

**Office of the President
of the Philippines
Malacañang**

MEMORANDUM CIRCULAR NO. 86

**ENSURING COMPLIANCE OF GOVERNMENT AGENCIES AND
INSTRUMENTALITIES WITH HEALTH PROTOCOLS APPLICABLE
TO THEIR WORKPLACES DURING THE STATE OF PUBLIC
HEALTH EMERGENCY, AND FOR OTHER PURPOSES**

WHEREAS, the government must lead by example in the observance of health protocols issued by the Inter- Agency Task Force for the Management of Emerging Infectious Diseases (IATF) and relevant agencies, which are applicable to workplaces;

WHEREAS, the IATF Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines, as amended (Omnibus Guidelines), provides rules applicable to workplaces under every form of community quarantine, including government offices;

WHEREAS, the Civil Service Commission (CSC), the Department of Health, and the Department of Labor and Employment issued Joint Memorandum Circular No. 1 (s. 2020), providing for the Occupational and Health Standards (OSH) for the Public Sector, which requires heads of government agencies to provide a workplace that is free from hazardous conditions, ensure compliance with the OSH, and create a Safety and Health Committee, among others;

WHEREAS, the CSC issued Memorandum Circular No. 10 (s. 2020), as amended by Memorandum Circular No. 18 (s. 2020), providing for the Revised Interim Guidelines 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;

WHEREAS, there is a need to monitor compliance with health protocols in the workplaces of all government agencies and instrumentalities, to mitigate and suppress the spread of COVID-19 in the said areas while ensuring the continuous delivery of public services;

NOW, THEREFORE, the following are hereby ordered:

Section 1. Role of Heads of Agencies and their Safety and Health Committees. The heads of all government agencies and instrumentalities of the executive branch, including government –owned or–controlled corporations (GOCCs), shall empower and mobilize their respective Safety and Health Committees to strictly enforce and monitor compliance with all health protocols in their respective workplaces. Accountability for ensuring observance of such protocols shall rest jointly with such heads of agencies and the Committees.

Section 2. Role of Employees' Associations. To further strengthen the observance of health protocols in the workplace, agencies and instrumentalities of the executive branch are enjoined to encourage the active participation of employees' associations in their respective workplaces to ensure prompt communication and wider compliance.

Section 3. Temporary Closure of Premises. In all cases, the temporary closure of premises shall be regarded as an extreme measure, reserved for situations where the spread of COVID-19 in the workplace has become overwhelming and unmanageable. Such closures shall be governed by the following rules:

- a. The head of an agency or instrumentality considering to temporarily close its main or central office shall submit to the head of the department exercising control or supervision over it, or to which it is attached, a request for clearance to shut down such premises. The request shall state the proposed duration of such measure and must be supported by verified data and other documentation which the department head deems fit to require. No closure shall be implemented until such clearance is obtained from the head of the department.
- b. The temporary closure of branches, and regional or field offices, can be decided by the head of the concerned department, agency or instrumentality. In the case of agencies or instrumentalities, they shall notify the head of the department exercising control or supervision over them, or to which they are attached, of the temporary closure and the measures adopted to ensure continuous and uninterrupted delivery of public service. This is without prejudice to the discretion of the department head to require prior clearance from his or her office before implementation of the temporary closure.
- c. Agencies or instrumentalities not under the control or supervision of or attached to any department, as well as departments considering temporary closure of their main or central offices, shall submit their request for clearance to the Office of the President. The heads of these departments and agencies can also act upon requests for closure of their branches, and field or regional offices, subject to the submission by such heads of the same requirements stated in (b) above, to the Office of the President.
- d. Temporary closures merely to conduct disinfection of premises shall not be allowed. Such activity shall be undertaken after office hours or on weekends.

Section 4. Administrative Sanctions for Violations. Any violation of or failure to implement this Circular, including misrepresentation as to the data in support of the request for clearance under Section 3 hereof, shall subject the head of agency and the responsible members of the Safety and Health Committee to administrative sanctions.


Section 5. Application to other agencies. The offices of the legislative and judicial branches of government, independent constitutional commissions and bodies, and local government units are strongly urged to adopt the applicable provisions of this Circular.

Section 6. Repeal. Section 3 of Memorandum Circular No. 85 (s. 2021), and all other rules and regulations or parts thereof which are inconsistent with the provisions of this Circular are hereby repealed, amended or modified accordingly.

Section 7. Effectivity. This Memorandum Circular shall take effect immediately.

DONE, in the City of Manila, this 11th day of May, in the Year of our Lord Two Thousand and Twenty-one.

By Authority of the President:


SALVADOR C. MEDIALDEA
Executive Secretary

