

OBSERVANCE OF DECLARED HOLIDAYS

DOLE MEMORANDUM CIRCULAR NO. 01, March 08, 2004

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Pursuant to the provisions of the Labor Code, as amended in relation to the observance of declared holidays and in response to the queries received every time a Presidential Proclamation or a law is enacted by Congress which declares certain days either as a regular holiday, a special day or a special working holiday, the following guidelines shall be observed by all employers in the private sector:

1. For regular holidays as provided for under EO 203 (incorporated in EO 292) as amended by RA 9177:

New Year's Day

- January 1

Maundy Thursday - Movable Date

Good Friday - Movable Date

Araw ng Kagitingan - April 9

Labor Day - May 1

Independence Day - June 12

National Heroes Day - Last Sunday of August

Bonifacio Day - November 30

Eidul Fitr - Movable Date

Christmas Day - December 25

Rizal Day

-

December 30

the following rules shall apply:

- a. If it is an employee's regular workday

- if unworked - 100%

- If worked

1st 8 hrs. - 200%

excess of 8 hrs - plus 30% of hourly rate on said day

b. If it is an employee's rest day

- If unworked - 100%

- If worked

1st 8 hrs. - plus 30% of 200%

excess of 8 hrs - plus 30% of hourly rate on said day

2. For declared special day such as Special Non-Working Day, Special Public Holiday, Special National Holiday, in addition to the two (2) nationwide special days (November 1, All Saints Day and December 31, Last Day of the Year) listed under EO 203, as amended, the following rules shall apply:

a. If unworked -

No pay, unless there is a favorable company policy, practice or collective bargaining agreement (CBA) granting payment of wages on special days even if unworked.

b. If worked -

- 1st 8 hrs - plus 30% of the daily rate of 100%

- excess of 8 hrs - plus 30% of hourly rate on said day

c. Falling on the employee's rest day and if worked -

- 1st 8 hours - plus 50% of the daily rate of 100%

- excess of 8 hours - plus 30% of hourly rate on said day

3. For those declared as special working holidays, the following rules shall apply:

For work performed, an employee is entitled only to his basic rate. No premium pay is required since work performed on said days is considered work on ordinary working days.

Please be guided accordingly.

Adopted: 08 March 2004

(SGD.) PATRICIA A. STO. TOMAS

Secretary

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