

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3101



Introduced by: REPRESENTATIVE ARNULF BRYAN “ARNIE” B. FUENTEBELLA

EXPLANATORY NOTE

Sec. 18 of the Art. II of the 1987 Philippine Constitution states that:

“Section 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare”

This bill seeks to declare Election Day, which falls on the second Monday of May every three years in accordance with Sec. 2 of Republic Act No. 7166. Art. 94 (c) enumerates regular holidays, which includes “...the day designated by law for holding a general election.” Both our Constitution and the Omnibus Election Code indicate the second Monday of May as election day.

Our current rules only give the President the authority to declare Election Day as a special non-working holiday. Article 93 of the Labor Code applies, entitling the employee an additional 30% in pay; for those who do not work, no compensation is given. This incentivizes labor while discouraging citizens from exercising their right to suffrage.

Given the original intent of the Labor Code and our collective desire to have our citizens exercise their right to vote, I humbly propose to amend existing laws to declare Election Day as a regular holiday. This is part of a series of bills seeking to have our laws reflect the necessity of declaring Election Day a regular non-working holiday.

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


ARNULF BRYAN “ARNIE” B. FUENTEBELLA
Representative
Fourth District, Camarines Sur

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HOUSE BILL NO. 3101

Introduced by: **REPRESENTATIVE ARNULF BRYAN “ARNIE” B. FUENTEBELLA**

AN ACT DECLARING THE NATIONAL ELECTION DAY AS A REGULAR NON-WORKING HOLIDAY, AMENDING FOR THE PURPOSE SECTION 2 OF REPUBLIC ACT NO. 7166 OTHERWISE KNOWN AS AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. It is hereby declared that the day on which the National Election falls be a regular non-working holiday, in view of the original intention of Presidential Decree No. 442 and to allow our citizens to fully exercise their right to suffrage.

SECTION 2. Section 13 of Batas Pambansa Blg. 881 otherwise known as the “An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes”, as amended, is further amended to read as follows:

“Section 2. Date of Elections. - In accordance with the policy hereinbefore stated, there shall be an election for President, Vice-President, twenty-four (24) Senators, all elective Members of the House of Representatives, and all elective provincial, city and municipal officials on the second Monday of May, 1992. Thereafter, the President and Vice-President shall be elected on the same day every six (6) years; while the Senators, elective Members of the House of Representatives and all elective provincial, city and municipal officials shall be elected on the same day every three (3) years, except that with respect to Senators, only twelve (12) shall be elected. **TO ALLOW FOR THE FULL EXERCISE OF THE RIGHT OF SUFFRAGE, THE NATIONAL ELECTION DAY SHALL BE A REGULAR NON-WORKING HOLIDAY.**

xxx”

SECTION 3. All laws, executive orders, issuances, and rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.