



**16th CONGRESS OF THE REPUBLIC OF THE PHILIPPINES
FIRST REGULAR SESSION**

**House of Representatives
HOUSE BILL NO. 4317**

INTRODUCED BY HONORABLE GUS S. TAMBUNTING

EXPLANATORY NOTE

This bill seeks to grant two (2) weeks of unpaid leave a year to employees whose spouse, parent, unmarried child, or when they themselves are suffering from serious illness.

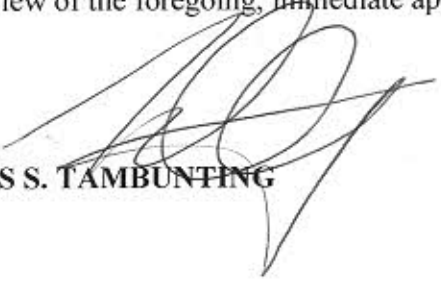
The State to recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution.

During prolonged illnesses or sickness most often than not, accumulated sick leave and vacation leave are consumed to attend to said exigencies. Members of the families are also obliged to attend to said incapability.

Under such exigency the employees are obliged to monetize accumulated leave credits to augment their financial burden thereby reducing the amount employees are to receive upon terminal or separation from employment. Hence, diminishing the retirement money that will help them in their twilight years of non-employment.

The "Family and Medical Leave Act of 2014" will give the employees a new venue to attend further to the family and medical needs without necessarily compromising their future income.

In view of the foregoing, immediate approval of this measure is earnestly recommended.


GUS S. TAMBUNTING



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HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 4317

Introduced by HONORABLE GUS S. TAMBUNTING

AN ACT
MANDATING EMPLOYERS TO GRANT TWO (2) WEEKS OF UNPAID
LEAVE A YEAR TO EMPLOYEES WHOSE SPOUSE, PARENT, UNMARRIED
CHILD, OR WHEN THEY THEMSELVES ARE SUFFERING FROM SERIOUS
ILLNESS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. -This Act shall be known as the "Family and Medical Leave Act of 2014."

Section 2. It is hereby the policy of the State to reinforce the importance of the family as the primary social institution of society. The State shall support and uphold the health and well-being of the family.

Section 3. Any employee, regardless of status, may apply for and shall be granted by the employer an unpaid family and medical leave of up to two (2) weeks when his spouse, parent or unmarried child suffers from a serious illness: *Provided, however,* That spouses working for the same employer when availing of the benefits under this Act shall only be granted a combined total of two (2) weeks of unpaid leave. The employee may also apply for the same if he himself is physically unable to perform his job due to serious illness.

Section 4. The leave application shall be accompanied by a notarized medical certificate duly accomplished by a licensed physician. The medical certificate must clearly state the nature and extent of the illness.

- Section 5.** The employee availing of the leave benefits under this Act shall, upon return, be reinstated to his original position with equivalent pay, benefits and all other terms and conditions of employment.
- Section 6.** The two (2) week leave provided under this Act may be availed of by the employee in parts but no remainder thereof shall be carried over the succeeding year. Provided, that no accumulated leave credits under this provision shall accrue in favor of the employee for every year of service.
- Section 7.** The leave benefits mandated under this Act shall not diminish or affect whatever vested rights and benefits the employee is already receiving under the law, collective bargaining agreement (CBA) or from the employer: *Provided*, That the employee who is already receiving a similar unpaid leave benefit under the law or CBA shall only be entitled to a maximum of four (4) weeks of unpaid leave benefit.
- Section 8.** The Secretary of the Department of Labor and Employment shall promulgate the necessary rules and regulations to effectively implement this Act.
- Section 9.** If any of the provisions of this Act is declared unconstitutional, the ~~same~~ shall not affect the validity and effectivity of other provisions hereof.
- Section 10.** All laws, Presidential Decrees, Executive Orders, Proclamations and/or Administrative Regulations, which are inconsistent with the provisions of this Act, are hereby amended, modified, superseded or repealed accordingly.
- Section 11.** This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of national circulation.

Approved.