



14 May 2020

“The New Normal for the Workplace and Public Spaces Act of 2020” (House Bill No. 6623)
Position Paper

We, the undersigned, thank the honorable congressmen authors of House Bill No. 6623 in their efforts to institute public health and safety standards to prevent the transmission of the COVID-19 or novel coronavirus (nCOV). We support the protection of vulnerable groups while at the same time, “ensuring the restoration of livelihood opportunities and sources of income for all, especially the country’s poor”.¹ Allow us to offer our comments on House Bill No. 6623, known as the “NEW NORMAL FOR THE WORKPLACE AND PUBLIC SPACES ACT OF 2020”.

Firstly, the universal safety, management, and monitoring measures under Section 3, 5, and 6 of House Bill No. 6623 may not be applicable or apt to all areas in the Philippines and for the entire effectivity of the proposed measure – three (3) years from enactment or until a viable vaccine has contained or eradicated COVID-19.² Response strategies, in the form of infection prevention and control, is a matter best left at the **sub-national level**³ – in the case of the Philippines, on a barangay, city, or province level.

Secondly, we support the role of local government units in institutionalizing the essential health and social policies in their respective territorial jurisdiction. Section 4 can be utilized to strengthen Republic Act No. 11332 or the “MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN ACT.”

Finally, we support the call to fast track the implementation of the Philippine Identification System Act and the National Broadband Program, as well as the establishment of E-Government Systems. These provisions, however, can be used in a government digital modernization program as a response to the COVID-19 pandemic rather than in a public health and social measure bill. We suggest that Section 7 be integrated into the economic stimulus bill or institutionalized in a separate digital modernization bill.

¹ Section 2, House Bill No. 6623 or the “New Normal for the Workplace and Public Spaces Act of 2020.

² Section 11, NEW NORMAL FOR THE WORKPLACE AND PUBLIC SPACES ACT OF 2020.

³ Page two (2), CONSIDERATION IN ADJUSTING PUBLIC HEALTH AND SOCIAL MEASURES IN THE CONTEXT OF COVID-19, Interim Guidance issued by the WHO dated 16 April 2020, available at <https://www.who.int/publications-detail/considerations-in-adjusting-public-health-and-social-measures-in-the-context-of-covid-19-interim-guidance>, last accessed on 9 May 2020.

The National Detection and Response Strategy to COVID-19 are functionally addressed by Republic Act No. 11332 and Executive Order No. 112, Series of 2020. Additional funding should instead be allocated to strengthen these health strategies.

We, the undersigned, anchor our opinions, same as with the House, on expertise developed by esteemed international health and policy institutions. The World Health Organization (WHO), the leading authority, in order to assist authorities, leaders, and policy-planners to identify appropriate approaches in preventing, preparing, and measuring readiness to combat COVID-19, released the “NATIONAL CAPACITIES REVIEW TOOL FOR NOVEL CORONAVIRUS.”⁴ The review tool was developed with other coronaviruses, such as SARS-COV and MERS-CoV, in mind and in consultation other member states to help national authorities identify main gaps, perform risk assessments, and plan for additional investigations, response and control actions.

According to the NATIONAL CAPACITIES REVIEW TOOL FOR NOVEL CORONAVIRUS, the following are essential in any national policy response to COVID-19:

- a. Detection strategies comprising of the existence of a national laboratory system, an efficient and accurate surveillance and risk assessment system, and a rapid response team available in both national and sub-national level.⁵
- b. Response strategies for command and coordination, risk coordination, point of entry and case management, infection prevention and control, as well as logistics, procurement and supply management.⁶

The Philippines’ national detection and response strategies are well enunciated in the MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN ACT or Republic Act No. 11332. The Epidemiology Bureau under the Department of Health (DOH) was empowered to identify and update the list of diseases and health events, like COVID 19, which shall be under an institutionalized disease surveillance and response system.⁷ The integrated reporting, containment, quarantine, isolation, contact tracing, and testing, as suggested under Section 4 for local government units and Section 6 for the private sector was also defined in Section 6, 7, and 8 of Republic Act No. 11332. Republic Act No. 11332 is

⁴ Available at <https://www.who.int/publications-detail/national-capacities-review-tool-for-a-novelcoronavirus>, last accessed on 9 May 2020.

⁵ Pages one (1) to three (3), WHO NATIONAL CAPACITIES REVIEW TOOL FOR NOVEL CORONAVIRUS, Available at <https://www.who.int/publications-detail/national-capacities-review-tool-for-a-novelcoronavirus>, last accessed on 9 May 2020.

⁶ Pages three (3) to five (3), *Id.*

⁷ Section 6, Republic Act No. 11332 or the “MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN ACT.

also supplemented and aided by Executive Order No. 112, Series of 2020, which imposes the temporal guidelines on command and coordination as well as infection prevention and control.

We recommend that, instead of the passage of a new law, the esteemed Congress **re-allocate resources and grant additional funding for the DOH and LGUs** in order to improve implementation of Republic Act No. 11332.

The Mandatory Safety Measures in Section 3, Workplace-Specific Protocols in Section 5, and Workplace Management Plan in Section 6 are response strategies that are the most effective on a sub-national or local level.

The WHO recommends that “the adjusting of measures should not be undertaken all at once, but should be considered at the sub-national level, starting in areas of lowest incidence.”⁸ This means that response and containment guidelines are indeed correctly within the sphere of effective execution by the executive branch of the government. As recognized also in Section 4 of House Bill No. 6623, it is the local government units that would best decide on the strategy in imposing measures in their respective territorial jurisdictions. As the WHO recommends, measures (i.e. business closures) could be lifted first where the population or individual density is lower (i.e. rural versus urban, small versus large cities, small stores versus shopping malls), and could be lifted for part of the workforce depending on the independent efficacy of each single measure.⁹

We recommend that, instead of the passage of universal and national public health and social measures, the Congress supports and allocates funds to the full execution of Executive Order No. 112, Series of 2020.

The creation of an E-Government System can be fast tracked by supporting the Department of Information and Communications (DICT).

We support the creation of an E-Government system through allocation of funds in the e-Government Fund described under Executive Order No. 269, Series of 2004 as well as continued support to the Department of Information and Communications Technology (DICT). Agencies and local government units can also be allotted a digitization fund through

⁸ Page two (2), CONSIDERATION IN ADJUSTING PUBLIC HEALTH AND SOCIAL MEASURES IN THE CONTEXT OF COVID-19, Interim Guidance issued by the WHO dated 16 April 2020, available at <https://www.who.int/publications-detail/considerations-in-adjusting-public-health-and-social-measures-in-the-context-of-covid-19-interim-guidance>, last accessed on 9 May 2020.

⁹ *Id.*

Republic Act No. 11293 or the “PHILIPPINE INNOVATION ACT” where the Innovation Council can issue a less strict procurement system for innovative goods and services.

In conclusion, support may be directed on other laudable legislation before the Honorable Committee such as House Bill No. 6622 on the Philippine Banking Industry Resiliency Act Against COVID-19 and the various economic stimuli legislation in House Bills No. 6606, 6612, 6613, 6614, 6619, and 6693. Should the Honorable Committee need our assistance in these economic legislations, we, the undersigned, are at your disposal.

Approved:

American Chamber of Commerce of the Philippines, Inc.
Australia-New Zealand Chamber of Commerce Philippines
Canadian Chamber of Commerce of the Philippines, Inc.
European Chamber of Commerce of the Philippines
Federation of Filipino Chinese Chambers of Commerce & Industry, Inc.
Foundation for Economic Freedom
Japanese Chamber of Commerce and Industry of the Philippines, Inc.
Korean Chamber of Commerce Philippines
Makati Business Club
Management Association of the Philippines