

MEMORANDUM CIRCULAR NO. 21-32

Series of 2021

SUBJECT: ON-SITE OPERATIONAL CAPACITY OF BUSINESS ESTABLISHMENTS, PERSONS, AND ACTIVITIES IN THE NATIONAL CAPITAL REGION UNDER THE PILOT IMPLEMENTATION OF ALERT LEVELS SYSTEM FOR COVID-19 RESPONSE

WHEREAS, on 03 September 2021, the IATF issued Resolution No. 136-A, shifting from a community quarantine classification framework to a policy focusing on the imposition of granular lockdowns and adopting an Alert Level System for COVID-19 Response, with each alert level limiting restrictions only to identified high-risk activities;

WHEREAS, on 13 September 2021, the IATF introduced the Guidelines on the Pilot Implementation of Alert Levels System for COVID-19 Response in the National Capital Region (Pilot Guidelines), which was adopted in IATF Resolution No. 138, providing the list of establishments, persons or activities allowed and prohibited to operate, work or be undertaken under Alert Levels 1 to 5;

WHEREAS, in addition to Department of Trade and Industry (DTI) Memorandum Circular (MC) Nos. 20-39 and 21-15 on operations of restaurants, fastfoods, and dine-in establishments, and DTI MC Nos. 20-28, 20-38, 20-44, and 21-15, Series of 2021 on operations of personal care services, the DTI and Department of Tourism (DOT) are directed to “*issue guidelines promoting safe behaviors*” in indoor and *al fresco* dine-in services in restaurants and eateries;

WHEREAS, the IATF issued Resolution No. 136-F, Series of 2021 identifying the National Capital Region (NCR) as the area for the pilot implementation of the Alert Levels System, with pilot period from 16 to 30 September 2021;

WHEREFORE, foregoing premises considered, the following guidelines are hereby prescribed for the information and compliance of all concerned in NCR for the pilot period of **16 to 30 September 2021, unless extended --**

SECTION 1. Business Establishments, Persons or Activities Allowed to Operate On-Site Under Various Alert Levels. Subject to compliance with minimum public health and safety standards and protocols (MPHS), including those under *DOH AO 2021-0043, Series of 2021, DTI-DOLE JMC No. 2020-04-A, Series of 2020, DOLE Department Order No. 224-21, Series of 2021*, and applicable sector-relevant protocols, the updated operational capacity of business establishments, persons, and activities based on the corresponding alert levels declared in their respective areas are provided under Annex “A.”

SECTION 2. Personal Care Services Guidelines. Subject to existing applicable MPHS, personal care services and establishments shall comply with the updated guidelines and protocols provided in Annex “B.”

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SECTION 3. Operational Capacity of Indoor and Outdoor Dine-in and Personal Care Services during the Pilot Period. Subject to compliance with MPHS, DTI MCs and DTI-DOT issuance/s on dine in services, the operational capacity of dine-in services in NCR during the pilot period shall be --

Establishments/Services	Allowable On-Site Operational/ Venue Capacity
Outdoor dine-in or <i>al fresco</i> services, where all workers/employees have been fully vaccinated against COVID-19	30%*
Indoor dine-in services, where -- 1) All workers/employees have been fully vaccinated against COVID-19; and 2) <u>Only individuals fully vaccinated against COVID-19 are accepted as quests/clients for indoor dine-in services.</u>	10%*

*Local Government Units (LGU) where the establishments are located may decrease the allowable venue capacity

Meanwhile, subject to compliance with MPHS and Annex “B,” personal care services in NCR are still not allowed during the pilot period, except for the following services and/or activities--

Establishments/Services	Allowable On-Site Operational/ Venue Capacity
Outdoor <i>barbershops, hair spas, nail spas, and beauty salons</i> , as allowed by the respective LGUs, provided that -- 1) All workers/employees have been fully vaccinated against COVID-19; and 2) Patrons/clients and service providers must wear face masks at all times.	30%
Indoor <i>barbershops, hair spas, nail spas, and beauty salons</i> , as allowed by the respective LGUs, provided that -- 1) All workers/employees have been fully vaccinated against COVID-19; 2) <u>Only individuals fully vaccinated against COVID-19 are accepted as patrons/clients for indoor personal care services;</u> and 3) Patrons/clients and service providers must wear face masks at all times.	10%

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SECTION 4. Compliance Monitoring. The DTI, through the FTEB and Regional or Provincial Offices, shall continue its strict compliance monitoring through its post-audit mechanism. Inspection by the DOLE, DOH, and the LGU's Health Office may also be conducted at any time. Violations of this Circular shall be subject to corresponding penalties under relevant rules and guidelines including the temporary suspension of business operations, as may be necessary and applicable.

SECTION 5. Complaints Handling. All feedback and complaints from the general public may be coursed through the DTI Consumer Care Hotline 1-384.

SECTION 6. Repealing and Separability Clause. Provisions of other relevant Memorandum Circulars that are inconsistent with this Circular are hereby superseded or amended accordingly.

If for any reason, any part or provision of this Circular be declared invalid, any part or provision not affected thereby shall remain in full force and effect.

SECTION 7. Effectivity. Given the presence of a public health emergency, this Circular shall immediately take effect upon its publication and filing with the University of the Philippines Law Center.

Issued on 16 September 2021.



RAMON M. LOPEZ
Secretary

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ANNEX "A": ON-SITE CAPACITIES OF BUSINESS ESTABLISHMENTS/ACTIVITIES IN THE ALERT LEVELS SYSTEM
(as of 16 September 2021)

BUSINESS ESTABLISHMENTS/ACTIVITIES	ALERT 5	ALERT 4	ALERT 3	ALERT 2	ALERT 1
Public and private hospitals	100%	100%	100%	100%	100%
Health, emergency and frontline services, including those provided by dialysis centers, chemotherapy centers, HMOs, health insurance providers, disaster risk reduction management officers, and public safety officers and the like	100%	100%	100%	100%	100%
Manufacturers of medicines and vitamins, medical supplies, devices and equipment, including suppliers of input, packaging, and distribution	100%	100%	100%	100%	100%
Industries involved in agriculture (crops, fruits, vegetables, livestock and poultry), forestry, fishery, and such other components of the food value chain and their workers, including farmers and fisher folks	100%	100%	100%	100%	100%
Logistics service providers (delivery and courier services; cargo handling; warehousing; trucking; freight forwarding; shipping, port and terminal operators and contractors and ancillary services (i.e. drivers, conductors, terminal workers)	100%	100%	100%	100%	100%
Essential and priority construction projects, whether public or private, in accordance with the guidelines issued by the Department of Public Works and Highways (DPWH) including contractors, subcontractors, and consultants of the Department of Transportation for the construction of Build Build Build flagship infrastructure projects	100%	100%	100%	100%	100%
Manufacturing related to food, beverages, and other essential goods such as but not limited to soap and detergents, diapers, personal hygiene products, toilet paper, and wet wipes, and disinfectants	100%	100%	100%	100%	100%
Companies that manufacture, distribute and/or supply equipment or products necessary to perform construction or maintenance works, such as cement and steel, or spare parts	100%	100%	100%	100%	100%
Essential retail trade and service establishments such as public markets, supermarkets, grocery stores, convenience stores, pharmacies or drug stores, hardware, bookstores and office supplies, bicycle shops, laundry shops, and water-refilling stations	100%	100%	100%	100%	100%
Food preparation establishments such as kiosks, commissaries, restaurants, and eateries					
<i>Take out and delivery</i>	100%	100%	100%	100%	100%
<i>Outdoor dine-in services (al fresco)</i>	not allowed	30% provided that workers/ employees are fully vaccinated	100%	100%	100%
<i>Indoor dine-in services</i>	not allowed	10% provided that -- • they cater only to fully vaccinated individuals; and • workers/ employees are fully vaccinated	30%	50%	100%
Public and private financial service providers involved in the distribution of government grants and amelioration subsidies	100%	100%	100%	100%	100%
Business process outsourcing establishments (BPOs), and export-oriented businesses, including mining and quarrying activities	100%	100%	100%	100%	100%
Public transport providers and operators	100%	100%	100%	100%	100%
Media establishments and their total permanent staff complement, inclusive of reporters and other field employees	50%	100%	100%	100%	100%
Dental, rehabilitation, optometry and other medical clinics for the treatment of illness or injuries. Provided, that there is strict observance of infection prevention and control protocols. Provided, further, that dental procedures shall be limited to emergency cases only and that the wearing of full Personal Protective Equipment (PPEs) by dentists and attendants shall be mandatory. Provided, finally, that home service therapy for Persons with Disabilities (PWDs) shall be allowed	skeleton limited to emergency cases only	100%	100%	100%	100%
Veterinary clinics	skeleton	100%	100%	100%	100%

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BUSINESS ESTABLISHMENTS/ACTIVITIES	ALERT 5	ALERT 4	ALERT 3	ALERT 2	ALERT 1
Banks, money transfer services, including pawnshops only insofar as performing money transfer functions, microfinance institutions, and credit cooperatives, including their armored vehicle services, if any	skeleton	100%	100%	100%	100%
Capital markets, including but not limited to the Bangko Sentral ng Pilipinas, Securities and Exchange Commission, Philippine Stock Exchange, Philippine Dealing and Exchange Corporation, Philippine Securities Settlement Corporation, and Philippine Depository and Trust Corporation	skeleton	100%	100%	100%	100%
Water supply and janitorial/sanitation services and facilities, including waste disposal services, as well as property management and building utility services	skeleton	100%	100%	100%	100%
Energy sector (oil, gas, and power companies), their third-party contractors and service providers, including employees involved in electric transmission and distribution, electric power plant and line maintenance, electricity market and retail suppliers, as well as those involved in the exploration, operations, trading and delivery of coal, oil, crude or petroleum and by-products (gasoline, diesel, liquefied petroleum gas, jet oil, kerosene, lubricants), including gasoline stations, refineries and depots or any kind of fuel used to produce power	skeleton	100%	100%	100%	100%
Telecommunications companies, internet service providers, cable television providers, including those who perform indirect services such as the technical, sales, and other support personnel, as well as the employees of their third-party contractors doing sales, installation, maintenance and repair works	skeleton	100%	100%	100%	100%
Airline and aircraft maintenance, pilots and crew, and employees of aviation schools for purposes of the pilot's recurrent training for flight proficiency and type rating using simulator facilities, and ship captains and crew, including shipyard operations and repair	skeleton	100%	100%	100%	100%
Funeral and embalming services	skeleton	100%	100%	100%	100%
Security personnel licensed by the PNP - Supervisory Office for Security and Investigation Agencies	skeleton	100%	100%	100%	100%
Printing establishments authorized by the Bureau of Internal Revenue and those contracted by other government agencies	skeleton	100%	100%	100%	100%
Establishments engaged in repair and maintenance of machinery and equipment, for households and essential permitted establishments	skeleton	100%	100%	100%	100%
Establishments engaged in repair and maintenance of motorized and non-motorized vehicles, including the sale of spare parts	skeleton	100%	100%	100%	100%
Leasing of real and personal properties	skeleton	100%	100%	100%	100%
Employment activities that involve the recruitment and placement for permitted sectors	skeleton	100%	100%	100%	100%
Teachers, professors and other staff for purposes of conducting online/offline, and flexible classes, completion of grades, and processing of student credentials, requirements and documents	skeleton	100%	100%	100%	100%
Lawyers	skeleton only when required to provide on-site legal representation necessary to protect rights of persons, whether natural or juridical	100%	100%	100%	100%
All other establishments, to the extent necessary for the buying and selling of consumer goods or services via the internet	skeleton	100%	100%	100%	100%
Private corporations are encouraged to process payrolls online. Payroll managers, and such other employees required for the processing of payroll, and accounting firms	skeleton	100%	100%	100%	100%

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Other Manufacturing such as: • Electrical Machinery • Wood products, Furniture • Non-metallic products • Textiles / Wearing apparels • Paper and Paper products • Rubber and Plastic products • Coke and Refined Petroleum products • Other non-metallic mineral products • Computer, Electronic and Optical Products • Electrical Equipment • Machinery and Equipment • Motor Vehicles, Trailers and Semi-Trailers • Other Transport Equipment	not allowed	100%	100%	100%	100%
Non-essential retail trade and service establishments such as clothing and accessories, flower, jewelry, novelty, antique, perfume shops, toy stores, music stores, art galleries (selling only), and firearms and ammunition trading establishments	not allowed	100%	100%	100%	100%
Hotels and other accomodation establishments	Allowed to operate at such capacity and protocols subject to guidelines issued by the Department of Tourism				
Office Administrative and Office Support (such as photocopying, billing, and record keeping services)	not allowed	100%	100%	100%	100%
Other financial services (e.g., money exchange, insurance, reinsurance, lending companies, and non-compulsory pension funding)	not allowed	100%	100%	100%	100%
Management Consultancy Activities	not allowed	100%	100%	100%	100%
Architecture and Engineering Activities; Technical Testing and Analysis	not allowed	100%	100%	100%	100%
Scientific and Research Development	not allowed	100%	100%	100%	100%
Advertising and Market Research	not allowed	100%	100%	100%	100%
Computer programming (such as writing, modifying, testing and supporting software, planning and designing computer systems), information service activities (such as data processing and hosting activities) and other related activities	not allowed	100%	100%	100%	100%
Publishing and printing services (such as printing of newspapers, magazines, and other periodicals, books, brochures, manuscripts, posters, maps, atlases, advertising catalogues, prospectuses, etc; printing directly onto textiles, plastic, glass, metal wood, and ceramics)	not allowed	100%	100%	100%	100%
Film, music, and TV production	not allowed	100%	100%	100%	100%
Other services such as photography; fashion, industrial, graphic, and interior design	not allowed	100%	100%	100%	100%
Wholesale and retail trade of motor vehicles and motorcycles	not allowed	100%	100%	100%	100%
Travel agencies, tour operators, reservation service and related activities	not allowed	100%	100%	100%	100%
Pet grooming services	not allowed	100%	100%	100%	100%
Indoor limited face-to-face or in-person classes, examinations, and other education-related activities at all levels	not allowed	not allowed except those previously approved by the IATF and/or the Office of the President	30% limited to face-to-face or in-person examinations approved by the IATF	50%	100%
Outdoor sports, courts or venues	not allowed	100%	100%	100%	100%
Indoor sports, courts or venues, fitness studios, gyms, or other indoor leisure centers or facilities, and swimming pools	not allowed	not allowed except those conducted under a bubble-type setup as provided for under relevant guidelines adopted by the IATF, and approved by the LGU where such games shall be held	30%	50%	100%
Indoor visitor or tourist attractions, libraries, archives, museums, galleries, and cultural shows and exhibits	not allowed	not allowed	30%	50%	100%

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BUSINESS ESTABLISHMENTS/ACTIVITIES	ALERT 5	ALERT 4	ALERT 3	ALERT 2	ALERT 1
Indoor venues for meetings, incentives, conferences, and exhibitions (Subject to DTI & DOT Guidelines)	not allowed	not allowed	30%	50%	100%
Social events in eligible venue establishments (Subject to DTI & DOT Guidelines)	not allowed	not allowed	30%	50%	100%
Personal care services					
<i>Outdoor barbershops, hair spas, nail spas, and beauty salons</i>	not allowed	30% Provided, that -- • all workers/ employees are fully vaccinated; and • patrons/clients and service providers wear face masks at all times	30%	50%	100%
<i>Indoor barbershops, hair spas, nail spas, and beauty salons</i>	not allowed	10% Provided that -- • they cater only to fully vaccinated individuals and that workers/ employees are fully vaccinated; and • patrons/clients and service providers wear face masks at all times	30%	50%	100%
<i>Other personal care services which include spas, aesthetic and cosmetic clinics, make-up salons, reflexology, aesthetics, wellness, and holistic centers, and other similar establishments; acupuncture and electrocautery establishments, and massage therapy including sports therapy establishments. It also includes establishments providing tanning services, body piercings, tattooing and similar services.</i>	not allowed	not allowed home service is likewise not permitted	30%	50%	100%
Casinos, horse racing, cockfighting and operation of cockpits, lottery and betting shops, and other gaming establishments	not allowed	not allowed except as may be authorized by the IATF or the Office of the President	30%	100%	100%
Indoor recreational venues such as internet cafes, billiard halls, amusement arcades, bowling alleys, and similar venues	not allowed	not allowed	30%	50%	100%
Indoor entertainment venues such as cinemas, and venues with live performers such as karaoke bars, bars, clubs, concert halls, and theaters	not allowed	not allowed	not allowed	50%	100%
Outdoor and indoor amusement parks or theme parks, funfairs/peryas, kid amusement industries such as playgrounds, playrooms, and kiddie rides	not allowed	not allowed	not allowed	50%	100%

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ANNEX “B”

SECTOR-SPECIFIC MINIMUM PUBLIC HEALTH STANDARDS FOR PERSONAL CARE SERVICES

Consistent with the minimum public health standards (MPHS) prescribed by the Department of Health (DOH) under Administrative Order No. 2021-0043¹ and DTI-DOLE Joint Memorandum Circular No. 2020-04-A², owners or designated safety officers of establishments engaged in offering personal care services are required to implement and maintain the following sector-specific public health standards:

I. PREVENTION

A. Engineering Controls

1. Ensure adequate air exchange in enclosed areas through the implementation of strategies as cited in DOLE Department Order No. 224-21 or the *Guidelines on Ventilation for Workplaces and Public Transport to Prevent and Control the Spread of COVID-19*, such as:
 - a. Maximizing natural ventilation through opening of windows;
 - b. Use of low-cost modifications to improve air flow (i.e. addition of fans or exhaust fans);
 - c. Identification of multi-occupant spaces that are used regularly and are poorly ventilated. Air flow shall be controlled to ensure indoor CO₂ concentrations be maintained at-or below 1,000 parts per million (ppm)³; and
 - d. Installation and regular maintenance of exhaust fans and air filtration devices with High-Efficiency Particulate Air (HEPA) filters.
2. Install hand hygiene and sanitation facilities, and provide materials such as the following:
 - a. Adequate and safe water supply;
 - b. Hand washing station or sink;
 - c. Soap and water or 70% Isopropyl (or Ethyl) Alcohol; and
 - d. Hands-free trash receptacles, soap and towel dispensers, door openers, and other similar hands-free equipment.
 - e. The use of foot baths, disinfection tents, misting chambers, or sanitation booths are **not** recommended.
3. Maintain physical distancing by ensuring proper spacing of seats and reducing seating capacity in accordance with the prevailing alert system where the establishment is located.

¹ Omnibus Guidelines on the Minimum Public Health Standards for the Safe Reopening of Institutions dated 31 August 2021: <https://bit.ly/DOHAO21-0043>

² Interim Guidelines on Workplace Prevention and Control of COVID-19: bit.ly/MC20-04A

³ Note that outdoor CO₂ concentration directly impacts indoor CO₂ concentration. It is critical to measure outdoor CO₂ levels when assessing indoor concentrations. Indoor CO₂ levels shall not exceed the outdoor concentration by more than about 600ppm.

4. Establish a screening area at the point/s-of-entry. The following protocols must be implemented thereat:
 - a. Health declaration or symptom assessment through the use of the Staysafe.ph application, or any national and certified contact tracing application integrated with the same, in the conduct of contact tracing activities. Those with symptoms or exposure to probable, suspect, and confirmed COVID-19 cases shall not be allowed entry.
 - b. All personnel and customers must undergo a non-contact temperature check, and those with a temperature higher than 37.5 degrees centigrade shall not be allowed entry.
 - c. Indoor barbershops, hair spas, nail spas, and beauty salons located in areas under Alert Level 4 shall only accommodate asymptomatic fully vaccinated⁴ individuals who must present valid proof thereof.

5. Install visual cues or signages to communicate:
 - a. Maintaining physical distancing of at least one meter distance;
 - b. Cough and sneeze etiquette;
 - c. Proper hand hygiene and control;
 - d. Proper use and disposal of PPE; and
 - e. Other critical reminders in the Prevent, Detect, Isolate, Treat, Reintegrate (PDITR+) strategy, BIDA Solusyon (bit.ly/BIDAPartners) and Resbakuna for the promotion of the Government's Vaccination Program (<https://doh.gov.ph/vaccines>).

6. Facility for proper storage, collection, treatment, and disposal of used PPE and other infectious waste shall be in accordance with DOH AO 2021-0043.

B. Administrative Controls

1. Ensure adequate provision of personal protective equipment to all employees, regardless of employment status, which includes:
 - a. Cloth or surgical masks, or face shields, as necessary; and
 - b. Gloves and other appropriate PPE for all personnel tasked to perform personal care services to customers or do regular cleaning and disinfection of chairs and other furniture, fixtures, and equipment.

⁴ Per DOH Administrative Order No. 2021-0043, fully vaccinated for COVID-19 shall refer to an individual who has --

1. More than or equal to 2 weeks after having received the second dose in a 2-dose series; or
2. More than or equal to 2 weeks after having received a single-dose vaccine; and
3. The vaccines administered to the individual are included in any of the following:
 - a. Emergency Use Authorization (EUA) List or Compassionate Special Permit (CSP) issued by the Philippine Food and Drug Administration; or
 - b. Emergency Use Listing of the World Health Organization


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2. Enforce limits on on-site capacity in accordance with the latest guidelines set by the national government or limitations on venue/seating capacity or other prohibitions as may be imposed by the host Local Government Unit (LGU).
3. Maximize the use of text messaging and online tools for scheduling to avoid gathering in queuing areas.
4. Disinfection shall adhere with the provisions outlined in DOH Department Memorandum No. 2020-0157, its amendments and *Cleaning and disinfection of environmental surfaces in the context of COVID-19* by the WHO. For this purpose, all furniture, fixtures, and equipment, including those inside the establishment and restrooms must be properly and regularly sanitized.
5. Employers are encouraged to establish flexible policies on the provision of sick leaves and health benefits.
6. The establishment shall, at all times, have a designated health and safety officer who will be physically present in the establishment to ensure that the MPHS outlined herein and government-imposed limitations on venue/seating capacity are strictly followed. Any non-compliance with this requirement or to the MPHS shall serve as ground for the temporary closure of the establishment, until such time that their violation is rectified.

C. Personal Protective Equipment

1. Face masks must be worn at all times, regardless of the service to be performed (refer to *Figure 1* for guidance to barbershops when cutting the hair of clients with face masks).
2. Proper donning and doffing of gloves after each served customer shall be observed.
3. Gloves and other appropriate PPE shall be used in performing activities such as cleaning and disinfection.

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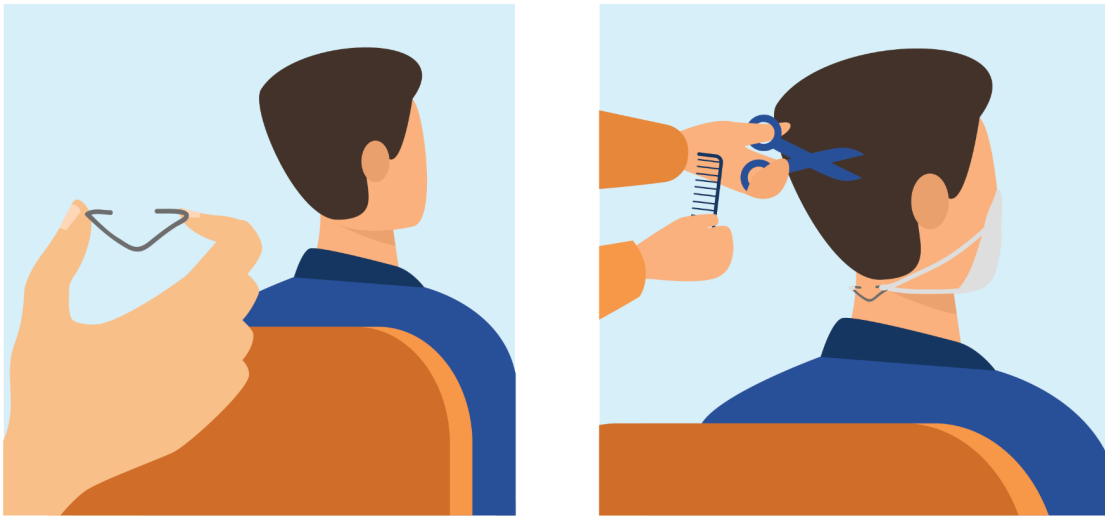


Figure 1. Find any object (e.g., hook/pin/comb) that can hold the straps of the mask on the nape, then proceed with haircutting as illustrated above.

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