



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila



LABOR ADVISORY NO. 19
Series of 2016

**Payment of Wages and Other Benefits for the Special (Non-working) Days
on December 26, 2016 and January 2, 2017**

Pursuant to Proclamation No. 117 issued by President Rodrigo R. Duterte through Acting Executive Secretary Menardo I. Guevarra on December 13, 2016, the following rules for pay on special days shall apply:

1. If the employee did not work, the “no work, no pay” principle shall apply unless there is a favorable company policy, practice or collective bargaining agreement (CBA) granting payment on a special day;
2. For work done during a special day, he/she shall be paid an additional 30% of his/her daily rate on the first eight hours of work [(Daily rate x 130%) + COLA];
3. For work done in excess of eight hours (overtime work), he/she shall be paid an additional 30% of his/her hourly rate on said day (Hourly rate of the basic daily wage x 130% x 130% x number of hours worked);
4. For work done during a special day that also falls on his/her rest day, he/she shall be paid an additional 50% of his/her daily rate on the first eight hours of work [(Daily rate x 150%) + COLA]; and
5. For work done in excess of eight hours (overtime work) during a special day that also falls on his/her rest day, he/she shall be paid an additional 30% of his/her hourly rate on said day (Hourly rate of the basic daily wage x 150% x 130% x number of hours worked).

Be guided accordingly.

21 December 2016

Silvestre H. Bello III
SILVESTRE H. BELLO III
Secretary

Dept. of Labor & Employment
Office of the Secretary



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 117

DECLARING 26 DECEMBER 2016 (MONDAY) AND 2 JANUARY 2017 (MONDAY), AS SPECIAL (NON-WORKING) DAYS THROUGHOUT THE COUNTRY

WHEREAS, 25 December 2016 (Christmas Day) and 1 January 2017 (New Year's Day) both fall on a Sunday and are regular holidays throughout the country;

WHEREAS, the declaration of 26 December 2016 and 2 January 2017, both falling on a Monday, as special (non-working) days will give the people full opportunity to celebrate the holidays with their families and loved ones;

WHEREAS, a longer weekend promotes domestic tourism and enables employers to plan their work schedules effectively and efficiently, resulting in improved productivity.

NOW, THEREFORE, I, MENARDO I. GUEVARRA, Acting Executive Secretary, by authority of the President, **RODRIGO ROA DUTERTE**, do hereby declare 26 December 2016 and 2 January 2017, both falling on a Monday, as special (non-working) days throughout the country.

The Department of Labor and Employment is hereby directed to issue the appropriate circular to implement this Proclamation for the private sector.


IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, Two Thousand and Sixteen.

By authority of the President:


MENARDO I. GUEVARRA
Acting Executive Secretary

By the Acting Executive Secretary:


RYAN ALVIN R. ACOSTA
Acting Deputy Executive Secretary
for Legal Affairs

Christmas & New Year Holidays

RULES FOR PAY FOR DAILY PAID EMPLOYEES



Regular Holidays

Special Non-Working Days

DEC 25 **DEC 30** **JAN 01**

DEC 24 **DEC 26** **DEC 31** **JAN 02**

DID NOT WORK



BASIC WAGE + COLA

"NO WORK, NO PAY **"

* Unless there is a favorable company policy, practice or Collective Bargaining Agreement (CBA) granting payment on a special day

DID WORK



$(\text{BASIC WAGE} + \text{COLA}) \times 2$

$(\text{DAILY RATE} \times 1.3) + \text{COLA}$

OVERTIME WORK



$[(\text{BASIC WAGE} + \text{COLA}) \times 2] +$
 $\text{BASIC HOURLY RATE} \times$
 $\text{NO. OF EXCESS HRS.} \times 2.6$

$[(\text{DAILY RATE} \times 1.3) + \text{COLA}] +$
 $(\text{BASIC HOURLY RATE} \times$
 $\text{NO. OF EXCESS HRS.} \times 1.69)$

WORKED
ON A REST DAY



$[(\text{BASIC WAGE} + \text{COLA}) \times 2] +$
 $[(\text{BASIC WAGE} \times 2) \times .30]$

$(\text{DAILY RATE} \times 1.5) + \text{COLA}$

WORKED OVERTIME
ON A REST DAY



$[(\text{BASIC WAGE} + \text{COLA}) \times 2] +$
 $[(\text{BASIC WAGE} \times 2) \times .30] +$
 $[(\text{BASIC HOURLY RATE} \times 2.6) \times$
 $\text{NO. OF EXCESS HRS.} \times 1.3]$

$[(\text{DAILY RATE} \times 1.5)$
 $+ \text{COLA}] +$
 $(\text{BASIC HOURLY RATE} \times$
 $\text{NO. OF EXCESS HRS.} \times 1.95)$

For the official list of 2016 holidays, please see: Proclamation No. 1105, s. 2015 (<http://www.gov.ph/2015/08/20/proclamation-no-1105-s-2015/>)

For the official list of 2017 holidays, please see: Proclamation No. 50, s. 2016 (<http://www.gov.ph/2016/08/16/proclamation-no-50-s-2016/>)

For the 26 December 2016 and 2 January 2017, please see: Proclamation No. 117, s. 2016 (<http://www.gov.ph/2016/12/14/proclamation-no-117-s-2016/>)

For other inquiries, please contact us at:

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Bureau of Working Conditions
Department of Labor and Employment

Signature 12/17

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