Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 11120

Introduced by **Representative Jaime R. Fresnedi**

EXPLANATORY NOTE

This bill seeks to alleviate the pain of losing a loved one through ensuring that they are given bereavement leave.

A death in the family is always painful and often unexpected. In addition to the grief, there are also rituals and bureaucratic requirements which necessitate the presence of the bereaved. This bill amends the Labor Code to allow even probationary employees who have rendered at least a month of service to have the option of a bereavement leave. This leave will give them time to attend to the funeral arrangements, legal requirements, and observe the funeral traditions of our culture.

Previously, workers, regardless of status, would face the choice of loss of income or charge their absence to their existing leave credits. Given the unplanned nature of the leave, it is only fair that society extends compassion to them at the moment of their loss.

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

JAIME R. FRESNEDI
Representative
Lone District, Muntinlupa City

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AN ACT
GRANTING BEREAVEMENT LEAVE TO ALL EMPLOYEES, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

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

SECTION 1. Insert a new article after Article 95 of Presidential Decree No. 442, as amended, to read as follows:

"ARTICLE. 95-A. ***RIGHT TO BEREAVEMENT LEAVE.***

"(A) EVERY EMPLOYEE, INCLUDING PROBATIONARY EMPLOYEES, WHO HAVE RENDERED AT LEAST ONE MONTH OF SERVICE SHALL BE ENTITLED TO A BEREAVEMENT LEAVE NOT EXCEEDING THREE (3) WORKING DAYS, WHICH SHALL COMMENCE ON THE DAY OF THE DEATH OF AN IMMEDIATE FAMILY MEMBER.

"(B) THE LEAVE GRANTED UNDER THIS PROVISION SHALL NOT BE CHARGED AGAINST ANY EXISTING LEAVE CREDITS PROVIDED TO THE EMPLOYEE.

"(C) THE GRANT OF BENEFIT IN EXCESS OF THAT PROVIDED HEREIN SHALL NOT BE MADE A SUBJECT OF ARBITRATION OR ANY COURT OR ADMINISTRATIVE ACTION."

SEC. 2. *Implementing Rules and Regulations.* – The Department of Labor and Employment shall promulgate the rules and regulations for the proper implementation of this Act within ninety (90) days from its effectivity.

SEC. 3. *Repealing Clause.* – All Acts, Presidential Decrees, Executive Orders and Administrative Orders, Rules and Regulations and other such issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,