



MEMORANDUM CIRCULAR NO. 10 SERIES OF 2020

TO : ALL CONCERNED

SUBJECT : GUIDELINES ON THE INTERRUPTION OF PERIODS FOR THE FILING OF DOCUMENTS IN THE CONCILIATION UNIT, LEGAL ASSISTANCE DIVISION, AND ADJUDICATION OFFICE PURSUANT TO **ADMINISTRATIVE ORDER NO. 30, SERIES OF 2020** and **DOLE ADMINISTRATIVE ORDER NO. 213, SERIES OF 2020**

Pursuant to **Republic Act (RA) No. 11469**, otherwise known as the “Bayanihan to Heal as One Act”, the President is authorized to exercise powers that are necessary and proper to carry out the tasks needed to mitigate, if not contain, the transmission of COVID-19 and its adverse effects to the lives of Filipinos. Likewise, the President shall have the power to move statutory deadlines and timelines for the filing and submission of any document to ease the burden on individuals under community quarantine;

Then, pursuant to **Administrative Order No. 30, S. 2020**, all government offices are directed to formulate and issue guidelines on the interruption of periods for the filing of documents, payment of taxes, charges and other fees, and cancellation of proceedings before their respective offices, and on the movement of timelines for the release of benefits to be applied in areas under community quarantine or to individuals coming from such areas, as the case may be. The Department of Labor and Employment also issued **Administrative Order No. 213, Series of 2020** requiring Bureaus and Attached Agencies of DOLE to issue pertinent guidelines to implement their respective procedures and processes.

In compliance to the aforementioned, the following guidelines are to be observed during the period of the Enhanced Community Quarantine (ECQ) starting 16 March 2020 until 15 May 2020 or until the lifting of the community quarantine:

I. FILING OF COMPLAINTS, MOTIONS AND DOCKETING OF CASES

The Internal Guidelines in the Legal Assistance to OFWs, Mandatory Conciliation of Cases and Docketing of Cases shall still apply before a case may be initiated before the Docket and Enforcement Division.

The Legal Officer of the Legal Assistance Division-Licensing and Regulations Office (LAD-LRO) shall receive request for legal assistance and conduct preliminary interview and provide legal advice on the legal options that a worker can take, pertaining to his/her complaint. LAD will refer the case to Conciliation Unit for the conduct of conciliation proceedings, except for those cases not subject to the Single Entry Approach (SenA).

The prescriptive periods for the commencement of actions, complaints, and other proceedings shall be interrupted reckoned from 16 March 2020 and shall begin to run for its remaining period when the community quarantine is lifted.

The conduct of conciliation conferences are suspended during the period of the Enhanced Community Quarantine from March 16, 2020 until May 15, 2020 or until lifting of the community quarantine. All conciliation conferences falling during the community quarantine will be rescheduled. Parties with pending conciliation conference schedules from March 17, 2020 onwards may avail of the online conciliation program pursuant to the guidelines to be issued by the Administration.

In view thereof, the mandatory thirty (30) day period to dispose Requests for Assistance (RFAs) is likewise extended for thirty (30) calendar days counted from May 16, 2020 or upon lifting of the community quarantine, for all complaints which have commenced during the start of the imposition of the ECQ period on March 17, 2020.

II. ISSUANCE AND SERVICE OF NOTICES/ORDERS

Issuance and service of Notices/Orders is extended for fifteen (15) calendar days counted from May 16, 2020 or upon lifting of the community quarantine.

Copy of Notices/Orders may also be served to the parties through electronic means and facsimile pursuant to A.M. No. 19-10-20 or the *"2019 Proposed Amendments to the 1997 Rules of Civil Procedure"*.

All licensed recruitment and manning agencies are hereby directed to inform and update the Licensing Branch of their email addresses.

III. HEARINGS AND DRAFTING OF ORDERS

The conduct of hearings and the issuance of order to Appear/to Produce Documents are suspended during the period of the Enhanced Community Quarantine from March 16, 2020 until May 15, 2020 or until lifting of the community quarantine. All hearings falling during the community quarantine will be rescheduled.

All pleadings, motions and other submissions made by the parties which are pending shall be acted upon after the community quarantine has been lifted. Rendition of Orders, Judgments and resolutions are suspended.

The Overseas Employment Adjudicators are however expected to draft Orders in their respective residences during the ECQ and should forward the same for review of the appropriate officers once the ECQ has been lifted.

IV. EXTENSION OF PERIOD TO FILE APPEAL

The filing of Appeal that fall due during the period starting March 15, 2020 until May 15, 2020 is extended for fifteen (15) calendar days counted from May 16, 2020 or from the lifting of the community quarantine.

V. ADVICE TO OPERATING UNITS

For immediately executory Orders of the Administration, Advice to Operating Units shall be prepared and forwarded to the operating units immediately from receipt of the copy of the Order by the respondent or the latter's counsel.

For Orders of the Administration which are not immediately executory, preparation of Advice to Operating Units shall be prepared after the period to appeal has lapsed.

VI. SERVICE OF WRITS OF EXECUTION

Service of Writs of Execution and other related processes shall be suspended during the community quarantine or until further notice, especially to those areas which may still be classified as high risk even after the lifting of the community quarantine.

The foregoing Guidelines shall apply only in relation to areas where community quarantine was declared in accordance with the rules issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) or the Office of the

President, until the date that the same is lifted by the same office that made the declaration, provided the lifting be also in accordance with the rules of the IATF or the Office of the President.

The implementation of the subject provisions of the 2016 POEA Rules inconsistent with the foregoing guidelines are hereby temporarily suspended. Other processes and proceedings, excluding the provisions pertaining to interruption of reglementary period, shall continue to be implemented even after fifteen (15) days from the lifting of the community quarantine unless ordered otherwise by the Administrator.

This Circular shall take effect immediately.

For strict compliance.



BERNARD P. OLALIA
Administrator

May 7, 2020