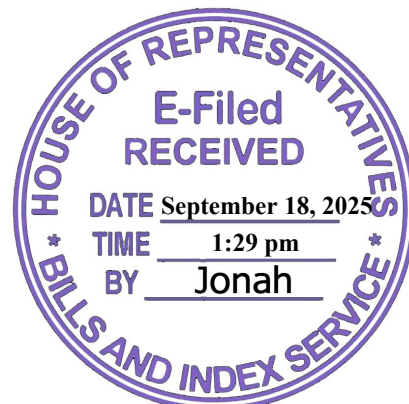




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4669



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

AN ACT
GRANTING BEREAVEMENT LEAVE OF TEN (10) DAYS WITH FULL
PAY TO ALL EMPLOYEES IN THE PRIVATE AND PUBLIC SECTORS,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Section 18, Article II of the 1987 Philippine Constitution mandates the State to protect the rights of workers and promote their welfare. It affirms the duty of the State to provide full protection to and promote the rights of the laborers which includes their right to paid days off to improve their well-being and efficiency.

Currently, employees are entitled to the following statutory leaves: service incentive leave; maternity leave or paternity leave, whichever is applicable; parental leave for solo parents; special leave for women; and leave under the Violence Against Women Act. However, no mandatory leaves are granted to employees who have recently lost a family member.

This bill seeks to grant employees, both in private and public sector, bereavement leave of ten (10) days with full pay. It shall allow the employee to take a leave from work to grieve and recover from the loss without sacrificing his income.

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



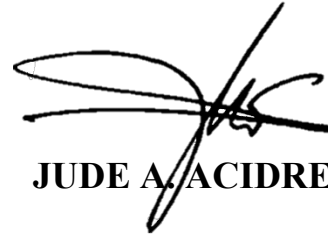
FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



ANDREW JULIAN K. ROMUALDEZ



JUDE A. ACIDRE



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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 "Bereavement Leave Act"

Section 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 emotional and psychological burden upon a family member. A bereavement leave benefit system is hereby institutionalized to

support employees in the public and private sectors who have recently lost relatives belonging to their immediate family.

Section 3. *Definition of Terms.* For the purposes of this Act, the following terms shall be defined as follows:

- a. *Bereavement Leave* refers to a leave taken by an employee to grieve the death, or to attend or make arrangements for the funeral, of an immediate family member; and
- b. *Immediate Family Member* refers to an employee's spouse, parent, child, brother, or sister, and relatives within the third degree of consanguinity or affinity.

Section 4. *Bereavement Leave for Immediate Family Members.* Employees in the private and public sectors shall be entitled to a bereavement leave of ten (10) days with full pay following the death of an employee's immediate family member.

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

Section 6. *Security of Tenure.* Employees in the public and private sectors who avail of bereavement leave provided under this Act shall be assured of security of tenure. Availing the leave shall not be used as reason for misconduct, demotion, or termination in employment, or for any form of unsatisfactory performance.

Section 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 20,000.00) 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.

Section 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.

Section 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.

Section 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.

Section 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,