

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **8243**

Introduced by **Representative “KUYA” JOSE ANTONIO R. SY-ALVARADO**



EXPLANATORY NOTE

The 1987 Constitution states that the Congress shall give higher priority to the enactment of measures that protect and enhance the right of all people to human dignity, reduce social, economic and political inequalities.

The State grants the employees workforce the privileges to have different types of basic leaves under the Labor Code and special laws. However, there is no law or regulation allowing the employee to have a bereavement leave in case there is death in their family members or relatives within the third degree of consanguinity or affinity.

This bill seeks to mandate a 12-day bereavement leave with corresponding pay to private or government employees. The purpose of this bill is to provide the employee sufficient time to make necessary burial arrangement and to give them time to heal within the comfort of their respective families.

In views of the foregoing, the passage of this bill is earnestly sought.

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

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HOUSE BILL NO. **8243**

Introduced by **Representative “KUYA’ JOSE ANTONIO R. SY-ALVARADO**

**AN ACT GRANTING BEREAVEMENT LEAVE OF TWELVE (12) DAYS WITH FULL
PAY TO ALL EMPLOYEES IN THE PRIVATE AND PUBLIC SECTORS AND FOR
OTHER PURPOSES**

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

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

SECTION 2. **Declaration of State Policy.** - The State affirms that the Filipino family is the foundation of the nation and recognizes that the death of an immediate family member bears a significant emotional and psychological upon a family member. A bereavement leave benefit system is hereby institutionalized to support employees in the public and private sectors who have recently lost relatives belonging to their immediate family.

SECTION 3. **Definition of Terms.** - "Bereavement Leave" refers to a leave taken by an employee to grieve the death, or attend or to make arrangements for the funeral, of an immediate family member. "Immediate Family Member" refers to an employee's spouse, parent or child, brother or sister, and relatives within the third degree of consanguinity or affinity.

SECTION 4. **Bereavement Leave for Immediate Family Members.** - Employees in the private and public sectors shall be entitled to a bereavement leave of twelve (12) days with full pay following the death of an employee's immediate family member.

SECTION 5. **Non-diminution of Benefits.** - Nothing in this Act shall be construed to reduce existing benefits granted under existing laws, decrees, executive orders, or any contract, agreement, or policy between the employer and employee.

SECTION 6. **Security of Tenure.** - Employees in the public and private sectors who avail of bereavement leave provided under this Act shall be assured of security of tenure. Availment of the leave shall not be used as reason for misconduct, demotion, or termination in employment, or for any form of unsatisfactory performance.

SECTION 7. **Penalties.** - Any person, corporation, trust, firm, partnership, association, or entity found violating this act or the rules and regulations promulgated thereunder shall be punished by a fine not exceeding Thirty Thousand pesos (Php 30,000) or imprisonment of fifteen (15) days to one (1) month. If the violation is committed by a corporation, trust or firm, partnership,

association or any other entity, the penalty of imprisonment shall be imposed on the entity's responsible officers, including but not limited to, the president, vice president, chief executive officer general manager, managing director or partner directly responsible therefor.

SECTION 8. ***Implementing Rules and Regulations.*** – The Department of Labor and Employment and the Civil Service Commission, for the private sector and public sector respectively, shall issue the necessary rules and regulations of this act within thirty (30) days of its effectivity.

SECTION 9. ***Separability Clause.*** - If, for any reason, any part, section or provision of this Act is held invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 10. ***Repealing Clause.*** - All laws, decrees, orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly. Republic Act No. 1161, as amended, is further amended accordingly

SECTION 11. ***Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

