



CERTIFICATION

This is to conditionally certify that in the Regular Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held on November 24, 2020 that without prejudice to COA Regulations and pertinent laws on the matter, the Board PASSED and RATIFIED a resolution APPROVING the amendment on the Coverage of the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19, to include Overseas Filipino Workers (OFWs), Seafarers, and Other individuals billeted in Quarantine Hotels within the Subic Bay Freeport who violate the conditions of their quarantine protocols such as escaping or absconding. Such violators shall pay a penalty of Php5,000.00.

Resolved further, that the following penalties shall be imposed upon locators which are found to neglect their duty by violating the guidelines on workplace prevention and control of COVID-19:

- a. First Offense – Temporary Closure (two weeks)
- b. Second Offense – Suspension of Certificate of Registration and Tax Exemption (CRTE) (six months)
- c. Third Offense – Cancellation of CRTE

And that, Suspension or Cancellation of CRTE will be recommended by the concerned implementing office to the SBMA Board of Directors for approval.

Management's Memorandum dated November 20, 2020 and hard copy of PowerPoint presentation were incorporated therein by way of reference.

The Board Resolution of the aforementioned approval shall be issued upon the ratification of the minutes of the November 24, 2020 meeting on the next Board meeting.

This Certification is a confidential document and should only be used for the purpose of facilitating the necessary documentation of subject board approval.

December 1, 2020

Jennifer T. Guiang
JENNIFER T. GUIANG
 Board Secretary V
 20-623

CC-20-107

Subic Bay Metropolitan Authority
 Board Secretariat
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 EDGAR ALLAN A. PAJARO
 Executive Assistant IV
 December 7, 2020





SUBIC BAY
METROPOLITAN AUTHORITY

MEMORANDUM

[Signature]
APPROVED / DISAPPROVED
NOV 25 2020



PMN-11-26-2626-05448

FOR : ATTY. WILMA T. EISMA
Chairperson and Administrator

THRU : ATTY. RAMON O. AGREGADO
Senior Deputy Administrator for Support Services

FROM : RONNIE R. YAMBAO
Deputy Administrator for Health & Safety

SUBJECT : AMENDMENT ON THE POLICY ON IMPOSITION OF FINES AND PENALTIES FOR VIOLATION OF HEALTH PROTOCOLS AND STANDARDS AGAINST THE SPREAD OF COVID-19 TO EXPAND THE COVERAGE OF THE POLICY TO OVERSEAS FILIPINO WORKERS, SEAFARERS, AND OTHER INDIVIDUALS WHO ARE BILLETED IN QUARANTINE HOTELS WITHIN THE SUBIC BAY FREEPORT

DATE : NOVEMBER 20, 2020

Background

On October 20, 2020, the SBMA Board of Directors approved the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 through Board Resolution No. 20-10-1800. The objective of imposing fines and penalties is to strengthen the common fight against the virus. In order to make public health order effective, the appropriate fines and penalties must be meted to those who prejudice the health and safety of the general public by willfully ignoring or violating health protocols.

The Bureau of Quarantine has accredited some hotels in the Freeport as Quarantine Hotels which can accommodate Overseas Filipino Workers (OFWs), seafarers, and other individuals. In a coordination meeting with Local Government Units, it was raised that OFWs, seafarers, and other individuals who violate the conditions of their quarantine such as escaping or absconding should be penalized.

Request and Recommendation

In view of the foregoing, it is respectfully recommended that the Coverage of the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 include OFWs, seafarers, and other individuals billeted in Quarantine Hotels within the Subic Bay Freeport who violate the conditions of their quarantine protocols such as escaping or absconding. Such violators shall pay a penalty of P5,000.00.

The following penalties shall be imposed upon locators who are found to neglect their duty by violating the guidelines on workplace prevention and control of COVID-19:

- First Offense - Temporary closure (two weeks)
- Second Offense - Suspension of CRTE (six months)
- Third Offense - Cancellation of CRTE

Suspension or Cancellation of CR or CRTE will be recommended by the concerned implementing office to the SBMA Board of Directors for approval.

Respectfully submitted for the consideration and approval of the Board of Directors.

Thank you.

Attachment: SBMA Board Resolution No. 20-10-1800

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SUBIC BAY METROPOLITAN AUTHORITY
RECEIVED BY: *Jenny*
DATE: 11/25/2020 TIME: 11:25 AM

Subic Bay Metropolitan Authority
Board Secretariat

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EDGAR ALLAN A. PAJARO
Executive Assistant IV

December 7, 2020



Certification No. 20-223
Series of 2020

MEMORANDUM

Subject : **POLICY ON IMPOSITION OF FINES AND PENALTIES FOR VIOLATION OF HEALTH PROTOCOLS AND STANDARDS AGAINST THE SPREAD OF COVID-19**

This certifies that:

The records of the Board Secretariat show that during the Ninety Second (92nd) Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held last 20 October 2020 wherein there was a quorum to validly transact business, the following resolution was approved:

Resolution No. 20-10-1800

“Resolve, as it is hereby resolved, that upon recommendation of Management and without prejudice to COA Regulations and pertinent laws on the matter, the Board hereby approves the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 as attached to the Memorandum dated October 16, 2020, copy of which, including Management’s PowerPoint presentation is incorporated herein by way of reference.”

Issued this 10th day of November 2020.

JENNIFER T. GUIANG
Board Secretary V

Subic Bay Metropolitan Authority
Board Secretariat
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EDGAR ALLAN A. PAJARO
Executive Assistant IV
December 7, 2020

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SUBIC BAY
METROPOLITAN AUTHORITY

MEMORANDUM

FOR

ATTY. WILMA T. EISMA
Chairperson and Administrator

OCT 23 2020 *new* *10/23*

THRU

SBMA BOARD OF DIRECTORS
ATTY. RAMON O. AGREGADO
Senior Deputy Administrator for Support Services

FROM

ATTY. MICHAEL QUINTOS
Deputy Administrator for Legal Affairs
RONNIE R. YAMBABO
Deputy Administrator for Health & Safety

SUBJECT :

POLICY ON IMPOSITION OF FINES AND PENALTIES FOR VIOLATION OF HEALTH PROTOCOLS AND STANDARDS AGAINST THE SPREAD OF COVID-19

DATE : OCTOBER 16, 2020

I. Background

On March 8, 2020, to arrest the spread of COVID-19 virus after the Department of Health (DOH) confirmed local transmissions of the disease, the President of the Philippines issued Proclamation No. 922 (s.2020) "Declaring A State of Public Health Emergency Throughout the Philippines".

Proclamation No. 922 capacitated Government Agencies, including Government Owned and Controlled Corporations (GOCC), to immediately act to prevent loss of life, utilize appropriate resources to implement urgent and critical measures to contain or prevent the spread of COVID-19 virus, mitigate its effects and impact to the community, and prevent serious disruptions to the functioning of the government and the community.

On March 23, 2020, in view of the continuing rise of confirmed cases of COVID-19, Republic Act No. 11469 otherwise known as the "Bayanihan To Heal As One Act" was enacted declaring a state of national emergency over the entire country and authorizing the President to: a) implement measures to prevent and suppress the further transmission and spread of COVID-19 virus, b) undertake measures to prevent the overburdening of the healthcare system; and c) partner with the private sector and other stakeholders to deliver the measures against COVID-19 virus quickly.

As early as March 30, 2020, the SBMA has implemented the mandatory wearing of face mask in the Subic Bay Freeport Zone to prevent the transmission of COVID-19. This is in addition to the other health measures such as social distancing, frequent handwashing and maintaining good health and nutrition.

On May 20, 2020, the SBMA issued an advisory on Reporting Possible Cases of COVID-19 and Violations under Republic Act 11332 also known as the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act". The memorandum was addressed to all

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Executive-Assistant IV
December 7, 2020



locators, employees, and other stakeholders to reiterate the need to report all possible cases of COVID-19 amid the Enhanced Community Quarantine.

On the other hand, on August 4, 2020, the Department of Transportation through its Administrative Service issued a Memorandum Circular ordering the mandatory wearing of face shields in all public transport.

On August 15, 2020, the Department of Trade and Industry (DTI) and the Department of Labor and Employment (DOLE) through Joint Memorandum Circular No. 20-04-A s. 2020 entitled "DTI and DOLE Supplemental Guidelines on Workplace Prevention and Control of COVID-19" to ensure health standards are implemented across all settings to prevent the spread of the virus.

II. Legal Basis

Section 11 of the Rules and Regulations implementing Republic Act 7227 Otherwise known as the Bases Conversion and Development Act of 1992 states that the SBMA shall have the following powers to enforce the law and these Rules in the SBF: (7) to assess and collect administrative fees or impose administrative fines or other monetary penalties for violations of these Rules; and (11) to promulgate such other rules, regulations and circulars as may be necessary, proper or incidental to carry out the policies and objectives of the Act, these Rules, as well as the powers and duties of the SBMA.

III. Objective

The objective of imposing fines and penalties for the violation of health protocols and standards against the spread of COVID-19 is to strengthen the common fight against the virus. It has been observed that despite the SBMA's efforts to inform and educate all locators, employees and stakeholders, there are individuals and entities who continue to ignore and violate health protocols, to the prejudice of the health and safety of the general population of the Freeport. In order to make public health order effective, the appropriate fines and penalties must be meted to those who prejudice the health and safety of the general public by willfully ignoring or violating health protocols.

IV. Coverage

The policy shall cover all locators, employees, residents, stakeholders, and the general public inside the Subic Bay Freeport Zone.

V. Fines and Penalties

A. Violation of Health Protocols

It shall be mandatory for all persons to properly wear a face mask at all times while in public places of the Subic Bay Freeport Zone. The wearing of face shield together with the face mask shall likewise be mandatory when travelling in a vehicle (except when driving alone), in the work place and in enclosed establishments such as but not limited to malls, supermarkets, banks, hotels and convenience stores.

The following penalties shall be imposed upon anyone caught not properly wearing a face mask in public places and those violating minimum public health standards:

First Offense	-	Fine of One Thousand Pesos (Php1,000.00)
Second Offense	-	Fine of Two Thousand Pesos (Php2,000.00)

Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19

20-223

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Subic Bay Metropolitan Authority
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Executive Assistant IV
December 7, 2020

Succeeding violations shall be subject to penalty of Five Thousand Pesos (Php5,000.00). The same penalties shall be applicable for the non-wearing of face shield in the designated areas.

Provided that in case the violation is committed within a Locator's premises an equivalent penalty for each act of violation shall be imposed upon the Locator. Provided, further, that a second violation committed within a Locator's premises may be a cause for the suspension of the Locator's Certificate of Registration (CR) or Certificate of Registration and Tax Exemption (CRTE) for a period of thirty (30) days.

The required Minimum Public Health Standards are:

1. Frequent handwashing with soap and water, or using hand disinfectants;
2. Proper wearing of face masks and face shields;
3. Practicing proper cough etiquette, cover mouth when sneezing/coughing;
4. Practicing physical distancing of at least one (1) meter;
5. Disinfecting frequently touched surfaces and objects at least twice a day; and
6. Checking of temperature at entry points.

The proceeds from the collection of fines and penalties will be used in any or all COVID-19 related health programs:

1. For swab test of frontliners;
2. To cover the swab test expense of members of the Indigenous People; and
3. Campaign and awareness programs.

B. Violation of Guidelines on Workplace Prevention and Control of COVID-19

The following violations are punishable with temporary closure until full compliance:

1. Non-provision of psychosocial support to employees especially those presenting mental health concerns.
2. No policy on prevention and control of COVID-19 aligned with the existing minimum public health standards and guidelines issued by the Department of Health (DOH) and other regulatory agencies.
3. Non-provision of disinfecting/washing resources such as handwashing stations; soap and sanitizers; and hand drying equipment/supplies (e.g. single use paper towel).
4. No display of signages/visual cues and reminders for employees to practice good hygiene.
5. Non-provision of adequate ventilation inside the workplace and inside the shuttle service (if any).
6. No mandatory webinars on advocacy awareness raising programs to be attended by management and employees.
7. No designated smoking areas in the workplace with individual "booths" in accordance with the requirements and standards under Republic Act No. 9211 and Executive Order No. 26, S. 2017.
8. No work from home arrangement for the Most-at-risk population (MARP) for COVID-19 in the workplace (e.g. senior citizens, pregnant women, individuals with underlying health conditions) and those below 21 years old.
9. No restriction on mass gatherings.
10. Not adopting the staggered meal schedules during breaks.
11. No Health Declaration Form to be accomplished by all employees upon entering the building premises/workplace.
12. Not directing symptomatic employees to an appropriate health system entry point such as a primary care facility (e.g. Barangay Health Center, Infirmaries, Private Clinics / hospitals) or telehealth consultation.

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December 7, 2020

Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19



13. Non-availability of telemedicine services for employees regardless of their work arrangements.
14. No designated isolation area of one room for every 200 employees for large and medium private establishments (i.e. with total assets of above Ph15M). The said isolation area shall be other than the company clinic, and must be situated near the entrance/s or in a nearby facility, for employees needing further assessment due to elevated temperature, presence of flu-like symptoms, any yes answer to the Health Declaration, or exposure history to a COVID-19 case or probable case. There should also be adequate ventilation in the isolation area and Personal Protective Equipment (PPE) for both health personnel and symptomatic patients.
15. No contact tracing of employees with close contact with a COVID-19 case, as specified in DOH Memorandum No. 2020-0189 entitled, "Updated Guidelines on Contact Tracing of Close Contacts of Confirmed Coronavirus Disease (COVID-19) Cases".
16. Not following the expanded testing strategy in DOH DM 2020-0258 and DOH DM 2020-0258-A for priority workers.
17. Not testing employees experiencing symptoms of COVID-19, and those who are close contacts of confirmed positive cases.
18. Not following the fourteen-day quarantine for symptomatic employees with travel/exposure to COVID-19.
19. No disinfection and closure of workplace if an employee tested positive for COVID-19.
20. No establishment of Occupational Safety and Health Committee in accordance with Republic Act No. 11058, its IRR, and DOLE Department Order No. 198, Series of 2018 which took effect on 25 January 2019.
21. Unable to provide shuttle services for their employees (companies with more than P100 million of total assets).

While employers classified as large and medium-sized private establishments (i.e. those with total assets above P15M are enjoined to provide shuttle services to their employees, bus companies (service providers) are responsible in making sure its passengers follow the minimum public health standards or else they will be penalized.

The following penalties shall be imposed upon locators violating the guidelines on workplace prevention and control of COVID-19:

First Offense	-	Temporary closure (two weeks) or upon compliance with the prescribed requirements
Second Offense	-	Suspension of CRTE (six months)
Third Offense	-	Cancellation of CRTE

Suspension or Cancellation of CR or CRTE will be recommended by the concerned implementing office to the SBMA Board of Directors for approval.

VI. Implementing Offices

The SBMA Law Enforcement Department (LED), Fire Department, Public Health and Safety Department (PHSD), Labor Department, and the Business & Investment Group (BIG) shall implement this Policy.

VII. Reporting System

1. Concerned parties must submit a written report (narrative and/or pictures) to the PHSD with respect to filing a complaint for violation of any of the above acts or to manifest

Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19.

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 Executive Assistant IV
 December 7, 2020

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compliance with any of the above requirements. The report may be filed anonymously with respect to complaints for violations.

2. Upon receipt of the report, PHSD, with the assistance of the other implementing offices, shall validate the report's truthfulness.
3. The person or entity shall be given due process to explain and respond to the complaint in writing within 24 hours.
4. The SBMA shall resolve the complaint within ten (10) working days from receipt of the respondent's written explanation.

VIII. Updated Inter-Agency Task Force on Emerging Infectious Diseases (IATF) Resolutions

This policy shall automatically adopt and implement resolutions and guidelines issued by the Inter-Agency Task Force on Emerging Infectious Diseases.

IX. Effectivity

This Policy shall be effective upon publication and registry with the Office of the National Administrative Register.

X. Recommendation


In view of the foregoing, it is respectfully recommended that the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 be approved.

Respectfully submitted for the consideration and approval of the Board of Directors.

Subic Bay Metropolitan Authority
Board Secretariat

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Executive Assistant IV
December 7, 2020


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Executive Assistant IV

December 7, 2020

POLICY ON IMPOSITION OF FINES AND PENALTIES FOR VIOLATION OF HEALTH PROTOCOLS AND STANDARDS AGAINST THE SPREAD OF COVID-19 IN THE FREEPORT ZONE



OCTOBER 20, 2020


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In compliance with the Board instruction to conduct a public consultation, the Public Hearing on Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 in the Freeport Zone took place via Google Meet on October 15, 2020 from 2pm to 4pm.

The Public Hearing was attended by 196 Freeport stakeholders from various sectors—locators, residents, and employees.

The following comments were raised during the Public Hearing which were included in this modified draft policy:

1. The proceeds from the collection of fines and penalties will be used in any / or all COVID-19-related health programs;
 - a. for test of frontliners
 - b. to cover the swab test expense of a member of the IP
 - c. campaign and awareness programs
2. Bus companies (service providers) are responsible in making sure its passengers follow the minimum public health standards or else they will be penalized.

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Executive Assistant IV

ANNOUNCEMENT
FINES AND PENALTIES FOR
VIOLATION OF HEALTH PROTOCOLS
AND STANDARDS AGAINST THE
SPREAD OF COVID-19 IN THE



OCTOBER 15, 2020

and 168 more

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Grace Sarmiento Danalyn T. Luba

Dirk van Straalen joan jazareno

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ROWENA TIZON - AAL LEE MING PLAST

Jul ginez Ramon O. Agregado

Wilma T. Usraa

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BACKGROUND

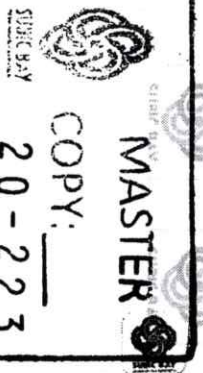
Basis: Rules and Regulations Implementing RA 7227 Otherwise known as the Bases Conversion and Development Act of 1992

Sec.11. Responsibilities of the SBMA

f. Consistent with the Constitution, the SBMA shall have the following powers to enforce the law and these Rules in the SBF:

(7) to assess and collect administrative fees or impose administrative fines or other monetary penalties for violations of these Rules;

(11) to promulgate such other rules, regulations and circulars as may be necessary, proper or incidental to carry out the policies and objectives of the Act, these Rules, as well as the powers and duties of the SBMA thereunder.



BACKGROUND

On March 8, 2020, to arrest the spread of COVID-19 virus after the Department of Health (DOH) confirmed local transmissions of the disease, the President of the Philippines issued Proclamation No. 922 (s.2020) "Declaring A State of Public Health Emergency Throughout the Philippines".

Proclamation No. 922 capacitated Government Agencies, including Government Owned and Controlled Corporations (GOCC), to immediately act to prevent loss of life, utilize appropriate resources to implement urgent and critical measures to contain or prevent the spread of COVID-19 virus, mitigate its effects and impact to the community, and prevent serious disruptions to the functioning of the government and the community.


S U B I C B A Y M E T R O P O L I T A N A U T H O R I T Y



BACKGROUND

On March 23, 2020, in view of the continuing rise of confirmed cases of COVID-19, Republic Act No. 11469 otherwise known as the “Bayanihan To Heal As One Act” was enacted declaring a state of national emergency over the entire country and authorizing the President to: a) implement measures to prevent and suppress the further transmission and spread of COVID-19 virus; b) undertake measures to prevent the overburdening of the healthcare system; and c) partner with the private sector and other stakeholders to deliver the measures against COVID-19 virus quickly.

As early as March 30, 2020, the SBMA has implemented the mandatory wearing of face mask in the Subic Bay Freeport Zone to prevent the transmission of COVID-19. This is in addition to the other health measures such as social distancing, frequent handwashing and maintaining good health and nutrition.


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BACKGROUND

On May 20, 2020, the SBMA issued an advisory on Reporting Possible Cases of COVID-19 and Violations under Republic Act 11332 also known as the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act". The memorandum was addressed to all locators, employees, and other stakeholders to reiterate the need to report all possible cases of COVID-19 amid the Enhanced Community Quarantine.

On the other hand, on August 4, 2020, the Department of Transportation through its Administrative Service issued a Memorandum Circular ordering the mandatory wearing of face shields in all public transport.

On August 15, 2020, the Department of Trade and Industry (DTI) and the Department of Labor and Employment (DOLE) through Joint Memorandum Circular No. 20-04-A s. 2020 entitled "DTI and DOLE Supplemental Guidelines on Workplace Prevention and Control of COVID-19" to ensure health standards are implemented across all settings to prevent the spread of the virus.



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EDGAR ALLAN A. PAJARO
Executive Assistant IV
December 7, 2020

OBJECTIVE

The objective of imposing fines and penalties for the violation of health protocols and standards against the spread of COVID-19 is to strengthen the common fight against the virus. It has been observed that despite the SBMA's efforts to inform and educate all locators, employees and stakeholders, there are individuals and entities who continue to ignore and violate health protocols, to the prejudice of the health and safety of the general population of the Freeport. In order to make public health order effective, the appropriate fines and penalties must be meted to those who prejudice the health and safety of the general public by willfully ignoring or violating health protocols.

COVERAGE

The policy shall cover all locators, employees, residents, stakeholders, and the general public inside the Subic Bay Freeport Zone.



FINES AND PENALTIES

A. VIOLATION OF HEALTH PROTOCOLS

It shall be mandatory for all persons to properly wear a face mask at all times while in public places of the Subic Bay Freeport Zone. The wearing of face shield together with the face mask shall likewise be mandatory when travelling in a vehicle (except when driving alone), in the work place and in enclosed establishments such as but not limited to malls, supermarkets, banks, hotels and convenience stores.

The following penalties shall be imposed upon anyone caught not properly wearing a face mask in public places and those violating minimum public health standards:

First Offense - Fine of One Thousand Pesos (Php1,000.00)

Second Offense - Fine of Two Thousand Pesos (Php2,000.00)

Succeeding violations shall be subject to a penalty of Five Thousand Pesos (Php5,000.00). The same penalties shall be applicable for the non-wearing of face shield in the designated areas.

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FINES AND PENALTIES

Provided that in case the violation is committed within a Locator's premises an equivalent penalty for each act of violation shall be imposed upon the Locator. Provided, further, that a second violation committed within a Locator's premises may be a cause for the suspension of the Locator's Certificate of Registration (CR) or Certificate of Registration and Tax Exemption (CRTE) for two weeks.

The required Minimum Public Health Standards are:

1. Frequent handwashing with soap and water, or using hand disinfectants;
2. Proper wearing of face masks and face shields;
3. Practicing proper cough etiquette, cover mouth when sneezing/coughing;
4. Practicing physical distancing of at least one (1) meter;
5. Disinfecting frequently touched surfaces and objects at least twice a day; and
6. Checking of temperature at entry points.

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EDGAR ALLAN A. PAJARO
Executive Assistant IV
December 7, 2020

FINES AND PENALTIES

The proceeds from the collection of fines and penalties will be used in any or all COVID-19 related health programs:

1. For swab test of frontliners;
2. To cover the swab test expense of members of the Indigenous People; and
3. Campaign and awareness programs.



Subic Bay Metropolitan Authority
Board Secretariat

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Executive Assistant IV

December 7, 2020

FINES AND PENALTIES

For individuals and Locators

FIRST OFFENSE	P1,000.00
SECOND OFFENSE	P2,000.00
SUCCEEDING VIOLATIONS	P5,000.00

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FINES AND PENALTIES

B. VIOLATION OF GUIDELINES ON WORKPLACE PREVENTION AND CONTROL OF COVID-19

The following violations are punishable with temporary closure until full compliance:

1. Non-provision of psychosocial support to employees especially those presenting mental health concerns.
2. No policy on prevention and control of COVID-19 aligned with the existing minimum public health standards and guidelines issued by the Department of Health (DOH) and other regulatory agencies.
3. Non-provision of disinfecting/washing resources such as handwashing stations; soap and sanitizers; and hand drying equipment/supplies (e.g. single use paper towel).

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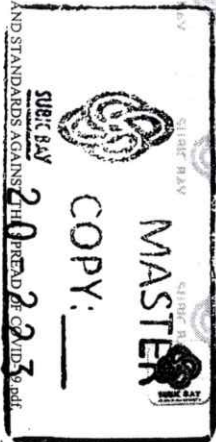
FINES AND PENALTIES

4. No display of signages/visual cues and reminders for employees to practice good hygiene.
5. Non-provision of adequate ventilation inside the workplace and inside the shuttle service (if any).
6. No mandatory webinars on advocacy awareness raising programs to be attended my management and employees.
7. No designated smoking areas in the workplace with individual “booths” in accordance with the requirements and standards under Republic Act No. 9211 and Executive Order No. 26, S. 2017.
8. No work from home arrangement for the Most-at-risk population (MARP) for COVID-19 in the workplace (e.g. senior citizens, pregnant women, individuals with underlying health conditions) and those below 21 years old.
9. No restriction on mass gatherings
10. Not adopting the staggered meal schedules during breaks.



FINES AND PENALTIES

11. No Health Declaration Form to be accomplished by all employees upon entering the building premises/workplace.
12. Not directing symptomatic employees to an appropriate health system entry point such as a primary care facility (e.g. Barangay Health Center, Infirmaries, Private Clinics / hospitals) or telehealth consultation.
13. Non-availability of telemedicine services for employees regardless of their work arrangements.
14. No designated isolation area of one room for every 200 employees for large and medium private establishments (i.e. with total assets of above Ph15M). The said isolation area shall be other than the company clinic, and must be situated near the entrance/s or in a nearby facility, for employees needing further assessment due to elevated temperature, presence of flu-like symptoms, any yes answer to the Health Declaration, or exposure history to a COVID-19 case or probable case. There should also be adequate ventilation in the isolation area and Personal Protective Equipment (PPE) for both health personnel and symptomatic patients.



FINES AND PENALTIES

15. No contact tracing of employees with close contact with a COVID-19 case, as specified in DOH Memorandum No. 2020-0189 entitled, "Updated Guidelines on Contact Tracing of Close Contacts of Confirmed Coronavirus Disease (COVID-19) Cases".
16. Not following the expanded testing strategy in DOH DM 2020-0258 and DOH DM 2020-0258-A for priority workers.
17. Not testing employees experiencing symptoms of COVID-19, and those who are close contacts of confirmed positive cases.
18. Not following the fourteen-day quarantine for symptomatic employees with travel/exposure to COVID-19.
19. No disinfection and closure of workplace if an employee tested positive for COVID-19.
20. No establishment of Occupational Safety and Health Committee in accordance with Republic Act No. 11058, its IRR, and DOLE Department Order No. 198, Series of 2018 which took effect on 25 January 2019.

S U B I C B A Y M E T R O P O L I T A N A U T H O R I T Y



EDGAR ALLAN A. PAJARO
Executive Assistant IV
December 7, 2020

FINES AND PENALTIES

21. Unable to provide shuttle services for their employees (Companies with P100 Million total assets)

While employers classified as large and medium-sized private establishments (i.e. those with total assets above P15M are enjoined to provide shuttle services to their employees, bus companies (service providers) are responsible in making sure its passengers follow the minimum public health standards or else they will be penalized.

The following penalties shall be imposed upon locators violating the guidelines on workplace prevention and control of COVID-19:

First Offense - Temporary closure (two weeks) or upon compliance with the prescribed requirements

Second Offense - Suspension of CRTE (six months)

Third Offense - Cancellation of CRTE

Suspension or Cancellation of CR or CRTE will be recommended by the concerned implementing office to the SBMA Board of Directors for approval.

S U B I C B A Y M E T R O P O L I T A N A U T H O R I T Y

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FINES AND PENALTIES

For locators

FIRST OFFENSE	Temporary Closure (2 weeks) or upon compliance with the prescribed requirements
SECOND OFFENSE	Suspension of CRTE (6 months)
THIRD OFFENSE	Cancellation of CRTE

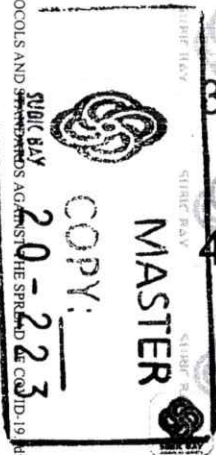

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IMPLEMENTING OFFICES

The SBMA Law Enforcement Department (LED), Fire Department, Public Health and Safety Department (PHSD), Labor Department, and the Business & Investment Group (BIG) shall implement this Policy.

REPORTING SYSTEM

1. Concerned parties must submit a written report (narrative and/or pictures) to the PHSD with respect to filing a complaint for violation of any of the above acts or to manifest compliance with any of the above requirements. The report may be filed anonymously with respect to complaints for violations.
2. Upon receipt of the report, PHSD, with the assistance of the other implementing offices, shall validate the report's truthfulness.
3. The person or entity shall be given due process to explain and respond to the complaint in writing within 24 hours.
4. The SBMA shall resolve the complaint within ten (10) working days from receipt of the respondent's written explanation.



UPDATED IATF RESOLUTIONS

This policy shall automatically adopt and implement resolutions and guidelines issued by the Inter-Agency Task Force on Emerging Infectious Diseases.

EFFECTIVITY

This Policy shall be effective upon publication and registry with the Office of the National Administrative Register.



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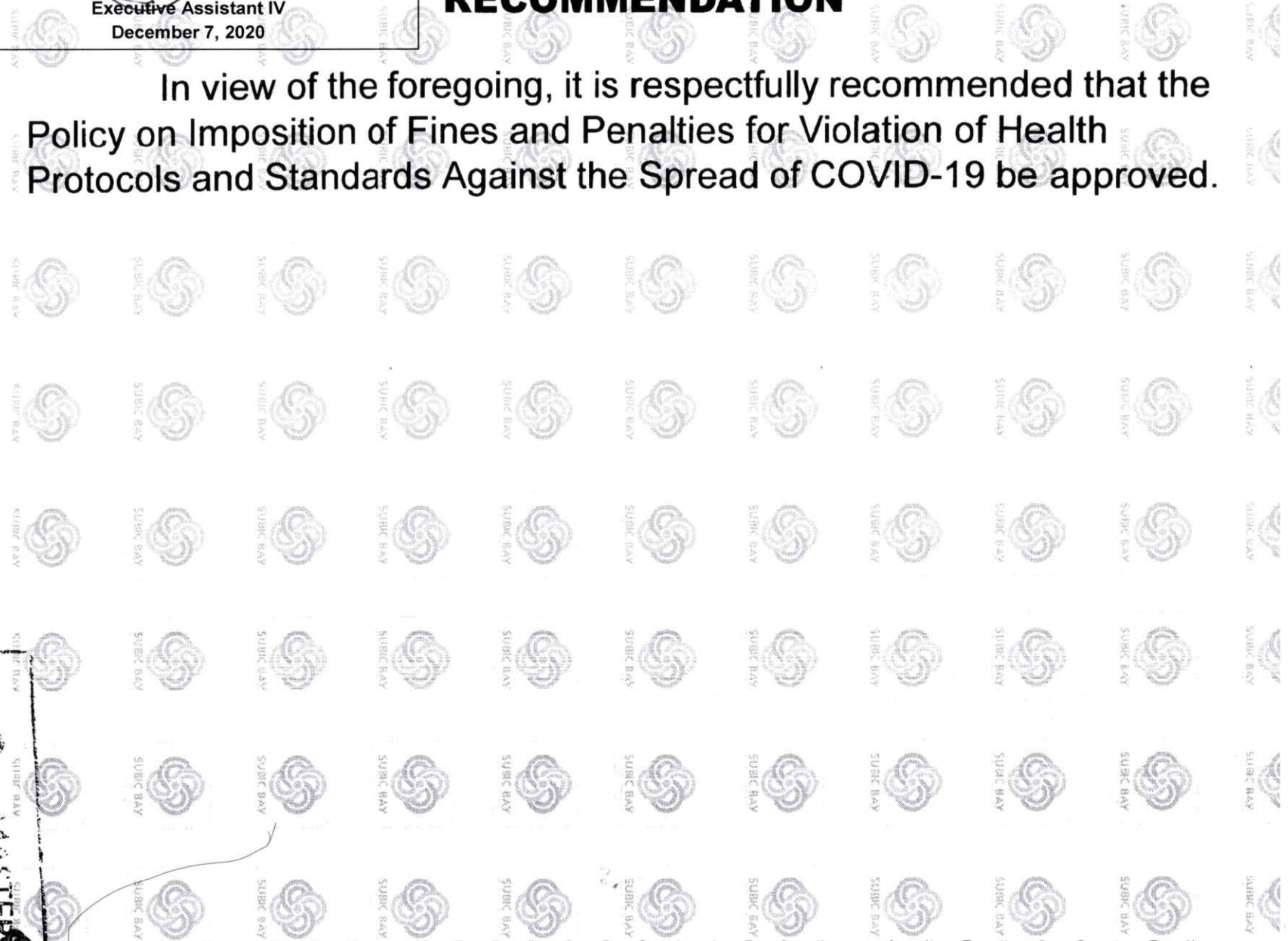
EDGAR ALLAN A. PAJARO

Executive Assistant IV

December 7, 2020

RECOMMENDATION

In view of the foregoing, it is respectfully recommended that the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 be approved.



Subic Bay Metropolitan Authority
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EDGAR ALLAN A. PAJARO
Executive Secretary IV

December 7, 2020

VIOLATIONS UNDER REPUBLIC ACT 11332 “LAW ON REPORTING OF COMMUNICABLE DISEASE”

SECTION 9. PROHIBITED ACTS

- (a) Unauthorized disclosure of private and confidential information pertaining to a patient’s medical condition or treatment;
- (b) Tampering of records or intentionally providing misinformation;
- (c) Non-operation of the disease surveillance and response systems;
- (d) Non-cooperation of persons and entities that should report and/or respond to notifiable diseases or health events of public concern; and
- (e) Non-cooperation of the person or entities identified as having the notifiable disease, or affected by the health event of public concern.

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EDGAR ALLAN A. PAJARO
Secretary

December 7, 2020

FINES AND PENALTIES FOR VIOLATIONS UNDER REPUBLIC ACT 11332

The abovementioned prohibited acts shall be penalized with a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00) or imprisonment of not less than one (1) month but not more than six (6) months, or both such fine and imprisonment, at the discretion of the proper court.

VIOLATION OF RA11332 MAY RESULT TO CANCELLATION OF CRTE


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Subic Bay Metropolitan Authority
Board Secretariat

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EDGAR ALLAN A. PAJARO

Executive Assistant IV

December 7, 2020

NOVEMBER 24, 2020

**AMENDMENT ON THE POLICY ON IMPOSITION OF
FINES AND
PENALTIES FOR VIOLATION OF HEALTH
PROTOCOLS AND STANDARDS AGAINST THE
SPREAD OF COVID-19 TO EXPAND THE
COVERAGE OF THE POLICY TO OVERSEAS FILIPINO
WORKERS, SEAFARERS, AND OTHER INDIVIDUALS
WHO ARE BILLETED IN QUARANTINE HOTELS
WITHIN THE SUBIC BAY FREEPORT**

Subic Bay Metropolitan Authority
Board Secretariat

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EDGAR ALLAN A. PAJARO

Executive Assistant IV

December 7, 2020

Background

On October 20, 2020, the SBMA Board of Directors approved the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 through Board Resolution No. 20-10-1800. The objective of imposing fines and penalties is to strengthen the common fight against the virus. In order to make public health order effective, the appropriate fines and penalties must be meted to those who prejudice the health and safety of the general public by willfully ignoring or violating health protocols.

The Bureau of Quarantine has accredited some hotels in the Freeport as Quarantine Hotels which can accommodate Overseas Filipino Workers (OFWs), seafarers, and other individuals. In a coordination meeting with Local Government Units, it was raised that OFWs, seafarers, and other individuals who violate the conditions of their quarantine such as escaping or absconding should be penalized.

Respectfully requesting the honorable members of the Board:

for the approval of the amendment on the Coverage of the Policy on Imposition of Fines and Penalties for Violation of Health Protocols and Standards Against the Spread of COVID-19 include OFWs, seafarers, and other individuals billeted in Quarantine Hotels within the Subic Bay Freeport who violate the conditions of their quarantine protocols such as escaping or absconding. Such violators shall pay a penalty of P5,000.00.

The following penalties shall be imposed upon locators who are found to neglect their duty by violating the guidelines on workplace prevention and control of COVID-19:

- First Offense - Temporary closure (two weeks)
- Second Offense - Suspension of CRTE (six months)
- Third Offense - Cancellation of CRTE

Suspension or Cancellation of CR or CRTE will be recommended by the concerned implementing office to the SBMA Board of Directors for approval.

Subic Bay Metropolitan Authority
Board Secretariat

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EDGAR ALLAN A. PAJARO

Executive Assistant IV

December 7, 2020

END OF PRESENTATION.

**Thank
you.**