



## **BLR AND REGIONAL MEDIATOR-ARBITERS CONVENED TO DISCUSS D.O. 215-20**

The Mediator-Arbiters of the Bureau of Labor Relations (BLR) and DOLE-Regional Offices convened last 5 November 2020 via Zoom to discuss the Department Order No. 215, series of 2020, or “Rule Amending Section 12 of Rule I, Rules Implementing Book VI of the Labor Code on Suspension of Employment Relationship”.

The D.O. 215-20 allows the employers and employees to extend the suspension of employment relationship, through an agreement, for a period not exceeding six (6) months apart from the first six (6) months provided by the existing jurisprudence.

Usec. Benjo Santos M. Benavidez of the Department of Labor and Employment (DOLE), Labor Relations, Social Protection and Policy Support Cluster discussed the background and the provisions of the D.O. 215-20. He emphasized that the said D.O. is an amendatory issuance, which seeks to amend existing implementing rules and regulations of the Article 301 (formerly Article 286) of the Labor Code of the Philippines.

The current pandemic triggered the discussion on the suspension of employment relationship, and thus, Usec. Benavidez said that it is important to consider the adverse effect of the pandemic on business operations, as well as to the workers. He added that the DOLE adhere to the need of preserving employment in this difficult time, and assist employers to resume their operation with their current circumstances, hence, the issuance of D.O. 215-20.

The agreement to extend the suspension of employment is bounded by the following conditions: 1) the period of extension should not exceed six (6) months; 2) a notification to DOLE ten (10) days prior to the effectivity of the extension of employment; 3) retention of employment even if the employees find alternative jobs during the extended period of the suspension of employment; 4) entitlement to separation pay should retrenchment be necessary before or after the expiration of the extension of suspension of employment; and 5) priority in the re-hiring of retrenched employees when the business operation resumes.

The Mediator-Arbiters were expected to receive and respond to requests for legal assistance to employers and employees who wish to enter into an agreement of extending the suspension of employment relationship.

The D.O. 215-20 was signed by Secretary Silvestre H. Bello, III last 23 October 2020, published on general circulation last October 27, and is deemed effective on 12 November 2020.

**END/Katrina S. del Rosario**