



Republic of the Philippines
Department of Education
REGION VII – CENTRAL VISAYAS
Schools Division of Negros Oriental

**Office of the Schools
Division Superintendent**

MAR 29 2022

DIVISION MEMORANDUM

No. 263, s. 2022

**STANDARD RESPONSE TO COMMUNICATIONS RELATED TO THE VACCINATION
REQUIREMENT, ANTIGEN TESTING, AND OTHER HEALTH PROTOCOLS**

TO : Public School District Supervisors/District In-Charge
School Heads
All Others Concerned

1. This Office hereby disseminates attached copies of the following:
 - a. OUA Memorandum No. 00-0322-0102 dated 04 March 2022 titled *Response to All Letters, Complaints, and Inquiries on the Issuances of DepEd task Force COVID 19 Memorandum No. 575 and All related Issuances*
 - b. DFTC Aide Memoire dated 16 February 2022 titled *COVID- 19 Vaccination for On-site Reporting of Teaching and Non-Teaching Personnel of the Department of Education.*
2. In instances that the schools and district offices concerned receive communications (e.g., complaints, clarifications, queries, etc.) related to the vaccination requirement, antigen testing, and other health protocols prescribed for personnel reporting onsite, you may attach the abovementioned issuances to their acknowledgement letters. Considering the substantial information on guidelines and supporting legal bases they contain, these issuances already offer sufficient answers to these kinds of communications.
3. In view of the information, all PSDS are directed to submit consolidated report per school on the updated list of unvaccinated teachers and or personnel, status and action taken. Kindly submit the same to this Office, through Marcelo K. Palispis EdD, JD, Office of the OIC-Assistant Schools Division Superintendent not later than April 22, 2022.
4. Any issues and concerns related to the subject on vaccination for Deped personnel should be addressed to the Undersecretary for Administration USEC Allain Del B. Pascua as provided in OUA Memorandum No. 00-0322-0102 and any communication received by this Office on the same vein shall be endorsed to the Office of the Regional Director for appropriate response and action.
5. For information and guidance.

SENEN PRISCILLO P. PAULIN, CESO V
Schools Division Superintendent
Office of the Schools Division Superintendent

SSP/MKP-JMA-NLR/OASDS-P/MKP
March 29, 2022



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OUA MEMO 00-0322-0137

MEMORANDUM

15 March 2022

**For: Regional Directors
Schools Division Superintendents
Public Schools District Supervisors
School Heads
All Others Concerned**

**Subject: STANDARD RESPONSE TO COMMUNICATIONS RELATED TO
THE VACCINATION REQUIREMENT, ANTIGEN TESTING,
AND OTHER HEALTH PROTOCOLS**

The Office of the Undersecretary for Administration (OUA) hereby disseminates copies of the following:

1. OUA Memorandum No. 00-0322-0102 dated 04 March 2022 titled *Response to All Letters, Complaints, and Inquiries on the Issuance of DepEd Task Force COVID-19 Memorandum No. 575 and All Related Issuances*
2. DTFC Aide Memoire dated 16 February 2022 titled *COVID-19 Vaccination for On-site Reporting of Teaching and Non-Teaching Personnel of the Department of Education*

In the event that the offices concerned receive communications (e.g., complaints, clarifications, queries, etc.) related to the vaccination requirement, antigen testing, and other health protocols prescribed for personnel reporting onsite, they may attach the abovementioned issuances to their acknowledgement letters. Considering the substantial information on guidelines and supporting legal bases they contain, these issuances already offer sufficient answers to these kinds of communications.

For more information, queries and concerns on this subject, kindly contact the OUA through email at usec.admin@deped.gov.ph.

For information and guidance.


ALAIN DEL B. PASCUA
Undersecretary



Office of the Undersecretary for Administration (OUA)

[Administrative Service (AS), Information and Communications Technology Service (ICTS), Disaster Risk Reduction and Management Service (DRRMS), Bureau of Learner Support Services (BLSS), Baguio Teachers Camp (BTC), Central Security & Safety Office (CSSO)]

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AIDE MEMOIRE

16 February 2022

COVID-19 VACCINATION PROTOCOLS FOR ON-SITE REPORTING OF TEACHING AND NON-TEACHING PERSONNEL OF THE DEPARTMENT OF EDUCATION

The DepEd Task Force COVID-19 (DTFC), through its vaccination program representatives, issues this aide memoire to address the various concerns raised by DepEd employees regarding the implementation of the policy requiring personnel who will physically report for work to either (1) be fully vaccinated against COVID-19 or (2) undergo COVID-19 tests regularly *at their own expense*.

A. Policy Bases

1. Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) Resolution No. 148-B requires eligible personnel who are employed in **areas where there are sufficient supplies of COVID-19 vaccines and are tasked to do on-site work** to either be fully vaccinated against COVID-19 or regularly undergo RT-PCR tests (or antigen tests when RT-PCR capacity is insufficient or not immediately available) **at their own expense**.
2. Based on IATF Resolution No. 149, the regular tests of those whose **second dose is not yet due pursuant to the interval prescribed for the brand of vaccine received as first dose** need not be charged at their own expense. Further, the frequency of the tests shall be **at least once every two weeks**.
3. On 10 February 2022, the National Vaccines Operation Center (NVOC) issued **NVOC Advisory No. 134** titled *Guidance on the Implementation of IATF Resolution No. 148-B series of 2021*, which defines “sufficient supply at the Local Government Unit (LGU) level... as having more than five (5) days to last inventory of COVID-19 vaccines as captured in the Vaccine Operations Reporting System (VORS).”
4. The Office of the President has approved the requirement for teachers, with non-teaching personnel, handling face-to-face classes and performing in-school functions/tasks to be vaccinated.¹

¹ <https://www.deped.gov.ph/2022/01/20/on-requiring-vaccination-for-teachers-handling-face-to-face-classes/>



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[Administrative Service (AS), Information and Communications Technology Service (ICTS), Disaster Risk Reduction and Management Service (DRRMS), Bureau of Learner Support Services (BLSS), Baguio Teachers Camp (BTC), Central Security & Safety Office (CSSO)]

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5. On 02 February 2022, the Office of the Secretary issued **Office Order No. OO-OSec-2022-003** titled *Interim Guidelines on the Expansion of Limited Face-to-Face Classes*, which provides that “only vaccinated teachers may participate, and vaccinated learners shall be preferred” in the continued “implementation of limited face-to-face classes of the original pilot schools, and the commencement of the progressive expansion phase for both public and private schools.”
6. Some regional Vaccine Operations Centers (VOCs) have issued resolutions enjoining local government units (LGUs) under their respective jurisdictions to pass ordinances imposing the IATF requirement for workplaces in their cities or municipalities. Several LGUs have already passed such an ordinance. In some cases, LGU ordinances may have provisions that are unique to their respective jurisdictions and are not necessarily provided for by national issuances.²
7. DTFC has issued the following memoranda to provide guidance on how the implementation of the IATF requirement shall be contextualized in DepEd:
 - a. **DTFC Memorandum No. 575** titled *IATF Vaccination Requirement for Personnel Reporting On-Site Beginning 01 December 2021*
 - b. **DTFC Memorandum No. 586** titled *Clarifications on DTFC Memo No. 575 Titled IATF Vaccination Requirement for Personnel Reporting On-Site Beginning 01 December 2021 (Annex A)*
 - c. **DTFC Memorandum No. 609** titled *Important Updates Regarding the COVID-19 Vaccination/Negative COVID-19 Test Result Requirement for Onsite Personnel: NVOC Advisory No. 134 And LGU Ordinances (Annex B)*

B. Reiterations

1. The full vaccination/negative test result requirement for those required to report on-site does not and is not intended to unjustly discriminate against any DepEd personnel who chooses not to be vaccinated. DepEd personnel who are not vaccinated are treated fairly as they remain obliged to render work and receive compensation. No personnel who are not fully vaccinated may be terminated on the sole ground of being unvaccinated, consistent with the IATF Resolutions as well as Civil Service rules and regulations.³
2. When and where already implemented—either because the area has already been determined by NVOC to have sufficient supplies of COVID-19 vaccines or because the LGU covering the DepEd office or school has already passed an ordinance imposing the same requirement—the requirement for COVID-19 testing shall apply to personnel who are **not fully vaccinated** and are required to: (a) report on-site, (b) travel on official business, or (c) attend a work-related face-to-face gathering (e.g., seminar, training, monitoring, workshop, forum, meeting).⁴

² e.g., the ordinance of Pasig City exempts “unvaccinated individuals who can present a certificate of membership of a religious sector or religious institution that does not allow any vaccination” from those who will be required to either be fully vaccinated or present a negative COVID-19 test result (paid at their own expense) when reporting for on-site work

³ <https://www.deped.gov.ph/2022/01/20/on-requiring-vaccination-for-teachers-handling-face-to-face-classes/>

⁴ Depending on the COVID-19 situation, some offices may require specific personnel to undergo regular COVID-19 testing even when they are already fully vaccinated; e.g., the case of the CO during the Omicron surge per DTFC Memorandum No. 588; or the regular testing of frontline health workers per DTFC Memorandum No. 607



3. DepEd recognizes that the purpose of requiring personnel who are not fully vaccinated to regularly undergo COVID-19 tests when reporting on-site is to curb the spread of COVID-19 in the workplace, in order to protect the health of all other people they may come into contact with. Attached are supporting reasons why the same is not required of personnel who are already fully vaccinated (**Annex C**).
4. In DepEd, as approved by the Secretary per DTFC Memorandum No. 575, the test shall be undertaken **at most 48 hours before reporting on-site** (i.e., 48 hours before the first day that the requirement will already be implemented in the office/school, or 48 hours before the day that the personnel will return to on-site work from work-from-home arrangement).

The result shall be valid for up to two weeks from the day of testing, unless personnel develop COVID-19 symptoms or are tagged as close contacts. When either of this happens, they shall stop reporting on-site, but report immediately to the health authorities including their respective BHERTs and their attending physician, if applicable, for the necessary next steps of action.

Personnel shall be subject to another test once the validity of their result expires.

5. As a general rule, the cost of the RT-PCR or antigen test of personnel who are not fully vaccinated and have refused to be vaccinated despite being eligible for (full) vaccination shall be **charged at the personnel's own expense**.
6. If the **personnel have acceptable reasons for not (yet) being fully vaccinated**, they shall still be required to undergo regular RT-PCR/antigen tests, but these shall **no longer be at their own expense**. Instead, their tests shall be facilitated or covered by their respective offices or schools.⁵
7. In DepEd, these acceptable reasons shall include the following:
 - a. medical reasons (as validated by a DepEd medical officer)⁶;
 - b. the personnel's second dose is not yet due pursuant to the interval prescribed for the brand of vaccine they received as first dose (based on IATF Resolution No. 149); and
 - c. any other reason that may be covered by a local government ordinance (e.g., religious exemption such as in the case of Pasig City).
8. In consideration of personnel who are not fully vaccinated for other reasons not included above and therefore will be required to shoulder the costs of their tests in case they are required to report to work⁷, as well as for some offices that may not have the capacity to facilitate/cover the expenses for the testing of personnel who are not fully vaccinated but have acceptable reasons, the existing on-site work capacity requirements based on the Alert Levels may be taken advantage of so that the said personnel may be placed under applicable work arrangements (e.g., work-from-home) while they are waiting to be fully vaccinated.

⁵ IATF Resolution No. 149 does not say that "all partially vaccinated employees in the public and private sector tasked to do on-site work need not undergo regular RT-PCR test" per se, but that they need not undergo it "at their own expense, as long as their second dose is not yet due pursuant to the interval prescribed for the brand of vaccine received as first dose" (emphasis added). Following this, DepEd personnel who have acceptable reasons for not (yet) being fully vaccinated will still be required to present a negative RT-PCR/antigen result but the testing shall not be at their own expense.

⁶ Personnel who have valid medical reasons for not being (fully) vaccinated shall present a medical certificate from their attending physician, for validation by the nearest DepEd medical officer. The DepEd medical officer shall monitor the personnel's condition and request the regular updating of their medical certificate, as may be applicable, and ensure that the personnel will be (fully) vaccinated when already eligible or cleared. (DTFC Memorandum No. 575)

⁷ It is clarified that all unvaccinated DepEd personnel are not exempt from on-site work, since they may be required to report on-site under Paragraph 3(d) of DepEd Task Force Memorandum No. 575. Paragraph 3(b) of DepEd Task Force Memorandum No. 575 should be read in conjunction with Paragraph 3(d).



For example, government agencies in areas under Alert Level 2 are allowed to place up to 20% of its workforce under work-from-home arrangement.⁸ In these circumstances, personnel who are not yet fully vaccinated *may be* placed under such arrangement and not be required to report on-site. However, they shall continue to be encouraged to be fully vaccinated, when already eligible, especially in anticipation that LGUs will soon be placed under Alert Level 1 when full on-site capacity will already be required for all government agencies.

9. Per DTFC Memorandum No. 575, the same full vaccination/negative test result requirement shall be imposed on (a) guests who need to join work-related face-to-face gatherings and (b) visitors who need to enter office premises for necessary transactions.

Through DTFC Memorandum No. 586, the DTFC has clarified that its recommendation to impose the same full vaccination/negative test result requirement to “visitors who need to enter officer premises for necessary transactions” is in the context of the said visitors sharing the same workspace as fully vaccinated personnel. For consistency, if only personnel who are fully vaccinated or who present a negative RT-PCR/antigen result are allowed to report on-site, the same shall be expected of guests who will share the same workspace or have close contact with the on-site personnel.

Such requirement, however, is not *necessarily* expected of guests and visitors who may need to enter work premises but will not have close contact or share the same space with fully-vaccinated personnel reporting on-site, such as the case of parents and other community members entering schools to pick up modules. It is reiterated, however, that the required health standards, such as mandatory wearing of masks at all times, observing physical distancing, and preventing crowding/congregating, shall be strictly observed.

For these instances, the Head of Functional Office or the team designated for COVID-19 response in the office is given the authority to impose such requirement, as deemed necessary. For example, the Central Office (CO) Task Force COVID-19 has long made this a requirement for guests entering CO premises, even before the IATF issued a similar requirement.

10. While the best prevention against COVID-19 is still the strict implementation of the required health standards, including universal masking, frequent sanitization, and isolation of those with symptoms and those positive, COVID-19 vaccines provide additional protection from severe COVID-19 and deaths. Vaccines approved by the FDA are safe and effective, and they protect against severe COVID-19 and death from COVID-19. Attached is a more detailed explanation on the safety of COVID-19 Vaccines (**Annex D**).

C. Requested Actions

1. The **Office of the Undersecretary for Legal Affairs** is requested to lead in providing guidance on legal matters and queries that arise from the implementation of this requirement. Legal Officers may be oriented with the appropriate message as needed so that the concerns of the field can be addressed with harmony and consistency. If necessary, DepEd, through the **Office of the Secretary**, may also need to raise some of these concerns to the IATF as they question the legality of the IATF requirement. As far as DepEd is concerned, the agency is expected and shall continue to implement national issuance

⁸ Based on the latest Guidelines on the Implementation of Alert Levels System For Covid-19 Response, <https://intf.deped.gov.ph/wp-content/uploads/2021/12/20211214-IATF-GUIDELINES-RRD.pdf>

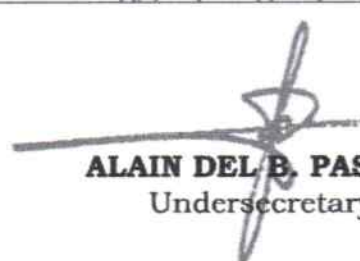


2. The **Office of the Undersecretary in Charge of Human Resource and Organizational Development** is requested to lead in providing guidance to offices and schools in handling the attendance records of personnel (e.g., marking as absent, charging to existing leave credits) who may not be able to report on-site due to failure to comply with the full vaccination/negative test result requirement.⁹
3. **All DepEd personnel** are enjoined to get their complete vaccination including the booster dose, when already eligible, for their protection. Concerned **school health personnel** shall continue existing efforts to ensure that the personnel and learners who wish to avail of the vaccine have access to the nearest vaccination sites.
4. **All personnel**, especially the concerned **school health personnel** (COVID-19 Response/Vaccination Focals, Vacc2School Champions) and **Information Officers**, are enjoined to continue to initiate and support demand generation and information dissemination activities to provide accurate information/education on vaccination especially to those who still have vaccine hesitancy and misconceptions, and to encourage more DepEd's stakeholders to get vaccinated.¹⁰

Given the evolving guidance from national authorities regarding this matter, all are advised to closely follow and pay attention to any new national issuances that may provide relevant updates and changes to this memorandum, and or the cited DTFC memoranda. As repeatedly emphasized in DTFC issuances, these updates and changes brought about by issuances from the IATF, the NVOC, or the DOH shall automatically be honored.

For queries regarding this concern, please contact the **DTFC Secretariat**, BLSS-SHD, at (+632) 8632-9935 and email at medical.nursing@deped.gov.ph.

For information and guidance.


ALAIN DEL B. PASCUA
Undersecretary



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⁹ The same request has been raised to the Bureau of Human Resource and Organizational Development through DTFC Memorandum No. 575.

¹⁰ These may include participating in and promoting DOH's webinars, and developing/creating information materials based on these webinars, sharing DOH's infographics, as well as hosting their own information drives to reach out to as many parents and community members as possible.

Annex C

Supporting Reasons for Requiring Only Unvaccinated Individuals to Undergo Regular COVID-19 Tests

Vaccinated vs. Unvaccinated: What Are the Risks? (Excerpts)*

When someone who is unvaccinated is exposed to the COVID virus, protection from the virus comes from the body's innate immune system or "innate defenders," which are responsible for rapid, non-specific response to pathogens and harmful substances. COVID is an evasive virus, however, and can wreak havoc on the body before it can mount an adequate response.

The adaptive immune system is responsible for antigen-specific immune responses, but its initial response to an antigen can be slow. An unvaccinated person's immune system might eventually produce a stronger response to the virus, but that process could take weeks. By then the virus may have caused a lot of harm and resulted in serious illness, long-term damage, or death.

In contrast, when someone who has been vaccinated is exposed to the COVID virus, the response is notably different. The COVID vaccines create a memory immune response so that if you are exposed to the virus, your body has a way to mount a powerful defense.

If this immune response does not wipe out the virus immediately and there is a breakthrough, a vaccinated person can still expect a fuller response compared to someone who is not vaccinated. A breakthrough does not erase the protection that has already been built. This is why people who have been vaccinated but still get infected tend to have symptoms that are milder, or no symptoms at all, and recover much quicker.

Vaccine reduces transmission in breakthrough cases (Excerpts)**

People who are vaccinated for SARS-CoV-2 but get breakthrough infections may be less likely to spread the virus because they shed it for a shorter period than unvaccinated people who are infected, according a new study led by Harvard T.H. Chan School of Public Health.

The researchers also determined that the Delta variant's infectiousness is likely not due to high virus production in people who are infected, because it appears that virus production is similar across different SARS-CoV-2 variants.



*https://www.scripps.org/news_items/7263-vaccinated-vs-unvaccinated-what-are-the-risks

** <https://news.harvard.edu/gazette/story/2021/12/vaccinated-who-get-breakthrough-infections-less-contagious/>; Although this study provides some of the first direct data for virus production across variants and vaccination status, the authors caution that it was conducted in predominantly young, male, and healthy participants, and is therefore not representative of the general population. Further research in other populations is needed.

Annex D

Safety of COVID-19 Vaccines

According to the World Health Organization (WHO), billions of people have already been safely vaccinated against COVID-19. All of the approved COVID-19 vaccines have been carefully tested and continue to be monitored.*

Like all vaccines, COVID-19 vaccines go through a rigorous, multi-stage testing process, including large clinical trials that involve tens of thousands of people. These trials are specifically designed to identify any safety concerns.*

An external panel of experts convened by WHO analyzes the results from clinical trials and recommends whether and how the vaccines should be used. Officials in individual countries decide whether to approve the vaccines for national use and develop policies for how to use the vaccines based on WHO recommendations.*

Currently, the Food and Drug Administration of the Philippines (FDA) has already authorized the use of the COVID-19 vaccines being administered in the country, thereby ensuring their safety.**



*<https://www.who.int/news-room/feature-stories/detail/safety-of-covid-19-vaccines>

**<https://www.fda.gov.ph/list-of-fda-issued-emergency-use-authorization>



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OUA MEMO 00-0322-0102

MEMORANDUM

04 March 2022

For: **Regional Directors and BARMM Education Minister
Schools Division Superintendents
School Heads
Teachers
All Others Concerned**

Subject: **RESPONSE TO ALL LETTERS, COMPLAINTS, AND INQUIRIES
ON THE ISSUANCE OF DEPED TASK FORCE COVID-19
MEMORANDUM NO. 575 AND ALL RELATED ISSUANCES**

As a response to all letters, complaints, and inquiries (i.e., personnel's refusal to be subjected to weekly antigen testing and allegations of grave coercion, violation of labor laws, and the Constitution) on the issuance of DepEd Task Force COVID-19 (DTFC) Memorandum No. 575 and all related issuances, the Office of the Undersecretary for Administration (OUA) provides the following information:

On 11 November 2021, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) issued IATF Resolution No. 148-B¹ which provides that:

A. In areas where there are sufficient supplies of COVID-19 vaccines as determined by the National Vaccines Operation Center (NVOC), **all establishments and employers in the public and private sector shall require their eligible employees who are tasked to do on-site work to be vaccinated against COVID-19. Eligible employees who remain to be unvaccinated may not be terminated solely by reason thereof. However, they shall be required to undergo RT-PCR tests regularly at their own expense for purposes of on-site work.** Provided that, antigen tests may be resorted to when RT-PCR capacity is insufficient or not immediately available.²

IATF Resolution No. 148-B took effect on 01 December 2021 as part of President Rodrigo Roa Duterte's whole-of-government solution to increase the demand for COVID-19 vaccination, regardless of brand, for a healthier and resilient Philippines.³

¹ IATF Resolution No. 148-B is attached hereto as Annex 1.

² IATF Resolution No. 148-B, p. 2.

³ *Ibid.*



Office of the Undersecretary for Administration (OUA)

[Administrative Service (AS), Information and Communications Technology Service (ICTS), Disaster Risk Reduction and Management Service (DRRMS), Bureau of Learner Support Services (BLSS), Baguio Teachers Camp (BTC), Central Security & Safety Office (CSSO)]

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This resolution was anchored on Sec. 15, Art. II of the 1987 Constitution which provides that the State shall protect and promote the right to health of the people and instill health consciousness among them.

Thus, in accordance with IATF Resolution No. 148-B, the President's mandate, and the State's policy to protect and promote the people's right to health, DTFC Memorandum No. 575 dated 07 December 2021 was issued providing IATF vaccination requirement for personnel reporting on-site beginning 01 December 2021. This is consistent with R.A. 11525 otherwise known as the *COVID-19 Vaccination Program Act of 2021* that was enacted in accordance with the State's policy to adopt an integrated approach to health development which shall endeavor to make essential social services available to all people at an affordable cost.⁴

For such reason, the State undertook the COVID-19 Vaccination Program with the objective of addressing the adverse impact of COVID-19 through the procurement and administration of safe and effective COVID-19 vaccines by the National Government through the Department of Health (DOH), the National Task Force Against COVID-19 (NTF), and other duly constituted authorities and instrumentalities, among others.⁵

With this, we regret to inform all concerned that reliance on Sec. 12 of R.A. 11525 is improper. While Paragraph 4 of Sec. 12 of R.A. 11525 provides that individuals vaccinated against COVID-19 as indicated in the vaccine card shall not be considered immune from COVID-19 unless otherwise declared by the DOH based on reliable scientific evidence and consensus, this is not the ultimate purpose of the law.

To clarify, the aforementioned issuances were enacted to address the adverse impact of COVID-19 by implementing measures and restrictions to slow down its surge in cases, stop further spread of variants, buy time for the health system to cope, and protect more lives. While vaccination does not give absolute immunity against COVID-19, it will, at the very least, reduce its risks and transmission.⁶ Thereby protecting, not only the vaccinated, but also everyone around them. This is in consonance with the State's policy to protect and promote the people's right to health.⁷

In terms of the reliance on Labor Advisory No. 03 series of 2021, please note that these guidelines cover only establishments and employers in the private sector that administer COVID-19 vaccines in the workplace. However, be advised that IATF Resolution No. 148-B already superseded the same as it provides, among others, that:

Public and private establishments, even if not required by the Guidelines on the Implementation of Alert Levels System for COVID-19 Response in Pilot Areas to accommodate only fully vaccinated individuals, may nonetheless validly refuse entry and/or deny service to individuals who remain to be unvaccinated, or are merely partially vaccinated, despite being eligible for vaccination. Provided that frontline and emergency services shall continue to render assistance to all persons regardless of vaccination status.⁸

⁴ Sec. 2 of R.A. 11525 otherwise known as the *COVID-19 Vaccination Program Act of 2021*.

⁵ Sec. 2 (a) of R.A. 11525.

⁶ Sara Oliver, MD, MSPH, Centers for Disease Control and Prevention, *Updates to the Evidence to Recommendation Framework, Pfizer-BioNTech and Moderna COVID-19 vaccine booster doses*, 19 November 2021; World Health Organization (WHO), *Vaccine Efficacy, Effectiveness and Protection*; Department of Health (DOH), *Does the Vaccine Completely Prevent an Individual from Getting and Transmitting Covid-19*, 16 April 2021.

⁷ Art. II of the 1987 Constitution.

⁸ Paragraph C of IATF Resolution No. 148-B.

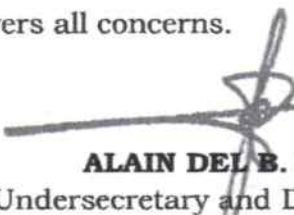



Finally, as for the allegations of grave coercion, **the person who restrains the will and liberty of another must have no right to do so, or in other words, that the restraint is not made under authority of law or in the exercise of any lawful right.**⁹

Considering the foregoing discussions, there was a valid and legal basis for the issuance of DTFC Memorandum No. 575 and all related issuances. IATF Resolution No. 148-B and other related laws and issuances have authorized the OUA and DTFC to require eligible employees who are tasked to do on-site work to be vaccinated against COVID-19.

With this, there can be no grave coercion, especially when this Office simply enforced the provisions of valid and existing laws, rules, and issuances. Nevertheless, we respect all your opinions on the matter. For more information, kindly refer to the attached copies of all related issuances.

Thank you and we hope that this answers all concerns.



ALAIN DEL B. PASCUA
Undersecretary and DTFC Chairman



⁹ Sy, et al. v. Secretary of Justice, et al., G.R. No. 166315, 14 December 2006; and People v. Astorga, 347 Phil. 701, 720 (1997).



REPUBLIC OF THE PHILIPPINES
INTER-AGENCY TASK FORCE
FOR THE MANAGEMENT OF EMERGING INFECTIOUS DISEASES

RESOLUTION NO. 148-B

Series of 2021

November 11, 2021

WHEREAS, Section 15 Article II of the 1987 Constitution states that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Section 2(e) of Executive Order No. 168 (s.2014) mandates the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) to educate the public on emerging infectious diseases and its prevention, control and management to promote positive health behaviors, and address public fear and anxiety through the conduct of a nationwide EID awareness campaign;

WHEREAS, on March 8, 2020, recognizing that the COVID-19 pandemic requires the mobilization of a whole-of-government response, President Rodrigo Roa Duterte declared a State of Public Health Emergency in the entire Philippines through Proclamation No. 922. The declared State of Calamity was extended on 16 September 2021 for one year through Proclamation No. 1021 s.2020, and on September 10, 2021, was further extended until September 12, 2022, unless earlier lifted or extended as circumstances may warrant, through Proclamation No. 1218 (s.2021);

WHEREAS, COVID-19 vaccines that have been granted with Emergency Use Authorization (EUA) by the Philippine Food and Drug Administration (FDA) are considered safe and effective, and, based on current available evidence, have been shown to (1) prevent symptomatic infection (2) prevent severe infection and (3) prevent transmission;

WHEREAS, following the Enhanced Prevent - Detect - Isolate - Treat - Reintegrate - Vaccinate Strategy of the National Task Force Against COVID-19, its Vaccine Cluster is currently implementing the National COVID-19 Immunization Program that aims to provide added protection to all eligible Filipinos from COVID-19;

WHEREAS, the National COVID-19 Immunization Program has been opened to the general public nationwide as provided for under IATF Resolution No. 141 (s.2021). Further, the IATF approved the recommended strategy for the Vaccination Rollout for the Rest of the Pediatric Population (ROPP) pursuant to IATF Resolution No. 146 (s.2021);



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WHEREAS, as of 04 November 2021, the country already received a total of 108.9 million doses of COVID-19 vaccines with additional shipments until the end of the year. These doses of vaccines shall cover the target of vaccinating 54 million Filipinos with one dose by the end of November 2021 and 54 million Filipinos fully vaccinated by the end of December 2021;

WHEREAS, President Rodrigo Roa Duterte has given new directives for a whole-of-government solution to increase the demand for COVID-19 vaccination, regardless of brand, for a healthier and resilient Philippines.

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, in compliance with the directives of President Rodrigo Roa Duterte, the IATF approves the following measures to the extent applicable under existing laws, rules, and regulations:

- A. In areas where there are sufficient supplies of COVID-19 vaccines as determined by the National Vaccines Operation Center (NVOC), all establishments and employers in the public and private sector shall require their eligible employees who are tasked to do on-site work to be vaccinated against COVID-19. Eligible employees who remain to be unvaccinated may not be terminated solely by reason thereof. However, they shall be required to undergo RT-PCR tests regularly at their own expense for purposes of on-site work. Provided that, antigen tests may be resorted to when RT-PCR capacity is insufficient or not immediately available.
- B. As a condition for continuing their operations, public transportation services in the road, rail, maritime, and aviation sectors shall require all their eligible workers to be fully vaccinated.
- C. Public and private establishments, even if not required by the Guidelines on the Implementation of Alert Levels System for COVID-19 Response in Pilot Areas to accommodate only fully vaccinated individuals, may nonetheless validly refuse entry and/or deny service to individuals who remain to be unvaccinated, or are merely partially vaccinated, despite being eligible for vaccination. Provided that frontline and emergency services shall continue to render assistance to all persons regardless of vaccination status.
- D. Local Government Units (LGUs) are strongly enjoined to issue orders or ordinances to ramp up demand for vaccination by, among others, providing incentives for fully vaccinated individuals, and for business establishments which



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institute measures that promote vaccination among their employees and clients, and to the extent allowed by law, requiring proof of vaccination before individuals and/or entities may undertake or qualify for certain activities.

- E. Upon sufficient proof of a confirmed vaccination schedule, all workers to be vaccinated during work hours shall not be considered as absent during that period.
- F. In all of the foregoing, only the presentation of a medical clearance issued by a Municipal Health Office, City Health Office, and/or Provincial Health Office or birth certificate, as the case may be, shall serve as sufficient and valid proof of ineligibility for vaccination.
- G. All Government Agencies are hereby enjoined to implement measures prioritizing fully vaccinated individuals availing of government programs and services.

RESOLVED FURTHER, that this Resolution shall take effect on 01 December 2021, after publication in a newspaper of general circulation and/or the Official Gazette. Let three (3) copies of this Resolution be furnished to the University of the Philippines Office of the National Administrative Register.

RESOLVED FINALLY, that the Chairperson and the Co-Chairperson shall be duly authorized to sign this Resolution for and on behalf of the Inter-Agency Task Force.

APPROVED during the 148th Inter-Agency Task Force Meeting, as reflected in the minutes of the meeting, held this November 11, 2021, via video conference.


FRANCISCO T. DUQUE III
Secretary, Department of Health
IATF Chairperson


KARLO ALEXEI B. NOGRALES
Secretary, Office of the Cabinet Secretariat
IATF Co-Chairperson



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CERTIFICATION

This is to certify that:

1. I am presently an Undersecretary of the Department of Health;
2. I am the Head of the Secretariat of the Inter-Agency Task Force (IATF) on the Management of Emerging Infectious Diseases created under Executive Order No. 168, (s.2014) and chaired by the Department of Health (DOH);
3. The IATF Secretariat holds office in the DOH Main Office, San Lazaro Compound, Tayuman, Sta. Cruz, Manila;
4. I am the custodian of the records of the IATF, including the Minutes of Meetings and Resolutions;
5. In the Regular Meeting of the IATF held on **11 November 2021** via teleconference during which a quorum was present and acted throughout, IATF Resolution No. **148-B** was unanimously approved and adopted;
6. The foregoing resolution has been signed by Secretary Francisco T. Duque III and/or Secretary Karlo Alexei B. Nograles upon the authority of the IATF Members;
7. The aforesaid resolution has not been altered, modified nor revoked and the same is now in full force and effect;
8. I am executing this Certification for whatever legitimate purpose this may serve.

IN WITNESS WHEREOF, I have hereunto affixed my signature this **11th** day of November 2021, Manila.


ATTY. CHARADE B. MERCADO-GRANDE
Undersecretary of Health
Head Secretariat, IATF