

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5711



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

EXPLANATORY NOTE

The Filipino Culture is popularly known for valuing close family ties. More often than not, the lives of every Filipino people revolve around the family. Thus, the loss of a family member carries a devastating blow, both emotional and physical, upon those left behind.

When an employee loses a member of his or her immediate family, he or she shouldn't be worried about earnings and job security; the employee must be allowed to take time off from work to make the necessary arrangements, mourn with the family and, eventually, heal.

To strike a balance between maintaining a productive work environment and providing support to a grieving employee, this bill instructs all employers, public or private, to grant a paid, bereavement leave of five working days to employees who suffered the loss of an immediate loved one: parent, sibling, spouse, or child.

This initiative also benefits employers as it makes their employees feel valued, contributes to the workers' engagement, thereby helping employers to attract and retain the best and the brightest people to their pool of human resources. Furthermore, the bereavement leave is unlikely to be abused because each individual is unique in dealing with loss and take different periods of time to heal after the death of a loved one; many people welcome the respite of a few days leave, while others prefer the distraction of the work load and the sense of normalcy that comes with returning to their respective daily routine.

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


ALFRED VARGAS

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AN ACT

GRANTING BEREAVEMENT LEAVE OF FIVE (5) WORKING DAYS WITH FULL PAY TO EMPLOYEES IN THE PRIVATE AND PUBLIC SECTORS IN THE EVENT OF DEATH OF AN IMMEDIATE FAMILY MEMBER

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

SECTION 1. Short Title. - This Act shall be known as the "Bereavement Leave Act of 2017."

SEC. 2. Declaration of State Policy. - It is the policy of the State to strengthen the Filipino family as the foundation of the nation and promote its solidarity and total development. Accordingly, the State recognizes that the death of an immediate family member bears a significant emotional and psychological burden to those left behind. 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.

SEC. 3. Definition of Terms. -

- a. "Bereavement leave" refers to a leave taken by an employee to allow them to mourn the death, or attend or to make arrangements for the funeral, of an immediate family member.
- b. "Immediate Family Member" refers to an employee's parent, spouse, child, or sibling.

SEC. 4. Bereavement Leave. - There shall be granted under this Act a bereavement leave of five (5) working days with full compensation to any employee of the private and public sectors in the event of death of an immediate family member.

SEC. 5. Non-Diminution of Benefits. - Nothing in this Act shall be construed as a diminution of any existing benefits granted under existing laws, decrees, orders or any contract, agreement or policy between employers and employees.

SEC. 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. Availment of the leave shall not be used as reason for misconduct, demotion, or termination in employment, or for any form of unsatisfactory performance.

SEC. 7. *Implementing Rules and Regulations.* –The Secretary of Labor and Employment and the Chairperson of the Civil Service Commission shall, within thirty (30) days from the approval of this Act, issue such rules and regulations necessary for the proper implementation of the provision hereof.

SEC. 8. *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 (Php20,000.00) or imprisonment of fifteen (15) days to one (1) month.

If the violation be committed by a corporation, partnership, association, firm or similar entities, the penalty of imprisonment shall be imposed on the officer or officers directly responsible for the violation.

SEC. 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.

SEC. 10. *Repealing Clause.* – All laws, decrees, issuances, rules and regulations or parts thereof which are inconsistent with the provision of this Act are hereby repealed or modified accordingly.

SEC. 11. *Effectivity.* – This act shall take effect after fifteen days following the completion of its publication in the Official Gazette or in at least two newspapers of national circulation.

Approved,