



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5424



Introduced by **HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.**

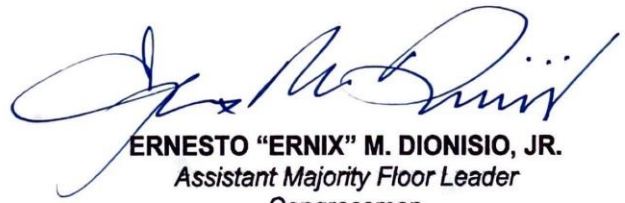
AN ACT
PROVIDING FOR A THREE (3) DAY EMERGENCY LEAVE FOR ALL WORKERS
IN THE PUBLIC AND PRIVATE SECTOR DIRECTLY AFFECTED BY NATURAL
CALAMITIES OR DISASTERS

EXPLANATORY NOTE

The Philippines is a country fraught with natural disasters due to its geographic location. Advances in technology have allowed us to anticipate oncoming weather disturbances but some natural disasters are beyond our expectations. Most of the time these phenomena, like the recent earthquake that shocked the northern part of our country, catch us when we are most vulnerable. As such, there is no sure way of dealing with the after-effects of natural disasters.

It should be noted that with calamities come possible emergencies. As mentioned, oftentimes we are struck by disaster when we are unprepared to deal with the aftermath. Thus, this proposed measure seeks to grant employees three (3) days of emergency leaves so that they may be given time to recover from the repercussions of natural disasters. This is in compliance with the declared policy of the State to guarantee an individual's right to life, health, safety, and property.

Hence, the passage of this bill is sought.

A handwritten signature in blue ink, appearing to read 'Ernesto M. Dionisio, Jr.', with a stylized flourish at the end.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



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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 Leave Law.”

SECTION 2. Applicability. – This Act shall apply to all government and private employees, officials, and workers who have rendered at least six (6) months of service to their present employer.

SECTION. 3. Natural Calamities or Disasters. – For purposes of this Act, a natural calamity or disaster shall refer to a serious disruption of the functioning of a community or a society involving widespread human, material, economic, or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources.

Natural calamities or disasters include, but are not limited to, typhoons, landslides, floods, volcanic eruptions, earthquakes, and other similar occurrences whose impacts may include loss of life, injury, disease, and other negative effects on human, physical, mental, and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption, and environmental degradation.

SECTION 4. Disaster Leave. – A three (3) day disaster leave with pay shall be granted to employees directly affected by a natural calamity or disaster.

The disaster leave can be applied for three (3) straight working days or on a staggered basis and shall not be deducted from the employee's other leave credits granted by law or enjoyed at the time of promulgation of this Act.

The disaster leave may be availed of by the affected employees within thirty (30) days from the actual occurrence of the natural disaster or calamity.

The said leave is non-commutative and non-cumulative and may not be converted into its cash equivalent.

SECTION 5. Eligibility. – The head of office or employer shall take full responsibility for the grant of disaster leave and verification of the employee's eligibility to be granted thereof. The validation shall include:

- (a) Place of residence based on the latest available records of the affected employee;
- (b) Declaration of a state of calamity by the proper government agency;
- (c) The extent of damage caused by the calamity of the affected employee;
- (d) Medical certificate stating that the illness or disease was suffered by the employee or his/her immediate family member brought by the natural calamity or disaster;
- (e) Such other proofs as may be necessary.

SECTION 6. Non-diminution of Benefits. – Nothing in this Act shall be construed to eliminate or in any way diminish employee benefits enjoyed at the time of promulgation of this Act.

SECTION 7. Separability Clause. – If any provision or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SECTION 8. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. Effectivity Clause. – This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,