

1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Quezon City

4
5 EIGHTEENTH CONGRESS
6 Third Regular Session

7
8 HOUSE RESOLUTION No. 2210
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12 **Introduced by**
13 **BAYAN MUNA Party-List Representatives FERDINAND R. GAITE,**
14 **CARLOS ISAGANI T. ZARATE, and EUFEMIA C. CULLAMAT,**
15 **ACT TEACHERS Party-List Representative FRANCE L. CASTRO,**
16 **GABRIELA Women’s Party Representative ARLENE D. BROSAS,**
17 **and KABATAAN Party-List Representative SARAH JANE I. ELAGO**
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20 **RESOLUTION**
21 **URGING THE HOUSE OF REPRESENTATIVES,**
22 **THROUGH THE COMMITTEE ON LABOR AND EMPLOYMENT,**
23 **TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,**
24 **ON THE ILLEGAL IMPLEMENTATION OF ‘NO VACCINE, NO WORK’ POLICIES IN**
25 **PRIVATE ESTABLISHMENTS AND GOVERNMENT OFFICES**
26

27 **WHEREAS**, on February 26, 2021, the Covid-19 Vaccination Program Act of 2021 or Republic Act
28 No. 11525 (R.A. 11525) was signed into law. It declared that it should be the policy of the State to
29 “adopt an integrated approach to health development, thus it should endeavor to make essential social
30 services to all people at an affordable cost”;

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32 **WHEREAS**, Section 12 of R.A. 11525 also provided, “The vaccine cards shall not be considered as
33 an additional mandatory requirement for educational, employment, and other similar government
34 transaction purposes”;

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36 **WHEREAS**, the Department of Labor and Employment (DOLE) issued Labor Advisory No. 3, Series
37 of 2021 on March 12, 2021 providing, “Covered establishments and employers shall endeavor to
38 encourage other employees to get vaccinated. However, any employee who refuses or fails to be
39 vaccinated shall not be discriminated against in term of tenure, promotion, training, pay, and other
40 benefits, among others, or terminated from employment. No vaccine, no work policy shall not be
41 allowed.” Existing laws and policies clearly states that not being vaccinated is not a just cause for the
42 termination of an employee;

43
44 **WHEREAS**, it is an unfair and unjust policy for employers to continue imposing the ‘no vaccine, no
45 work policy’ and for DOLE to tolerate such violation on workers’ rights, especially when one of the
46 primary reasons cited by the Department of Health (DOH) for the Philippines’ low rank in Covid-19
47 resiliency is caused by vaccination shortage¹;

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1 *Dela Cruz, R.C. (2021 July 02). Vax shortage in PH cause of low-rank in Covid-19 resiliency: DOH. Philippine News Agency. Retrieved August 22, 2021 from <https://www.pna.gov.ph/articles/1145789>.*

1 **WHEREAS**, nevertheless, several companies have continued to implement a ‘no vaccine, no work’
2 policy in their workplace. Labor group Kilusang Mayo Uno (KMU) has received complaints through
3 its workers’ hotline that some companies have been discriminating against its unvaccinated workers,
4 even disallowing employees to report to work without proof of vaccination;

5 **WHEREAS**, some workers also approached the Associated Labor Union (ALU) as early as March 4,
6 2021 expressing concern over warnings issued by their employers that they will implement a ‘no
7 vaccine, no work’ policy’. Alan Tanjusay, ALU-TUCP spokesperson, said that the bulk of the
8 complainants worked in BPOs, hotels, and restaurants²;

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10 **WHEREAS**, some of the companies identified to be implementing a ‘no vaccine, no work’ policy are
11 the following:

- 12 1. National Grid Corporation of the Philippines (NGCP), located in Hermosa, Bataan
- 13 2. Arlo Construction/Glaston Tower located in Pasig City, Metro Manila
- 14 3. Eurica, Inc. located in Marilao, Bulacan
- 15 4. Skyhawk Security Agency located in Pasay City, Metro Manila
- 16 5. Rulls Cellphone and Accessories located in Cebu
- 17 6. Vibal Group Inc. located in Quezon City, Metro Manila;

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19 **WHEREAS**, several local government units, including Guimaras and Iloilo, have also implemented a
20 ‘no vaccine, no work’ policy³. Guimaras Vice Gov. Edward Gando rationalized that local government
21 units are not under the jurisdiction of DOLE and the Department of Health (DOH), and can thus
22 create its own policies in the fight against Covid-19;

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24 **WHEREAS**, Labor Advisory No. 3, Series of 2021 does not suggest any stringent penalty against
25 companies and employers that will continue to implement a ‘no vaccine, no work policy’. Likewise,
26 DILG has not yet issued any advisory that prohibits a ‘no vaccine, no work’ policy from being
27 implemented in local government units;

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29 **WHEREAS**, DOLE Sec. Silvestre Bello III elaborated on the possible penalties an employer may
30 face only on August 9, 2021, and these were only issued verbally. According to news reports, Bello
31 declared that the department can enforce administrative sanctions against employers who will
32 implement a ‘no vaccine, no work’ policy. The department will also issue compliance orders against
33 employers who will violate the prohibition. He also declared that the employers will have to pay for
34 the salaries of employees who were terminated;

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36 **WHEREAS**, discrimination against unvaccinated workers persists, even after DOLE’s declaration,
37 and has severely affected their lives and livelihood, especially in the middle of an economic crisis
38 caused by the pandemic;

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40 **WHEREAS**, in order to strengthen the protection of workers’ rights during the pandemic, it is urgent
41 for Congress to fully exert its efforts in conducting further investigation not only into the companies
42 that have been implementing the ‘no vaccine, no work’ policy, but also in DOLE’s performance of its
43 function of ensuring that employers abide by the Labor Code of the Philippines and other issuances,
44 directives, and advisories of the department;

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2 GMA News Online (2021 Mar 04). Several groups oppose ‘No vaccine, no work’ policy. Retrieved on August 22, 2021
from [https://www.gmanetwork.com/news/news/nation/778247/several-groups-oppose-no-vaccine-no-work-policy/
story/](https://www.gmanetwork.com/news/news/nation/778247/several-groups-oppose-no-vaccine-no-work-policy/story/).

3 *Id.*

1 **NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the House of
2 Representatives through the Committee on Labor and Employment to conduct an inquiry, in aid of
3 legislation, on the illegal implementation of ‘no vaccine, no work’ policies in private establishments
4 and government offices.


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Adopted,


REP. FERDINAND R. GAITE
Bayan Muna Party-list


REP. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-list


REP. EUFEMIA C. CULLAMAT
Bayan Muna Party-list


REP. FRANCE L. CASTRO
ACT Teachers Party-list


REP. ARLENE D. BROSAS
GABRIELA Women's Party


REP. SARAH JANE I. ELAGO
KABATAAN Party-list