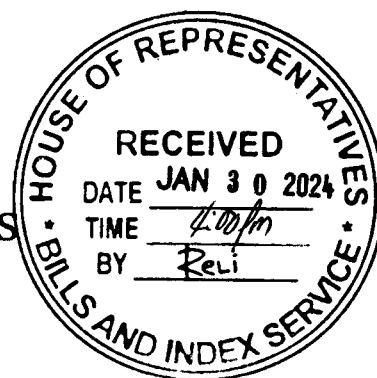




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **9845**

Introduced by Representative Lianda B. Bolilia

EXPLANATORY NOTE

Article XV of the 1987 Constitution recognizes the importance of the Filipino family as the foundation for society, and provides for the various rights of its members. To wit:

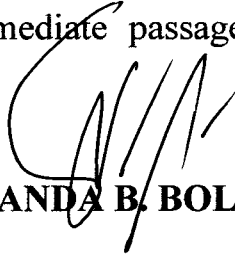
- (a.) The right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood;
- (b.) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development;
- (c.) The right of the family to a family living wage and income; and
- (d.) The right of families or family associations to participate in the planning and implementation of policies and programs that affect them.

To help strengthen the state's commitment to protecting these rights granted to all Filipinos, I put forward this bill proposing the grant of a three (3) day paid leave for parents, and legal guardians to attend school related activities of their children. Schooling is part of a child's formative years, and multiple academic studies have shown that parental involvement in a child's education

has a positive effect on a child's academic performance¹. This representation, being a parent, believes that having a mechanism that allows for more parental involvement in milestone events such as graduations, recognition days, and other school celebrations will help parents assume their responsibilities to their children and will help foster a healthy parent-child relationship.

One should take note that this bill was drafted with consideration of the best interests and rights of parents and employers. As such, this bill contains provisions which details the coverage of this proposed bill and the preconditions for the use of school visitation leaves. Further, provisions requiring the development of mechanisms to verify the rightful usage of these leaves, and protection against the diminution of these school visitation rights have also been provided.

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



LIANDA B. BOLILIA

¹ (Hara & Burke, 1998; Hill & Craft, 2003; Marcon, 1999; Stevenson & Baker, 1987)



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AN ACT
GRANTING EMPLOYEES THREE DAYS PAID LEAVE TO ATTEND
SCHOOL-RELATED ACTIVITIES OF THEIR CHILDREN

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

SECTION 1. **Short Title.** – This Act shall be known as the “*School Visitation Rights Act*”

SEC. 2. **Declaration of Policy.** – It is hereby declared as a policy of the State to support, and to encourage parental involvement in the education system. Towards this end, the State shall grant employed parents and guardians who are unable to meet with educators due to work-related conflicts the right to an allotment of time during the school year to attend necessary education and behavioral conferences in the school attended by their child or children

SEC. 3. **Definition of Terms** – The following terms used in this Act shall be defined as follows:

1 (a) Employee – a persons who performs services for hire for an employer
2 for at least six (6) consecutive months immediately preceding a
3 request for leave under this Act;

4 (b) Employer – a natural or juridicial person, who is contractually bound
5 to provide a salary or wage to an employee in exchange for the
6 performance of work;

7 (c) Child - a biological, adopted or foster child, a stepchild or a legal ward
8 of an employee and who is enrolled in a public or private pre-school,
9 elementary or secondary school;

10 (d) School – a public or private pre-school, elementary, or secondary
11 school or educational facility located within the country; and

12 (e) School Administrator – the principal or equivalent administrator who
13 is responsible for the operations of the school.

14 SEC. 4. *School Conference and Activity Leave* – An employer must
15 grant an employee a paid school visitation leave of up to three (3) days during
16 any school year which may be taken on any given day, to attend school
17 conferences or school activities related to the employee's child if the conference
18 or activities cannot be scheduled during non—work hours: Provided, That no
19 leave may be taken unless the employee has first exhausted all accrued vacation
20 leave, personal leave, compensatory leave and any other leaves that may be
21 granted to the employee except sick leave and disability leave.

Before arranging attendance at the conference or activity, the employee shall provide the employer with a written request for leave at least seven (7) days in advance of the time the employee is required to utilize the visitation right. In emergency situations, no more than twenty-four (24) hours' notice shall be required. The employee must consult with the employer to schedule the leave so as not to unduly disrupt the operations of the employer or office.

SEC. 5. *Verification* - Upon completion of the school visitation rights by a parent or guardian, the school administrator shall provide the parent or guardian with the necessary documentation of the school visitation. The parent or guardian shall submit such proof of verification to the employer. The Secretary of Education and the Secretary of Labor and Employment shall suggest a standard form of documentation of school visitation to schools for use as required by this Section. The standard form of documentation shall include, but not be limited to, the exact time and date the visitation occurred and ended. The failure of a parent or guardian to submit the verification statement from the school to the employer within two (2) working days of the school visitation shall subject the employee to the standard disciplinary procedures imposed by the employer for unexcused absence from work.

SEC. 6. *No Diminution of visitation rights* - Nothing in this Act shall prevent an employer from providing school visitation rights in excess of those allowed under this Act. The rights afforded by this Act shall not be diminished by any collective bargaining act or by any employee benefit plan.

1 SEC. 7. **Limits on Leave** - No employer that is subject to this Act is
2 required to grant the school visitation leave to an employee if granting the leave
3 would result in more than five percent (5%) of the employer's work force or five
4 percent (5%) of an employer's work force shift attending a school conference or
5 activity leave at the same time.

6 SEC. 8. **Implementing Rules and Regulations** - The Department of
7 Labor and Employment and the Civil Service Commission shall issue the
8 implementing rules and regulations for the effective implementation of this Act
9 not later than thirty (30) days from the approval of this Act.

10 SEC. 9. **Separability Clause** – If any provision or part hereof is declared
11 unconstitutional, the remainder of this Act or any provision not affected thereby
12 shall remain in full force and effect.

13 SEC. 10. **Repealing Clause** – All laws, acts, decrees, executive orders,
14 issuances, and rules and regulations or parts thereof which are contrary to and
15 inconsistent with this Act are hereby repealed, amended or modified
16 accordingly.

17 SEC. 11. **Effectivity** - This Act shall take effect fifteen (15) days after its
18 complete publication in the Official Gazette or in at least two (2) newspapers of
19 general circulation.

20
21 Approved,