MEMORANDUM TO:

OIC, Office of the Asst. Schools Division Superintendent
Chief Education Supervisors, CID and SGOD
Elementary and Secondary Public School Principals
Unit Heads
All Concerned

July 2, 2020

REITERATION OF THE DEPED MEMORANDUM DATED JUNE 24, 2020
RE: ADVISORY ON EXECUTING EMPLOYEE WAIVER AS A
REQUIREMENT UPON RETURN TO WORK DURING THE PERIOD OF
STATE OF NATIONAL EMERGENCY DUE TO COVID-19 PANDEMIC

The field is hereby informed that the Department of Education-Central Office
issued Memorandum DM-PHROD-2020-00203 dated June 24, 2020 re: Advisory on
Executing Employee Waiver as a Requirement Upon Return to Work during the Period
of State of National Emergency Due to COVID-19 Pandemic.

On June 1, 2020, we released a division memorandum pertaining to a waiver and
quitclaim. Although not within the context of the advisory under Memorandum DM-
PHROD-2020-00203, it is still deemed rendered with no legal effect.

In view thereof, the said division memorandum is hereby set aside, thus, STRICT
IMPLEMENTATION of the rules on restricted personnel under: (1.) Section 4 (3) of
the IATF Omnibus Guidelines on Implementation of Community Quarantine in the
Philippines dated May 15, 2020; (2.) Item 4 (b)(ii) of DepEd Memorandum No. 43 s.
2020; and (3.) Item 16 (a)(iv) of DepEd Order No. 11 s. 2020 shall be enforced.

The Division Health Unit and the Schools are directed to submit to the
HRMO on or before July 6, 2020 the official enlistment of the restricted personnel
in their respective areas upon proper verification or validation. If necessary,
appropriate medical records or certification may be elicited to fully substantiate the
restriction. These restricted personnel will be ordered to strictly work from home.

Attached herewith is the full text of the said memorandum for information and
guidance. Contents of which are self-explanatory.

Immediate and urgent dissemination of this Memorandum is desired.

SHERYLL T. GAYOLOA (Sgd.)
Assistant Schools Division Superintendent
Officer-In-Charge
Office of the Schools Division Superintendent
MEMORANDUM
DM-PHROD-2020-00203

TO: Regional Directors
Schools Division Superintendents

FROM: JESUS L.R. MATEO
Undersecretary

SUBJECT: Advisory on Executing Employee Waiver As A Requirement Upon Return to Work During the Period of State of National Emergency Due to COVID-19 Pandemic

DATE: 24 June 2020

Relative to the implementation of work arrangements based on DepEd Order (DO) No. 011 s. 2020, or the Revised Guidelines on Alternative Work Arrangements in the Department of Education During the Period of State of National Emergency Due to COVID-19 Pandemic, it has recently been brought to the attention of the DepEd Central Office (CO) that some DepEd offices and schools have been requiring teaching and non-teaching personnel to sign a waiver in connection with the possible risk of exposure to COVID-19 upon return to the workplace.

For the guidance and information of all, a waiver is the voluntary relinquishment or surrender of some known right or privilege. Pursuant to Article 6 of the Civil Code of the Philippines, “rights may be waived, unless the waiver is contrary to law, public order, public policy, morals, or good customs, or prejudicial to a third person with a right recognized by law”.

In view of the foregoing, the waivers issued through a directive authorizing DepEd personnel, including public school teachers, to report for work voluntarily and physically in their respective schools or offices produce no legal effect.

It is reiterated in DO No. 011, s. 2020 and DM PHRODO-2020-00198 dated June 22, 2020, that physical reporting to the workplace/onsite is not mandatory, and shall be done in consultation with the personnel. The determination of the work arrangement in offices/schools/CLCs shall be based on the nature of work with due consideration to the health and safety conditions, travel and inter-border limitations, and the form of community quarantine imposed in the area where the office/school/CLC is situated, anchored on the minimum public health and safety measures of the Department of Health (DOH) and Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF EID). Physical reporting to the workplace/onsite shall be kept at the minimum and shall be considered ONLY when the tasks and functions cannot be rendered through alternative strategies and remote modalities.

DepEd Complex, Meralco Ave., Pasig City 1600 633-7206/636-6549 631-8494  www.deped.gov.ph
As a reminder, DO 011 s.2020 directs Heads of Offices requiring physical reporting to the workplace/onsite to ensure the following:

1. Issue a travel/office order in addition to the DepEd ID for identification purposes (Item No. 16.b.iii) during travel from residence to workplace and vice versa;

2. Based on the available resources of the offices/schools/CLCs, provide transportation services pursuant to Item Nos. 43-45 of DO 011 s.2020; and

3. Ensure that the workplace is compliant with the Safe Return to Work protocols pursuant to Item No. 17 of DO 011 s.2020 and other safety and health precautionary measures required by the DOH and IATF-EID.

For immediate dissemination and appropriate action.