



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
Second Regular Session



House Bill No. 10253

Introduced by:
HON. KING GEORGE LEANDRO ANTONIO V. COLLANTES

EXPLANATORY NOTE

The 1987 Constitution declares that the family is the foundation of the nation. It likewise mandates the State to strengthen the family's solidarity and actively promote its total development. In fulfillment of this Constitutional principle, government measures must not only protect the rights of children with disabilities but also empower the families who bear the primary responsibility for their care, development, and well-being.

Republic Act No. 7277, otherwise known as the *Magna Carta for Disabled Persons*, as amended, affirms the State's commitment to the rehabilitation, self-development, self-reliance, and integration of persons with disabilities into mainstream society. These laws emphasize that the realization of the rights of children with disabilities is not the sole responsibility of the government, but of the family, the community and the society as a whole.

However, while the law recognizes the indispensable role of families, it does not provide sufficient employment support to parents and legal guardians who must regularly accompany their children to medical

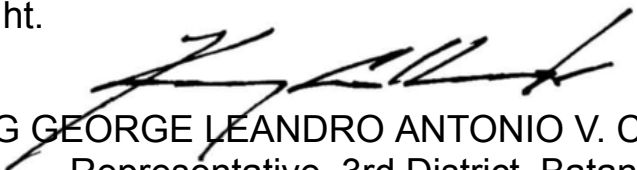
consultations, therapy sessions, rehabilitation programs, educational assessments, and other interventions essential to their development.

Raising a child with disability requires extraordinary time, commitment, and financial resources. Parents and legal guardians often face the difficult choice between fulfilling their employment obligations and attending to the specialized needs of their children. Frequent medical appointments, rehabilitation therapies, individualized educational planning, and government transactions related to disability services commonly require the physical presence of a parent or primary caregiver. In the absence of dedicated leave benefits, many caregivers are compelled to exhaust their existing leave credits, forego income, or even risk their employment in order to fulfill these responsibilities.

Recognizing these realities, this measure seeks to institutionalize a ten (10)-day paid Caregiver's Leave for qualified parents and legal guardians of children with disabilities in both the public and private sectors. The proposed leave shall be separate from existing leave privileges and may be availed of to accompany the child during medical treatment, rehabilitation, therapy, educational interventions, and other analogous circumstances requiring the caregiver's presence.

The proposed Caregiver's Leave is an investment in the welfare and development of children with disabilities *with* their families. By enabling parents and legal guardians to actively participate in their children's care without jeopardizing their employment, the State reinforces the constitutional recognition of the family as the primary institution responsible for nurturing every Filipino child while advancing the objectives of inclusion, equal opportunity, and social justice.

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



KING GEORGE LEANDRO ANTONIO V. COLLANTES
Representative, 3rd District, Batangas



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AN ACT
PROVIDING 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:

SECTION 1. *Short Title.* This Act shall be known as the “Caregiver’s Leave Act.”

SEC. 2. *Declaration of Policy.* It is hereby declared the policy of the State to recognize the indispensable role of parents and primary caregivers in promoting the health, development, rehabilitation, education, and social inclusion of children with disabilities. Consistent with the principles embodied in Republic Act No. 7277, the State shall strengthen families by providing appropriate support mechanisms that enable them to effectively respond to the special needs of children with disabilities.

The State further recognizes that the continuous care, therapy, medical treatment, educational intervention, and other developmental services required by children with disabilities often necessitate the physical presence and active participation of their parents or primary caregivers.

Toward this end, the State shall provide reasonable leave benefits to qualified employees who are parents or primary caregivers of children with disabilities, without prejudice to existing leave privileges provided by law.

SEC. 2. *Definition of Terms.* For purposes of this Act:

(a) Parent or Primary Caregiver refers to the biological parent, adoptive parent, legal guardian, foster parent, or any person exercising parental authority or legal custody over a child with disability and who is primarily responsible for the child's daily care, treatment, rehabilitation, education, and welfare.

(b) Child with Disability refers to any person below eighteen (18) years of age, or such age as may be provided under existing laws, who has a long-term physical, mental, intellectual, psychosocial, or sensory impairment which, in interaction with various barriers, may hinder his or her full and effective participation in society on an equal basis with others, and who is duly certified by the appropriate government authority.

(c) Caregiver's Leave refers to leave benefits granted to a qualified parent or primary caregiver to enable him or her to perform parental duties and responsibilities requiring his or her physical presence in relation to the medical care, rehabilitation, therapy, education, assessment, intervention, or other developmental needs of a child with disability.

SEC. 3. *Caregiver's Leave.* In addition to leave privileges under existing laws, a qualified parent or primary caregiver of a child with disability shall be entitled to not more than ten (10) working days of paid caregiver's leave every calendar year, provided that the employee has rendered at least one (1) year of continuous or aggregate service within the last twelve (12) months, whether in the public or private sector.

The leave may be availed of, in whole or in part, for the purpose of accompanying or attending to the child during medical consultations, hospitalization, therapy sessions, rehabilitation programs, educational assessments, individualized educational planning, government transactions relating to disability benefits, or other analogous circumstances requiring the physical presence of the parent or primary caregiver.

Availment of the caregiver's leave shall be subject to reasonable notice and such documentary requirements as may be prescribed by the

appropriate implementing agency, taking into consideration the need to prevent undue burden on both the employee and the employer.

The caregiver's leave provided under this Act shall be separate and distinct from, and shall not diminish or prejudice, other leave benefits granted under existing laws, collective bargaining agreements, employment contracts, or company policies.

SEC. 4. *Implementing Rules and Regulation.* The Department of Labor and Employment (DOLE), and the Civil Service Service Commission (CSC), in coordination with the Department of Social Welfare and Development (DSWD) shall issue the implementing rules and regulations as may be necessary to carry out the purpose of this Act.

SEC. 5. *Separability Clause.* If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 6. *Repealing Clause.* Any laws, decrees, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,