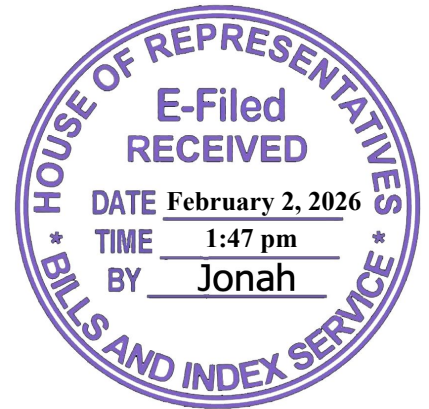


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7535



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

EXPLANATORY NOTE

The Philippines is a disaster-prone country where typhoons, floods, earthquakes, and volcanic eruptions regularly disrupt daily life, endanger health and safety, and damage homes and basic services. When calamities strike, workers are often forced into an impossible choice: report to work or attend to urgent survival needs such as evacuation, medical care, caring for family members, or restoring their homes to safe and livable conditions. No worker should be penalized for choosing safety and family in moments of crisis.

Our disaster risk reduction laws already recognize that emergencies are felt most severely at the local level and that a declaration of a state of calamity is meant to trigger extraordinary measures. Yet despite this framework, there is no clear, uniform right to a dedicated emergency leave for workers directly affected by disasters. Existing leave benefits, such as service incentive leave under the Labor Code, were never designed to address the extraordinary and immediate demands caused by natural calamities and are often insufficient or unavailable when workers need them most.

This bill fills that critical gap by granting a five-day special emergency leave with pay to workers in both the public and private sectors who are directly affected by natural disasters. The leave is carefully designed to be limited, targeted, and objective, primarily triggered by a declaration of a state of calamity, ensuring that workers have time to secure their safety and begin recovery without fear of lost income or job insecurity, while remaining fair and manageable for employers.

Consistent with long-standing labor policy, the measure adopts a pro-worker approach while respecting existing rights and benefits. It expressly upholds the non-diminution of benefits principle, ensuring that the new emergency leave cannot be used to reduce or replace benefits already enjoyed by workers. At the same time, it provides clear safeguards and verification standards to prevent abuse and clarifies that employees should not be forced to use calamity leave when work is officially suspended.

By institutionalizing a modest yet meaningful special emergency leave, this measure affirms the State's commitment to protecting workers in times of crisis. It offers dignity, security, and compassion to working Filipinos when they are most vulnerable, supports faster family and community recovery, and ensures that labor protection laws reflect the realities of life in a disaster-prone nation.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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HOUSE BILL NO. 7535

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HON. CHRISTOPHERSON “COCO” M. YAP

AN ACT
PROVIDING FOR A FIVE (5) DAY SPECIAL EMERGENCY LEAVE FOR ALL
WORKERS IN THE PUBLIC AND PRIVATE SECTOR DIRECTLY AFFECTED BY
NATURAL CALAMITIES/DISASTER

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 “*Calamity Leave Law*”.

SECTION 2. Declaration of Policy. — It is the policy of the State as enshrined in Article II, Sec. 18 of the Constitution to protect the rights of workers and promote their welfare. In compliance therewith, it is of utmost importance that workers and their right to safe and healthful working conditions must always be upheld.

Towards this end, and consistent with local and legal instruments that protect and promote the rights of the workers, the State shall institutionalize a mechanism to grant special emergency leave to employees affected by natural calamities/disaster. Labor, as a primary social economic force, shall be given the protection that the exigencies of time and circumstances mandate.

SECTION 3. Construction in favor of labor. — All doubts in the interpretation and implementation of the provisions of this Act shall be resolved in favor of labor.

SECTION 4. Rules and Regulations. — The Department of Labor and Employment (DOLE) and other government agencies charged with the administration and

enforcement of this Act shall promulgate the necessary implementing rules and regulations.

SECTION 5. Applicability. — All rights and benefits granted to employees under this Act, apply to all officials, workers and employees, whether in the public or private sector. This Act shall not apply to government workers/employees who render services during or on occasion of natural calamities/disasters.

SECTION 6. Calamity Leave. —

- (a) Every employee who has rendered at least six (6) months of service shall be entitled to a yearly five (5) day special emergency leave, with pay, in times of natural calamities/disasters.
- (b) This provision shall not apply to those already enjoying the benefit herein provided regardless of nomenclature, those enjoying similar emergency leave of at least five days in times of natural calamities/disasters or personal emergencies and those employed in establishments regularly employing less than ten (10) employees or in establishments exempted from granting this benefit by the Secretary of Labor and Employment after considering the viability of such establishment.
- (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.

SECTION 7. Grant of Calamity Leave. — All employees in public and private sectors directly affected by natural calamity/disaster shall be entitled to five (5) days special emergency leave with pay. The benefit shall be available upon the declaration of a state of calamity by the President of the Philippines or by the Local Sanggunian pursuant to Section 16 of R.A. No. 10121. However, in case a specific area was not declared under state of calamity but was nonetheless severely affected by the natural calamity/disaster, the head of the office or employer in the exercise of his/her sound discretion, may grant the special emergency leave to affected employee based on proof or evidence presented or news account.

The special emergency leave can be applied for five straight working days or on staggered basis and will not be deducted from the employee's leave credits. This leave may be availed of by employees within ten (10) days from the from the date when the natural calamity/disaster occurred.

SECTION 8. Purpose of the Calamity Leave. — Any qualified employee may avail of this special emergency leave on any of the following grounds:

- (a) Being stranded in affected areas where there are no means of transportation that can ensure a safe travel to and from work;
- (b) Disease/illness of employee incurred by reason of the natural calamity/disaster;
- (c) Caring of immediate family members affected by natural calamity/disaster; and
- (d) Urgent repair and clean-up of damaged house.

SECTION 9. Verification and Validation. — The granting of the special emergency leave under this act shall be the duty of the head of office upon verification of the employee's eligibility thereto.

In determining the eligibility of an employee to the leave granted herein, the head of office or employer shall take into consideration the following:

- (1) Place of residence based on latest available records of the affected employee;
- (2) Declaration of calamity by the proper government agency;
- (3) Medical certificate stating that the illness/disease was suffered by the employee or his/her immediate family member as a consequence of the natural calamity/disaster;
- (4) Availability of and access to public transportation on the day of the natural calamity/disaster;
- (5) Road closures due to the natural calamity/disaster along the route taken and could be taken by the employee to and from work;
- (6) Other matters that may aid the head of office in his decision on the eligibility of the employee to avail of the said grant.

SECTION 10. Suspension or Cancellation of Work. — If the head of office or employer suspended or cancelled work on occasion of such natural calamity/disaster, the employee may not be required to apply the special emergency leave during such suspension or cancellation.

SECTION 11. Non-cumulative and Non-commutative. — Unused leaves under this Act shall not be cumulative and may not be converted into its cash equivalent.

SECTION 12. Non-diminution of Benefits. — Benefits granted under this act shall not in any manner mean any reduction, diminution, discontinuation or elimination of

other existing benefits already enjoyed by the workers. Rights already vested prior to the effectivity of this act shall remain to be in full force and effect upon the passage of this Act.

SECTION 13. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SECTION 14. Repealing Clause. — All laws, decrees, executive orders, rules and regulations, or parts thereof contrary to or inconsistent with the provisions of this Act are amended, repealed or modified accordingly.

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

Approved,