

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 4340



Introduced by Hon. MARVIN C. RILLO
Representative, Fourth District, Quezon City

EXPLANATORY NOTE

The death of someone important to you – whether a spouse, child, or parent – brings about intense and very difficult emotions such as sadness, emptiness, numbness, guilt, or regret which results into a psychological and, in some cases, physical toll upon the bereaved.

Hence, a person in grief and mourning may become unstable and be mentally drained which causes such person to not function well at work and society. Moreover, the impact on and response of the bereaved to the grief, differ from person to person, and are greatly influenced by his/her surrounding circumstances.

Unfortunately, the demands of work and everyday life do not give mourners adequate time to cope with loss of a dearly beloved. Under the current set up, companies have the discretion on whether or not to provide a bereavement leave – the period of any such bereavement leave, if given, is likewise purely discretionary upon the management of their employers. Some will grant the bereaved with merely three (3) to five (5) days of leave from work - a terribly insufficient length of time to attend to the details of a wake and burial, much less to properly mourn a loss. More often, the time taken to mourn a loss is simply deducted from the leave benefits provided by a company, or, if there is no such leave benefits, with a corresponding salary deduction. Others even face the threat of administrative sanctions such as admonition, suspension, or even dismissal from their employment, if they go on leave without permission from their respective employers to grief for the loss or even to just make the necessary arrangements to attend to the affairs of the family by the death of their dearly departed loved ones.

This bill seeks to address this issue and improve the mental and physical health of people employed in both the public and the private sectors in case of death of loved ones by granting them a mandatory seven-day bereavement leave, with pay. In addition, this bill will ensure that there will be no diminution of existing benefits and threats to security of tenure, if bereavement leave will be availed of.

On behalf of the people of the Fourth District of Quezon City, the approval of this Bill is earnestly sought.


MARVIN C. RILLO
Representative
4th District, Quezon City

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Introduced by REPRESENTATIVE MARVIN C. RILLO

**“AN ACT GRANTING BEREAVEMENT LEAVE OF SEVEN (7)
DAYS WITH FULL PAY TO ALL EMPLOYEES IN THE PRIVATE
AND PUBLIC SECTORS AND FOR OTHER PURPOSES”**

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

SECTION 1. Short Title. - This Act shall be known as the “Bereavement Leave Act of 2022”.

SEC. 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 physical, emotional and psychological burden upon a family member. A bereavement leave benefit system is hereby institutionalized to support employees in both the public and private sectors who have recently lost an immediate family member, and give their family time to mourn together and share the emotional and material burden in the interment of the departed.

SEC. 3. Bereavement Leave. - Under this Act, employees in both the private and public sectors shall be entitled to a bereavement leave of seven (7) days with full pay following the death of an employee’s immediate family member in order to grieve, attend to and/or make arrangements for the funeral.

SEC. 4. Immediate family members – Definition. – For the purpose of this Act, an immediate family member refers to the employee's spouse, biological or adoptive parent or child, full and half-blood brother or sister.

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

SEC. 6. Security of Tenure. – Employees in the public and private sectors who avail of the bereavement leave provided under this Act shall be assured of security of tenure. Availment of the leave shall not be considered a misconduct or any form of unsatisfactory performance, nor can it be used as reason for demotion, suspension or termination from employment.

SEC. 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 Twenty-thousand pesos (Php 20,000) 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.

SEC. 8. *Implementing Rules and Regulations.* - The Department of Labor and Employment (DOLE) and the Civil Service Commission (CSC), 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.

SEC. 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.

SEC. 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.

SEC. 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.

A handwritten signature in dark ink, appearing to read 'MARVIN C. RILLO', is written over a faint, horizontal oval-shaped stamp or watermark.

MARVIN C. RILLO
Representative
4th District, Quezon City