

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 7789

Introduced by: **"KUYA" JOSE ANTONIO R. SY-ALVARADO**

EXPLANATORY NOTE

The Philippines is one of the most disaster and calamity prone countries in the world due to its geographical area and location. The geographical location of the Philippines also belongs to what is popularly known as the "ring of fire" where many earthquakes and volcanic eruptions occur. With these, our country is prone to typhoons, volcanic eruption, earthquakes, landslides and other similar calamities.

The State established National Disaster Risk Reduction & Management Council (NDRRMC) to address and provide a proactive disaster reduction and response agency. However, the State does not have the substantial number of trained volunteers nor holistic program that will address a specific disaster and recruitment that will encourage support from the community.

The purpose of the bill seeks to promote volunteerism by granting the volunteer, who are also employees of the government and private sector, to participate in disaster relief activities during calamities or and disaster without incurring absences from their respective work.

In light of the foregoing premises, the passage of the bill is earnestly sought.

"KUYA" JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

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AN ACT
GRANTING DISASTER SERVICE VOLUNTEERS PAID LEAVE DURING PERIOD
OF DISASTERS

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

SECTION 1. **Short Title.** - This Act shall be known as the "Disaster Service Volunteer Leave Act of 2017".

SEC. 2. **Definition of Terms.** – For purposes of this Act, the following terms shall mean:

a) "Department" or "agency" refers to any of the various units of the government including a department, bureau, office, instrumentality or government-owned or controlled corporations;

b) "Disaster" includes a local disaster designated at level I or higher in the Philippine Red Cross (PRC) Regulations and Procedures or a national disaster at level III or higher in the PRC Regulations;

c) "Certified disaster service volunteer" or "volunteer" means any person who has completed the necessary training and has been certified as a disaster service specialist by the PRC.

SEC. 3. **Disaster Service Volunteer Leave.** -

a) An employee of an agency who is a certified disaster service volunteer shall be granted leave from work with pay, for up to an aggregate of five (5) days, consecutively or non-consecutively, in any twelve-month period, to participate in specialized disaster relief services for the Philippine Red Cross (PRC) in connection with any disaster, upon the request of the PRC for such employee's services and upon the approval of such employee's employing agency. An employee of any private sector business who is a certified disaster service volunteer may be granted the same benefits.

b) An employee of an agency granted leave pursuant to Subsection (a) of this section shall be compensated by the employing agency at the employee's regular rate of pay for those regular work hours during which the employee is absent from work, but shall not receive overtime pay, night shift differential pay, hazardous duty pay or any other form of pay or compensation in addition to the employee's regular pay. An employee who is granted leave pursuant to Subsection (a) of this section shall not lose any seniority or any already accumulated vacation time, sick time or earned overtime due to such leave.

c) The government shall not be liable for workers' compensation claims arising from accident or injury while an employee is on assignment as a certified disaster service volunteer for

the PRC. Duties performed while on disaster leave shall not be considered to be a work assignment by any department or agency. In determining whether to grant leave to an employee, the employing agency may consider the needs of the PRC for expertise in a particular certified area. The employee's activities and Job functions while on leave, however, shall not be directed by the government but shall be determined and controlled solely by the PRC.

SEC. 4. ***Certification as a Disaster Service Volunteer.*** - No employee shall be paid during regular work hours in the completion of any training towards certification as a disaster service volunteer unless such employee uses personal or annual leave.

SEC. 5. ***Implementing Rules and Regulations.*** - The Civil Service Commission (CSC), after consultation and coordination with the government agencies and/or instrumentalities affected by this Act, including, but not limited to, the National Disaster Risk Reduction and Management Council (NDRRMC), the Philippine Red Cross (PRC), the Department of Labor and Employment (DOLE) and the Department of Interior and Local Government (DILG), shall promulgate and issue the appropriate rules and regulations for the proper implementation of this Act.

SEC. 6. ***Separability Clause.*** - If any provision of this Act is declared unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 7. ***Repealing Clause.*** - All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 8. ***Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved,

