

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

MEMORANDUM CIRCULAR NO. 96

**REQUIRED ON-SITE WORKFORCE IN GOVERNMENT AGENCIES AND
INSTRUMENTALITIES UNDER THE ALERT LEVEL SYSTEM**

WHEREAS, Article II, Section 15 of the Constitution declared it a policy of the State to protect and promote the right to health of the people;

WHEREAS, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases, through Resolution No. 146-F (s. 2021) dated 28 October 2021, recommended to the Office of the President the adoption of the Alert Level System for all areas of the Philippines, through a phased nationwide rollout;

WHEREAS, the President, through Executive Order No. 151 (s. 2021) approved the nationwide implementation of the Alert Level System and the adoption of the "Guidelines on the Implementation of Alert Level System for COVID-19 Response in Pilot Areas" (Alert Level System Guidelines);

WHEREAS, the updated Alert Level System Guidelines provides that government agencies and instrumentalities shall maintain a skeleton workforce or be fully operational and shall adhere to the required percentage of on-site workforce depending on the alert level;

WHEREAS, the updated Alert Level System Guidelines further provides that agencies and instrumentalities of the government located in areas placed under Alert Level 1 shall adhere to 100% on-site workforce, while off-site work shall be subject to relevant rules and regulations issued by the Civil Service Commission (CSC) and the Office of the President;

WHEREAS, Memorandum Circular No. 93 (s. 2021), as amended, provides for the required on-site workforce in government agencies and instrumentalities under the Alert Level System;

WHEREAS, there is a need to balance health considerations and the continuous delivery of public services, consistent with the updated Alert Level System for dealing with COVID-19 in the country;

NOW THEREFORE, the following are hereby ordered:

Section 1. Government remains in full operation. Government agencies and instrumentalities shall remain fully operational regardless of the alert level of the area where they are located, but subject to the following required on-site workforce as prescribed in the Alert Level System Guidelines, while applying work from home and other flexible work arrangements:

- a. Alert Level 5 Skeleton workforce on-site and the remainder under alternative work arrangements as approved by the head of agency unless a greater on-site capacity is required in agencies providing health and emergency frontline services, laboratory and testing services, border control, or other critical services, in accordance with the relevant rules and regulations issued by the Civil Service Commission.
- b. Alert Level 4 at least 40% on-site workforce
- c. Alert Level 3 at least 60% on-site workforce
- d. Alert Level 2 at least 80% on-site workforce

Under Alert Level 1, all agencies and instrumentalities of the government shall adhere to 100% on-site workforce.

Section 2. Authority to increase on-site workforce. In areas placed under Alert Levels 2 to 5, the heads of all agencies and instrumentalities of the executive branch, including government –owned or –controlled corporations (GOCCs), may increase the on-site workforce of their offices beyond the minimum provided above.

Department secretaries may require heads of agencies over which they have control or supervision, or which are attached to their departments, to implement a larger on-site workforce should the one set by the agency head be insufficient for the delivery of services, as determined by the department secretary.

Agencies providing health and emergency frontline services, laboratory and testing services, border control, or other critical services, shall require an on-site workforce that is larger than the minimum provided above, as may be necessary to deliver their mandates.

In all cases, the requirement on on-site workforce shall be subject to social distancing requirements and other minimum public health standards.

Section 3. Continuous effectivity of Memorandum Circular No. 86. (s. 2021), as amended. The provisions of Memorandum Circular No. 86 (s. 2021), as amended by MC No. 94 (s. 2022), on compliance with health protocols in the workplace, and the conditions therein for the reduction of on-site workforce or temporary closure of premises of government agencies and instrumentalities, shall continue to be observed under the Alert Level System.

Section 4. Instances when work from home arrangements may be required. The heads of all agencies and instrumentalities of the executive branch, including GOCCs, may require government officials and employees who are infected or those identified as close contacts of suspect, probable and/or confirmed case of COVID-19 or asymptomatic and underwent the required quarantine while waiting for the result of the swab test administered upon him/her or completing the required quarantine as prescribed to adopt work from home arrangements subject to rules and regulations issued by the CSC.

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 provisions of this Circular.

Section 6. Repeal. Memorandum Circular No. 93 (s. 2021) is hereby superseded 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 ^{28th} day of February, in the Year of our Lord Two Thousand and Twenty-two.

By Authority of the President


SALVADOR C. MEDIALDEA,
Executive Secretary

