



LABOR ADVISORY NO. 17
Series of 2022

**SUSPENSION OF WORK IN THE PRIVATE SECTOR
BY REASON OF WEATHER DISTURBANCES AND SIMILAR OCCURRENCES**

Pursuant to Article 5 of the Labor Code of the Philippines, as amended, and Republic Act No. 11058, the following advisory is hereby issued:

Section 1. Suspension of Work. – Except as provided for by the law or appropriate proclamation, employers in the private sector may, in the exercise of management prerogative and in coordination with the safety and health committee, or safety officer, or any other responsible company officer, suspend work to ensure the safety and health of their employees during weather disturbances and similar occurrences.


Section 2. Payment of Wages. – The following pay rules shall apply:

- (a) If unworked – The employee is not entitled to regular pay, except when there is a favorable company policy, practice, or collective bargaining agreement granting payment of wages on the said day or when the employee is allowed to utilize his/her accrued leave credits;
- (b) If worked – The employee is entitled to full regular pay provided that he/she has rendered work for not less than six (6) hours. If less than six (6) hours of work, the employee shall only be entitled to the proportionate amount of the regular pay, without prejudice to existing company policy or practice more beneficial to the employee.

To alleviate the plight of employees during weather disturbances and similar occurrences, employers may provide extra incentives or benefits to employees who reported to work on the said days.

Section 3. No liability in case of Failure or Refusal to Work. – Employees who fail or refuse to work by reason of imminent danger resulting from weather disturbances and similar occurrences shall not be subject to any administrative sanction.

Be guided accordingly.


BIENVENIDO E. LAGUESMA
Secretary

23 August 2022

Dept. of Labor & Employment
Office of the Secretary

