



REPUBLIC OF THE PHILIPPINES

SMALL BUSINESS WAGE SUBSIDY (SBWS) PROGRAM TASK FORCE

RESOLUTION NO. 4
SBWS-DOLE CAMP GRIEVANCE MECHANISM

WHEREAS, in the interest of service and pursuant to Presidential Proclamation No. 922, Series of 2020 issued on March 8, 2020, declaring a State of Public Health Emergency throughout the Philippines due to Coronavirus Disease 2019 (COVID-19) pandemic and its impact on the country's economy, the Department of Labor and Employment (DOLE), in fulfilling its mandate to provide social protection and welfare for affected workers in the formal sector, promulgated guidelines on the implementation of the COVID-19 Adjustment Measures Program (CAMP), under Department Order No. 209, Series of 2020;

WHEREAS, on April 14, 2020, the President of the Republic of the Philippines approved the Small Business Wage Subsidy (SBWS) Measure, to complement the social amelioration programs under Republic Act No. 11469, otherwise known as the "*Bayanihan to Heal as One Act*," to be implemented by various agencies of the Government;

WHEREAS, pursuant to Items I and IV of the Joint Memorandum Circular (JMC) No. 001-2020 dated April 30, 2020, or the "Guidelines for the Availment of the Small Business Wage Subsidy Measure", as amended by JMC No. 002-2020 dated May 17, 2020, issued by the Department of Finance (DOF), together with the Bureau of Internal Revenue (BIR), and the Social Security System (SSS), "employees who have received a subsidy from DOLE's CAMP and other similar programs may be eligible for the SBWS, but the wage subsidy for the Second Tranche under the SBWS shall be net of any amount received under the said program";

WHEREAS, under Item IX, paragraph A (Roles and Responsibilities) of JMC No. 001-2020, as amended, the DOF "shall receive from the DOLE the list of CAMP applicants xxx to perform pre-processing of the DOLE CAMP list data and cross-matching it with SBWS list of beneficiaries in the First Tranche";

WHEREAS, to determine duplication and validate the SBWS list of beneficiaries, a cross-matching and deduplication of data were conducted by the DOF and the results of which were provided to SSS as basis for determining the qualified SBWS beneficiaries and amounts of subsidy for the Second Tranche;

WHEREAS, due to incorrect submissions by employers and other data limitations, there may be instances where the names of beneficiaries are not 100% matched, thus, resulting to incorrect tagging of the employees as DOLE-CAMP beneficiaries;

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WHEREAS, this fact may only be discovered after the last day of the second tranche payout when SBWS beneficiaries receive their second tranche SBWS net of the DOLE-CAMP subsidy, or receive no SBWS Second Tranche at all;

WHEREAS, it is imperative that those who were incorrectly tagged as DOLE-CAMP beneficiaries be given the opportunity to appeal, and rightfully receive their SBWS Second Tranche payout;

NOW, THEREFORE, for and in consideration of the foregoing premises, the SBWS Program Task Force (SPTF) **recommends** to the Secretary of Finance the guidelines and procedures for the SBWS – DOLE CAMP Grievance Mechanism:

A. DOLE-CAMP BENEFICIARIES UNDER SBWS

Employees who have received a subsidy from the DOLE-CAMP and other similar programs may be eligible for the SBWS, but the wage subsidy for the Second Tranche under the SBWS shall be net of any amount received under the said program.¹

The employer, upon application with the SSS, shall certify (1) that the employee has met all the eligibility requirements and none of the disqualifications,² and (2) to the truthfulness, accuracy and completeness of the information provided.³

B. WHO MAY FILE A GRIEVANCE

An appeal may be filed by an employee or an employer, for an employee qualified and found eligible under the SBWS Program, who is not a DOLE-CAMP beneficiary, and is entitled to the SBWS Second Tranche in full but was not able to receive the same, due to any the following:

1. The employer incorrectly tagged the employee as a DOLE-CAMP beneficiary; or
2. The employee was incorrectly tagged as a DOLE-CAMP beneficiary during the cross-matching and deduplication of the DOLE-CAMP and SBWS data.

C. THE GRIEVANCE PROCESS

1. The employee, or employer, on behalf of the concerned employee, may file an appeal with the SPTF by sending an email to SBWSCAMPAppeals@sss.gov.ph on or before **June 19, 2020**, with the following information:
 - a. Name of employer and SSS ID number, if known;
 - b. Name of employee(s) and SSS ID number/s; and
 - c. DOLE Certification on Receipt/Non-Receipt of CAMP.

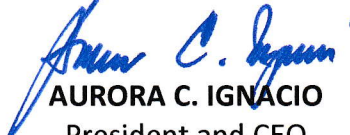

¹ Item IV (Eligibility Criteria for Employees) of JMC No. 001-2020, as amended.

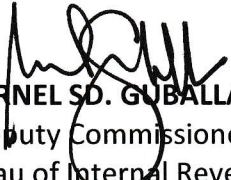

² *Ibid.*

³ Item VI.4 (General Guidelines) of JMC No. 001-2020, as amended.

2. Within one (1) day from the receipt of the appeal, the SSS shall verify from its records and certify as to the payment or non-payment of the Second Tranche based on the employer undertaking or the result of the DOF matching, and forward to DOF and BIR the appeal received with the following information:
 - a. Name of employer;
 - b. Name(s) of employee(s);
 - c. DOLE Certification provided by the appellant;
 - d. SSS Certification of Payout based on the DOLE CAMP Tagging of DOF; and
 - e. Amount of Payout.
3. Upon receipt of the SSS submission, the DOF shall immediately inform the SPTF the basis of the DOLE CAMP Tagging of the employee-appellant/s concerned.
4. The SPTF shall decide the appeal based on the information provided by the appellant, DOF, DOLE and SSS.
5. The SPTF shall inform the appellant of its decision, which shall be final. If the appeal is granted, the SPTF shall endorse the decision to the SSS for the immediate processing of the differential between the SBWS and DOLE CAMP amount received of said appellant.

APPROVED by the SBWS Program Task Force on the ____28th day of May, 2020.


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