to physically coordinate with the Supreme Court's Management and Information Systems Office (MISO);

a.8 Judicial Staff Officers shall work on their assigned tasks in their homes provided they are monitored and they report to their respective Chiefs of Office;

a.9 Other staff who may productively work in their homes are likewise authorized to do so provided they are monitored by their respective Chiefs.

⁸ *Ibid.*

For this purpose, the Chiefs of Offices shall establish an online office for the conduct of meetings, transmission of reports, and other tasks needed by the Council on a daily basis.

- b. JBC personnel under WFH scheme shall make sure that appropriate measures such as Pledge of Confidentiality of Information, Data
- c. encryptions, etc. are in place to warrant protection of data used and processed while working away from the office pursuant to Republic Act No. 10173 or the Data Privacy Act of 2012.⁹
- d. JBC Chiefs of Offices shall ensure proper distribution of tasks and monitoring of completion thereof.

II. HEALTH AND SAFETY PROTOCOLS

In addition to the Health Protocols promulgated by the Supreme Court, the JBC shall implement the following internal health and safety measures:

1. All JBC officers and personnel who experienced and/or are still experiencing fever, colds, cough, sore throat, shortness of breath, fatigue, muscle and joint pains, sneezing not related to allergy, and other COVID-19 related symptoms within 14 days prior to the first day of work from MECQ should not report for work or should immediately go home or seek medical attention at the Supreme Court Clinic or any medical facilities.

2. All JBC officers and personnel with close contact with a known case of COVID-19 within 14 days prior to the first day of return to work from MECQ shall not report for work and must observe 14-day home quarantine.

In addition, JBC officers and personnel with recent history of travel to a location with confirmed COVID-19 case should, as far as practicable, not be allowed to report for work, and must observe home quarantine.

3. All JBC personnel who shall report for work after the MECQ shall be subjected to COVID-19 rapid testing to be sponsored by the Supreme Court. A list of employees to be tested shall be prepared by the OAFS after coordination with the proper office in the Supreme Court.

4. Precautionary measures upon entry to JBC office such as taking of temperatures, disinfection thru spraying of alcohol or disinfection tents installed near the building, use of sanitizing footbaths, and washing of hands with soap and water shall all always be observed.

5. All JBC officers and personnel shall wear face masks and/or face shields inside JBC premises at all times. Use of face masks and/or shields are also mandatory while outside the building and in public areas as mandated by City of Manila Ordinance No. 8627.¹⁰

JBC personnel and guests without face masks or shields and or who refuse to be subjected to taking of body temperature or any sanitation protocol will not be admitted entry to the offices.

⁹ *Ibid.*

¹⁰ An Ordinance Requiring the Mandatory Use of Face Masks in All Public Places within City of Manila.

6. Social distancing inside JBC premises shall always be observed. Unnecessary movement of employees from one unit or office to another, loitering, and mass gathering or assembly in JBC lobbies or corridors shall not be allowed. Moreover, holding of parties, social interaction, and face-to-face meetings are likewise prohibited to prevent transmission or contamination.

Glass or flexiglass dividers or partitions shall be installed to segregate the workplace of one personnel from other personnel. If further necessary, other modification of the JBC workplace layout shall be done in coordination with the OAFS, to ensure observance of physical distancing requirements for those who will serve as SWF.

7. Face-to-face transactions with the public shall be reduced. Transactions may be done through letter, email, phone call, and other electronic means. For this purpose, the Office of Policy Development and Research (OPDR) shall make the necessary public postings in the JBC website and other JBC online platforms.

8. No guest or visitor is allowed inside JBC premises except personal guests of JBC Regular Members on urgent matters. The security personnel assigned at the JBC lobby shall first coordinate with the executive assistant of the JBC Member before allowing the entry of any guest. Inquiries of applicants shall be entertained only thru telephones, letters, emails, JBC website (<http://jbc.judiciary.gov.ph/>), and JBC social media accounts.

9. A small table shall be placed outside the front doors of JBC offices where hand sanitizer or alcohol shall be placed. For offices requiring face-to-face transaction such as receiving of internal and external documents, plastic sheet-barriers shall be installed.

Chairs must be placed two (2) meters apart outside the front doors to serve as waiting areas for visitors seeking to transact with JBC offices.

10. The OAFS is mandated to coordinate with the Supreme Court's Janitorial Services to ensure that JBC offices shall be disinfected every morning before the offices are occupied and after office hours.

11. All JBC officers and personnel must observe the following minimum health protocols or hygiene practices inside the office:

- a. Washing of hands with soap for at least 20 seconds after using the toilet, before or after eating, or after touching things and surfaces exposed to other people;
- b. Avoid touching the face. If touched, the face should be washed immediately with water and soap;
- c. Covering the mouth and nose while coughing or sneezing;
- d. Applying alcohol or alcohol-based sanitizer on hands after blowing one's nose, coughing or sneezing, and every time one goes outside when soap and water are not readily available;
- e. Brushing of teeth and gargling;

- f. Cleaning water dispensers regularly and sanitizing water jugs or containers before placing on the dispenser; and
- g. Disinfecting frequently touched or used article in the office such as door knobs, light switches, faucets, and the likes every two (2) hours.
- h. Avoid the common types of physical contact done in public including handshakes, beso-beso (*cheek-to-cheek*), mano (*hand blessing*), hugging and kissing. Instead, cause other forms of greeting such as nodding, waving hands, bumping elbows, or tapping feet.

III. IMPLEMENTATION

To operationalize the above guidelines and to ensure that the JBC workplace is equipped to prevent the spread of the COVID-19 upon resumption of work after the MECQ, the OAFS is requested to immediately prepare JBC office layout following the rule on social distancing and purchase disinfectants, chemical solutions, and other cleaning supplies under applicable modalities.

Likewise, the OAFS shall be responsible in preparing and posting relevant on-site and online signages, and for the information drive campaign regarding the health protocols outlined in this Policy.

Adopted this day of 20 May 2020.

APPROVED.


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 the Retired Justices of the Supreme Court


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