



**EXCERPTS FROM THE MINUTES OF  
THE THIRD (3<sup>rd</sup>) REGULAR COMMISSION MEETING  
EMPLOYEES' COMPENSATION COMMISSION  
SERIES OF 2021**

*Convened Via ZOOM On-Line Meeting  
Thursday, 20<sup>th</sup> of May 2021 at 10:00 A.M.*

**BOARD RESOLUTION NO. 21-05-17**

***Further Easing the Prescriptive Period in the Filing of EC Claims Under P.D. No. 626, As Amended, in All Provinces, Highly-Urbanized Cities and Independent Component Cities During the Entire Duration of State of Public Health Emergency Due to Covid19 Pandemic Amending for This Purpose B.R. No. 20-07-12 ("Prescribing Guidelines On The Interruption Of The Prescriptive Period For The Filing Of Employees' Compensation [EC] Claims During Pandemic, Epidemic Or Public Health Emergency And Other Fortuitous Events")***

**WHEREAS**, Article II, Section 18 of the 1987 Constitution provides the State Policy to affirm labor as a primary social economic force and to protect the rights of workers and promote their welfare;

**WHEREAS**, Presidential Proclamation No. 922, s. 2020, dated 08 March 2020 declares a State of Public Health Emergency throughout the Philippines due to Coronavirus19 (COVID-19) pandemic and enjoins all government agencies and Local Government Units (LGUs) to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the threat of Covid19;

**WHEREAS**, Presidential Proclamation No. 929, s. 2020, dated 16 March 2020 declares a State of Calamity throughout the Philippines for a period of six (6) months due to Covid19 pandemic unless earlier lifted or extended as circumstances may warrant;

**WHEREAS**, Administrative Order No. 30 (A.O. No. 30), series of 2020, dated 21 April 2020, directs all heads of departments, agencies, offices, and instrumentalities of the government, including GOCCs, GFIs, SUCs and LGUs to formulate and issue rules or guidelines on the interruption of reglementary periods for the commencement of action or claims, cancellation of proceedings, suspension of deadlines for the payment of monetary obligations and/or submission of documents and movement of timeliness for the grant of any benefit;

**WHEREAS**, Presidential Proclamation No. 1081, s.2020 dated 16 Sept. 2020 extends the said period of the State of Calamity throughout the Philippines due to Covid19 pandemic for a period of one (1) year, effective 13 September 2020 to 12 September 2021, unless earlier lifted or extended as circumstances may warrant;

**WHEREAS**, the declaration of Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) in Luzon and in certain geographic areas of Visayas and Mindanao in 2020 imposes the suspension of public transportation, observance of strict home quarantine in all households, physical distancing, and restrictions on movement and travel except those relating to accessing basic necessities such as food and medicine and other essential services;

**WHEREAS**, Article 207 of P.D. No. 626, as amended, provides that claim for compensation shall be filed within three years from the time the cause of action accrued;

**WHEREAS**, the Civil Code of the Philippines provides that the running of the prescriptive period shall be deemed suspended or interrupted by fortuitous events or events which could not be foreseen or which though foreseen are inevitable;

**WHEREAS**, considering that in the implementation of the ECQ or MECQ in 2020, the mobility of people in Luzon and in certain geographic areas of Visayas and Mindanao has been heavily restricted due to lockdown, this Commission issued Board Resolution (BR) No. 20-07-12 ("Prescribing the Guidelines on the Interruption of Prescriptive Period for the Filing of EC Claims during Pandemic, Epidemic or Public Health Emergency and Other Fortuitous Events" dated 17 July 2020) which partly provides that the "prescriptive period of three (3) years for the filling of EC claims shall be deemed interrupted in all geographic areas during the entire duration of the implementation of the ECQ or MECQ due to COVID19 pandemic until the lifting thereof by the Office of the President or by the IATF;"

**WHEREAS**, on May 13, 2021, the Inter-Agency Task Force (IATF) issued Resolution No. 115-A which declares the observance of General Community Quarantine (GCQ) with heightened restrictions in the National Capital Region (NCR), Bulacan, Cavite, Laguna and Rizal (NCR Plus). The said Resolution prescribes, among others, that only essential travel into and out of the NCR Plus, as provided for under the IATF Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines, as amended, shall be allowed;

**WHEREAS**, considering that the risk-level classifications of Community Quarantine status in all provinces, highly urbanized cities and independent component cities in the Philippines may be reclassified at any time and may warrant the imposition of stricter restrictions and considering further that only essential travel into and out of the NCR Plus is allowed, this Commission finds the need to re-calibrate its response on the prescriptive period in the filing of EC claims to ease the burden on employees or workers in this time of state of public health emergency due to covid19 pandemic;

**NOW, THEREFORE, BE IT RESOLVED BY THIS COMMISSION** to promulgate this Resolution further easing the prescriptive period in the filing of EC claims through suspension of the counting of the three-year prescriptive period in all provinces, highly-urbanized cities and independent component cities regardless of its community quarantine status during the entire duration of state of public health emergency due to covid19 pandemic until the lifting thereof by the Office of the President;

**RESOLVED FURTHER**, that all issuances, orders, rules and regulations or parts thereof of the Systems in the implementation of B.R. No. 20-07-12 which are inconsistent with the provisions of this Resolution are hereby modified, amended or revised accordingly;

**RESOLVED FINALLY**, that this Resolution shall take effect immediately after its publication in a newspaper of general circulation and shall have a retroactive application from March 8, 2020 upon the declaration of state of public health emergency throughout the Philippines due to covid19 pandemic.

*DONE, this 20<sup>th</sup> of May 2021 in Makati City, Philippines.*

**SILVESTRE H. BELLOM II**

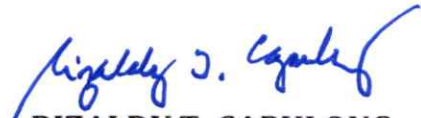
*Chairperson*

*Department of Labor and Employment*

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Office of the Secretary



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