

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **5374**



Introduced by Representative Kenneth T. Gatchalian

EXPLANATORY NOTE

Raising and caring for children with special needs entails unique responsibilities that often require additional time, attention, and resources. Parents and guardians must balance employment with therapy sessions, medical appointments, individualized education programs, and urgent caregiving demands.

While Republic Act No. 8972, or the "Solo Parents Welfare Act of 2000," as amended, grants leave benefits to solo parents, there remains no specific statutory leave that recognizes the burdens faced by parents of children with special needs, whether or not they are solo parents.

This bill seeks to institutionalize additional parental leave benefits for employed parents or legal guardians of children with special needs. By doing so, the State affirms its constitutional mandate to protect the family and uphold the rights and welfare of children, especially those with special needs.

Approval of this measure is earnestly sought.


KENNETH T. GATCHALIAN

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AN ACT
AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE
“MAGNA CARTA FOR PERSONS WITH DISABILITIES,” TO PROVIDE
ADDITIONAL LEAVE BENEFITS TO PARENTS AND LEGAL GUARDIANS
OF CHILDREN WITH DISABILITIES

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

1 **SECTION 1.** A new subsection under Section 33 is hereby inserted, to read
2 as follows:

3 “SEC. 33. *Incentives.* – x x x

4 “x x x

5 “(C) ALL EMPLOYERS IN THE PUBLIC AND PRIVATE SECTOR
6 SHALL GRANT PARENTS OR LEGAL GUARDIANS OF CHILDREN
7 WITH DISABILITIES NOT LESS THAN SEVEN (7) WORKING DAYS OF
8 PAID LEAVE PER YEAR, SEPARATE FROM EXISTING LEAVE
9 BENEFITS UNDER LAW. SUCH LEAVE SHALL BE USED
10 EXCLUSIVELY TO ATTEND TO THE MEDICAL, THERAPY,
11 EDUCATIONAL, OR CAREGIVING NEEDS OF THE CHILD WITH
12 DISABILITY: *PROVIDED*, THAT THE PARENT OR GUARDIAN SHALL

1 **SUBMIT THE NECESSARY DOCUMENTARY PROOF OF PARENTAGE**
2 **OR LEGAL GUARDIANSHIP, AND MEDICAL OR EDUCATIONAL**
3 **CERTIFICATION OF THE CHILD’S CONDITION: *PROVIDED,***
4 ***FURTHER,* THAT THE PARENT OR GUARDIAN SHALL ALSO SUBMIT**
5 **REASONABLE PROOF THAT THE LEAVE WAS ACTUALLY USED FOR**
6 **MEDICAL, THERAPY, EDUCATIONAL, OR CAREGIVING NEEDS OF**
7 **THE CHILD WITH DISABILITY.”**

8 **SEC. 2. *Implementation.*** – The Department of Labor and Employment
9 (DOLE) and the Civil Service Commission (CSC), in coordination with the
10 Department of Social Welfare and Development (DSWD shall issue such rules and
11 regulations as may be necessary to carry out the purpose of this Act.

12 **SEC. 3. *Separability Clause.*** – If any provision or part of this Act is held
13 invalid or unconstitutional, the remaining parts or provisions not affected shall
14 remain in full force and effect.

15 **SEC. 4. *Repealing Clause.*** – All laws, executive orders, presidential
16 decrees or issuances, letter of instruction, administrative orders, rules, and
17 regulations as well as local ordinances contrary to or inconsistent with the provisions
18 of this Act are hereby repealed, amended, or modified accordingly.

19 **SEC. 5. *Effectivity.*** - This Act shall take effect fifteen (15) days after
20 publication in the Official Gazette or in two (2) national newspapers of general
21 circulation.

Approved,