



Senate of the Philippines

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Senator

Comments and Recommendations on the Tenth (June 1) Report on the Implementation of the Bayanihan Act (RA 11469)

3 June 2020

Here are our comments and recommendations on the measures currently being implemented to address the COVID-19 pandemic and mitigate its impact:

On Emergency Subsidy Program

- 1. We seek clarification as to why the target number of beneficiaries under the Emergency Subsidy Program (ESP) has kept on changing, despite the fact that the tranche 1 should have been completed by this time. This inconsistency makes "accomplishment rate" inaccurate/ unreliable.**
 - The 10th Bayanihan Report now cites that the estimated/target number of beneficiaries under DSWD is 17,938,422. This is different from the target 17,933,769 beneficiaries stated in the 8th and 9th report, and the 18,046,093 beneficiaries stated in the 6th and 7th Report.

- 2. We would like to be updated on the plan of the government regarding the implementation of SAP for Drivers, considering that it has only served 68.9% of its target 90,000 beneficiaries in NCR by end of May.**
 - As of May 29, 2020, only 62,028 out of the 90,000 Transport Network Vehicle Service (TNVS) and Public Utility Vehicles (PUVs) in NCR benefitted under the program.
 - In addition, there have been no updates on the target driver-beneficiaries outside of NCR, and the status of the distribution of aid to them.

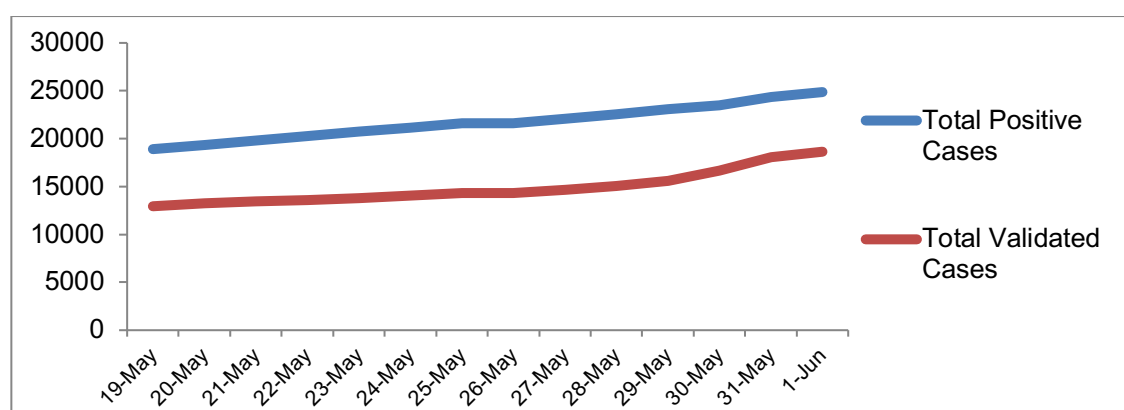
Regional Statistics of COVID-19 Beds

3. **We hope to see a granulated data of available and occupied COVID-19 beds, by type of hospital across regions. Such information on occupancy rates is necessary to assess the health sector’s capacity to accommodate cases during the peak of pandemic and to determine the areas that are most vulnerable to shortage of beds once cases surge.**
 - As of May 28, 2020 there are 1,912 COVID-19 referral and accepting hospitals in the country—providing a total of 13,627 beds dedicated for COVID-19. As of the same date, 35.3% of these beds are occupied.
 - The UP COVID-19 Pandemic Response team estimated that the peak of pandemic—where 51,933 Filipinos would need hospitalization and 13,194 of these would be critical cases requiring ICU treatment—may overwhelm the health system capacity, especially Metro Manila which faces a serious shortage in hospital beds.¹

Backlog in the Total Number of Validated COVID-19 Cases

4. **Using a two-week data from the DOH, it can be seen that the difference between the total positive cases (validated and unvalidated) and the total confirmed cases officially published by the DOH, does not seem to diminish, despite the previous pronouncement of the National Action Plan Against COVID-19 Deputy Chief Implementer Vince Hizon that such backlog would be addressed by May 31.**

We hope that the DOH that can present clear plan of action on how to achieve its goal of completing the validation of more than 6,000 tests and improve its human resource and technical capability to address this persistent backlog.



- In the past two weeks, the backlog of validated COVID-19 cases averaged to 6,816. This underreporting is alarming and may mislead the public and the policymakers on the threat the COVID-19 poses as we ease quarantine restrictions.

¹ <https://www.onenews.ph/not-enough-beds-healthcare-workers-to-address-covid-19-cases-in-case-of-surge-up-research>

Adjustments of Educational Institutions

5. We hope to see the total number and regional distribution of teachers and stakeholders trained by the Department of Information and Communications Technology (DICT) in relation to the adjustments necessary to deliver online or blended learning.

- According to the 10th Bayanihan Report, the DICT has started the conduct of webinars and other capacity building initiatives, such as digital literacy training for teachers, educators, and other stakeholders in the education industry. The DICT has also started the review and assessment of open source and available learning management and videoconferencing systems for potential use of educational institutions.
- We also hope to see the targeted deadline for these initiatives, as well as the efforts to ensure that the trained teachers and educators have the proper equipment and software to be able to effectively conduct online learning.

6. We hope to see a concrete plan and the relevant timelines that the Department of Education (DepEd) has set in relation to the preparation and dissemination of the distance learning *curriculum* before the opening of school on August.

- This adds to our previous request to see a comprehensive assessment of issues with alternative learning systems the teaching workforce and educational institutions may currently have (such as lack of access to internet and computers by some students), which may hamper the delivery and effectiveness of education once classes resume.
- This is also relevant to our previous comment seeking updates on the status of preparedness of HEIs, students and faculty to shift to online modes of learning in light of the continuing threat of COVID-19, and an assessment of the quality of the internet connectivity in the country.
- We also hope to see a comprehensive assessment of the available ICT equipment and learning and other materials that public basic education and SUCs have so that proper assistance may be given to those who have lacking or very limited capability to conduct online or alternative modes of delivery of education.

OFW Welfare

7. **To reduce the stress caused by the COVID-19 pandemic to our returning OFWs, we hope that the government not only prevents delays in the completion of the 14-day mandatory quarantine for our balikbayans (e.g. delays in swabbing schedules, delays in the issuance of certificate of completion of mandatory quarantine) but also reduces the use of test kits prone to produce false positives.**
 - Several medical societies have expressed apprehension over the widespread use of rapid tests as these are prone to producing false positives.² This problem has been encountered in Cebu where 13 returning OFWs tested negative in rapid tests in Manila, but subsequently tested positive in PCR tests upon reaching the island.³ The inaccuracy of rapid tests should be a cause of alarm for our officials not only because these may be ineffective in isolating positive cases but also because it adds to the potential mental health impact of the pandemic to our returning OFWs. The use of rapid antibody tests may also be an unnecessary expense, which can just be channeled for the purchase of the more accurate PCR tests.

Transportation Concerns relevant to the General Community Quarantine

8. **We hope to see a more reasonable transportation plan to move workers in light of the limited capacity and number of mass transportation systems due to the imposition of social distancing measures.**
 - In an interview with CNN, Secretary Tugade stated that the Department of Transportation never promised that the available transport system will be able to transport all people once the General Community Quarantine is in place. However, we note that during the public hearing conducted by the Senate Committee on Public Services, LTFRB Chairman assured that there will be enough transportation to meet the expected demand:

“Kami po iyong nag-compute noong porsiyento ng mga populasyon na pwedeng lumabas at kukuha ng public transport. Well, probably mostly workers will be going out to work but we are not also discounting other people who may be allowed to work but with fewer option to go out of their houses because of restricted activities. Be that as it may, **we already have made some computations also on our capacity to address the expected demand...as it may be.** We are looking at insofar as across the modes of public transport from buses P to P, PUJ, UV and shuttle service and the numbers that we are looking at, **sapat po siya na tutugon doon sa expected demand.**⁴

² <https://www.onenews.ph/medical-groups-reiterate-opposition-to-rapid-test-kits-for-workers>

³ https://cnnphilippines.com/regional/2020/5/11/13-returning-OFWs-Cebu-positive-COVID-19-negative-rapid-test-results-Manila-.html?fbclid=IwAR3CE2GE_c6EDY7hp9zXOofsNsSuldXjpPAT6Jvz8k27fv7MrVjauUDJ_Kc

⁴ TSN, May 11, 2020 Committee on Public Services Hearing, at p. 95.

- We wish to reiterate that the workers play a vital role in the revival of the economy, and their mobility is a key factor in this effort. We hope that our transport regulators are able to make adjustments in their plans and strategies in the coming days so that our workers will not have to worry how to get to work, and at the same time, increase their risk of contracting COVID-19. We also hope to see better coordination among DOTr and its attached agencies (like LTFRB) in ensuring that there is really enough transportation services to meet the demand.
- In addition, we also hope to see plans and updates on the enforcement of the social distancing and safety protocols in public transportation with the recent lifting of NCR's Modified Enhanced Community Quarantine to a GCQ.
- To help improve compliance with social distancing protocols, the government may consider extending train operation hours coupled with the initiative to increase the amount of operating carriages to reduce congestion within the trains and in the long lines leading to the stations.
- The government may also want to consider allowing back riding in motorcycles among relatives, who are expected to be in the same home anyway. This is to further decongest our trains and allowed vehicles.

9. Given the limited transportation, the MMDA and LGUs, in coordination with DPWH and DOTr should expedite the establishment of bike lanes.

- On June 1, during the first day of GCQ, a group of advocates for bike-friendly roads, United Marshall Bikers, initiated temporary improvised bike lanes and also distributed reflectorized along Commonwealth Avenue.⁵

The following day, however, MMDA removed these improvised bike lanes made of colored 6-liter plastic bottles, citing safety problems, and also announced giving United Marshall Bikers citation tickets for obstruction and imposing fine of Php 1,000 each.

According to MMDA Spokesperson Celine Pialago, they have a proposal to create bike lanes along Commonwealth Avenue but it will take time.

⁵ <https://news.mb.com.ph/2020/06/02/mmda-removes-dangerous-improvised-plastic-barricades-placed-by-group-as-bike-lane/>

Summary of Unaddressed Concerns

1. We reiterate our request for DOH to present the target number of health care workers (HCWs) that both the public and private health sectors require to address the COVID-19 pandemic, and to estimate the shortage from the current pool of health care workers in the country.

In addition, DOLE and DOH must provide the affected healthcare workers (i) assistance, which could come in the form of DOLE's CAMP-AKAP, and (ii) local employment options in healthcare facilities while the deployment ban is in place, and estimate the number of workers who do not benefit from any of these two.⁶ They must also coordinate information and protocols on HCW-OFWs and ensure that returning OFW-HCWs and stranded HCWs are integrated into the DOH health human resource hiring.

2. We also requested for accurate presentation of comparable key indicators in the Bayanihan Reports, as these are critical in assessing the weekly progress of the implementation of the Bayanihan Act and in guiding policymakers in adopting appropriate policies and actions.

This includes (i) addressing discrepancies in official reported figures (e.g. contacts traced as reported by DOH and the NRRMC, SAP beneficiaries as reported by the LTFRB and the Bayanihan Report), (ii) reporting pertinent data such as total and distribution of suspected and probable cases, and weekly target PPEs required by facilities.

3. We look forward to the launch of the DOLE Online Monitoring System.⁷
4. We also previously suggested that in order to detect potential underreporting of COVID-19 deaths, the DOH or the Bayanihan Reports should include regular updates on the number of individuals tagged as suspect and probable cases who have died without being tested yet for COVID-19.

As of June 2, 2020, a total of 966 individuals have died due to COVID-19 in the Philippines. This may be underestimated because it only covers tested patients, including those whose results were confirmed after death (515 or 53% of total COVID-19). Considering that the reported deaths do not cover those that were not tested to begin with, it is imperative to look into deaths of patients with suspected and probable cases and account for potential underreporting.

5. It is unfortunate that that the 9th and 10th Bayanihan Reports were not able to provide the status of the distribution of the 2nd tranche of pay-outs under DSWD's SAP and DOF's SBWS Program.

⁶ Currently, only healthcare workers who have been granted Overseas Employment Certificates as of March 8 are allowed to go abroad;

⁷ We hope that DOLE will be able to launch, as soon as possible, its online monitoring system, which provides real-time updates on the status of the implementation of their programs (e.g. with respect to individual DOLE programs, the number and regional distribution of establishments that applied for the program, the number of approved, denied or pending applications, the number of employees granted assistance, profile of the applicant or nature of work, their location, and the date of remittance of assistance, etc.). While we note that certain DOLE regional offices have posted on their Facebook page the list of CAMP beneficiaries, not all regions have done the same.

6. We would like to seek assurance from the government that the quality of the PPEs it has bought has been tested properly, and that the FDA has properly tested and certified all PPEs that come into the country. We have received reports that some of the PPEs given to hospitals have poor quality.
7. We hope that the government will be able to give assurance to employers and employees that proper government assistance with regard to testing employees will be given, especially as more people are expected to return to work with the shift to General Community Quarantine.
 - We also hope that the relevant government offices would clarify their guidelines on the testing of employees, stating that only a sample of the returning employees needs to be tested. In this regard, we note that while the Guidelines on Workplace Prevention and Control of COVID-19 issued by DTI and DOLE provides that “[e]mployers may test workers for COVID-19,” the guidelines issued by DPWH⁸ provides that “[c]onstruction personnel shall be required to undergo any available COVID-19 test.”
8. The threat of COVID-19 infection that our health frontliners face remains to be alarming. With the expected increase in cases (partly due to the gradual easing of restrictions), we hope to see a more concrete plan to reduce such risks, especially the provision of adequate and quality PPEs and proper information dissemination on the correct protocols to avoid community transmission.
 - As of June 2, 2020, the DOH reported that there had been 2,606 healthcare personnel infected by COVID-19.⁹ This constitutes 14% of the total cases in the country, which is significantly higher compared to the infection rate of 2-3% for healthcare workers in the Western Pacific.¹⁰
9. We laud the efforts of the government in improving the quality and quantity of quarantine facilities. However, there remains to be questions as to the administration of quarantine protocols.
 - We hope that there is a clear delineation of duties among the Overseas Workers Welfare Administration (OWWA), DOH, Bureau of Quarantine (BOQ), Department of Tourism (DOT) and other government agencies in the management of privately commissioned quarantine facilities. More specifically, returning Overseas Filipino Workers (OFWs) should be guided on which agency they should coordinate with before, during and after undergoing the 14-day mandatory quarantine.
10. We also wish to convey our disagreement to the decision of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID or Task Force) on classifying the Philippine Offshore Gaming Operators (POGOs) as members of the BPO sector. On May 5, 2020, we sent a letter to IATF-EID, thru Secretary Duque, regarding this matter. Unfortunately, we have not received any response from the Task Force.

⁸ DPWH Department Order No. 25, series of 2020 dated May 4, 2020.

⁹ covid19stats.ph/stats Accessed June 2, 2020

¹⁰ <https://www.cnn.ph/news/2020/4/22/COVID-19-frontliners-healthcare-workers-coronavirus.html>

- It is our humble opinion that POGOs not only do not have significant contribution to the economy, but also pose serious threat to our country's efforts to flatten the curve of transmission of COVID-19. Allowing them to re-open when there is still very little testing done, is ill-advised.
 - Based on our hearings in the Senate, we have discovered the following alarming facts about the industry:
 - The POGO industry has not benefitted Filipino workers, and has made very little, if at all, impact in curbing the rate of unemployment in the Philippines. Based on the data submitted to our office, only about two in every 10 jobs in POGOs are held by Filipinos.¹¹
 - The POGO industry has very little contribution to the country's Gross Domestic Product (GDP), having only Php7 billion in net financial inflows (or 0.04% of GDP) from 2017 to 2019. In contrast, it owes the country around Php50 billion in unpaid taxes, which is 3.6 times more than the Php14 billion taxes and fees the industry paid in 2019.
 - The influx of POGOs has resulted in rising criminality, including prostitution, and increased threat of money laundering, among others. For example, of the total 1,338 foreign nationals deported from the country in 2019, 733 are fugitives who are mostly involved in POGO operations in the country. Around 10 raids have also been conducted in prostitution dens catering mostly to POGO workers.
 - The POGO industry has not been traditionally considered as part of the BPO industry. Unlike POGOs, BPOs generate local employment. In 2019, the BPO sector employed 1.33 million full-time equivalent workers, and generated USD22.4 billion in revenues.
- 11.** To reduce the risk of spread of COVID-19 upon implementation of GCQ, we recommend that DOLE coordinate and monitor all establishments, especially those that recorded poor compliance with Occupational Safety and Health Standards (OSHS) in the most recent DOLE inspections, and ensure that they are aware of the proposed protocol for screening employees and visitors. We also hope that DOLE will provide a clearer set of guidelines on the safety and health protocols that must be adhered to at this time.
- 12.** The 10th Bayanihan Report states that of the 120,798 target student-beneficiaries, 67,650 were already able to receive their Tertiary Education Subsidy (TES).¹² This means that 44% of the target student-beneficiaries have yet to receive their TES. We hope that the Commission on Higher Education (CHED) can fast track the disbursement of the said funds and assist beneficiaries that have difficulty completing the submission of their documents due to the ongoing lockdown.

¹¹ Note, however, that we entertain some doubts as to the veracity and accuracy of the reports submitted by PAGCOR due to the fact its reports do not tally with the figures reported by other agencies, such as the DOLE and the POGO Task Force.

¹² TES is an additional stipend given to students in SUCs/LUCs who are in the Listahanan 2.0 of the DSWD