

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session



HOUSE BILL NO. **5032**

Introduced by **Representative JOEY SARTE SALCEDA**

**AN ACT
RATIONALIZING HOLIDAYS AND SPECIAL DAYS,
AMENDING FOR THE PURPOSE SECTION 26, CHAPTER 7,
BOOK 1 OF EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN
AS THE ADMINISTRATIVE CODE OF 1987, AS AMENDED**

EXPLANATORY NOTE

Public holidays allow the commemoration of special events and provide the people with some rest. Holidays, however, also mean nonworking days, reduced productivity, and increased labor and business costs. For some workers, this can also mean "no work, no pay."

With twenty-one (21) to twenty-five (25) public holidays per year, the Philippines is one of the top countries in the region and among the most prolific in the world with the most holidays. Public holidays in the Association of South East Asian Nations (ASEAN) average fifteen (15) holidays only per year.

Aside from the lower productivity, too many nonworking holidays also meant days lost for learning which is particularly aggravated by heightening impacts of climate change and other disaster risks which cause suspension of classes.

While Congress has exercised some restraint in further increasing the many holidays in our country, particularly those that are nonworking, we need to do more to improve our holiday policy to expand our nation's productivity and increase our competitiveness.

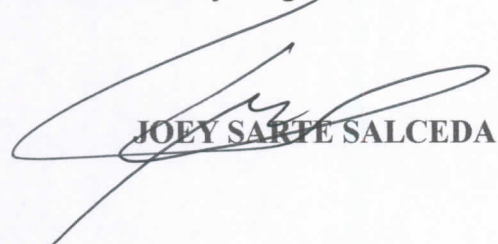
This bill, therefore, proposes to rationalize holidays by limiting regular holidays, which are nonworking days, to seven (8) only. All other holidays shall be made special days, which are working days, but giving the employees an allowance of seven (7) nonworking days to commemorate their chosen special days based on their cultural, religious, and personal preference. Special days have been expanded to include Chinese New Year, EDSA Revolution Anniversary, Founding Anniversary of the Iglesia ni Cristo, and Nativity of the Blessed Virgin Mary. In this way, we are embracing our country's diversity and public holidays can be more meaningful for the individual based on his or her choice.

Furthermore, this bill also enjoins each local government unit to have only one (1) local holiday by law or ordinance to commemorate its founding, heroes, or fiesta in its respective territory. This essentially means 2 local holidays, 1 for province and 1 for the town or city.

In sum, there will be 9 regular nonworking holidays, 2 local nonworking holidays and 7 special days that would be nonworking to be agreed upon by employees and employers for a total of 18 nonworking holidays and special days.

This bill aims to provide the employers a stable and more predictable environment for their business operations. The reduced nonworking days, which is on the ASEAN average, will also give the country more competitiveness. At the same time, the concept of holiday economics, except for holidays or special days requiring a specific date of commemoration, has been retained in this bill to further encourage tourism and benefit the economy during the planned holidays.

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



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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 “Holiday Rationalization Act of 2019.”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to expand productivity and promote competitiveness by rationalizing the holidays and special days in the Philippines and limiting the number of nonworking days in commemoration thereof in order to build a stronger and more productive economy that will raise the quality of life for all.

SEC. 3. *Amendment.* – Section 26, Chapter 7, Book 1 of Executive Order No. 292, otherwise known as the Administrative Code of 1987, as amended, is hereby amended to read as follows:

“SEC. 26. **[Regular]** Holidays and **[Nationwide]** Special Days. –

(1) Unless otherwise modified by law, order, or proclamation, the following

[regular] holidays and special days shall be observed in the country:

(a) Regular Holidays

New Year's Day	-	January 1
[Maundy Thursday]	-	Movable Date
Good Friday	-	Movable Date
Eidul Fitr	-	Movable Date
[Eidul Adha]	-	Movable Date
Araw ng Kagitingan	-	Monday nearest April 9
(Bataan and Corregidor Day)]		
Labor Day	-	Monday nearest May 1
Independence Day	-	June 12
[National Heroes Day]	-	Last Monday of August]
ALL SAINTS' DAY	-	NOVEMBER 1
Bonifacio Day	-	November 30
Christmas Day	-	December 25
Rizal Day	-	Monday nearest December 30

(b) ~~[Nationwide]~~ Special ~~[Holidays]~~ DAYS

CHINESE NEW YEAR	-	MOVABLE DATE
EDSA REVOLUTION	-	MONDAY NEAREST FEBRUARY 25 ANNIVERSARY
MAUNDY THURSDAY	-	MOVABLE DATE
EIDUL ADHA	-	MOVABLE DATE
ARAW NG KAGITINGAN	-	MONDAY NEAREST APRIL 9

(BATAAN AND CORREGIDOR DAY)

FOUNDING ANNIVERSARY OF THE IGLESIA NI CRISTO	-	JULY 28
Ninoy Aquino Day	-	Monday nearest August 21
NATIONAL HEROES DAY	-	LAST MONDAY OF AUGUST
All Saints Day	-	November 1
NATIVITY OF THE BLESSED VIRGIN MARY	-	DECEMBER 8
CHRISTMAS EVE	-	DECEMBER 24
Last Day of the Year	-	December 31

(c) **LOCAL HOLIDAYS**

**EACH LOCAL GOVERNMENT UNIT IS ENJOINED TO HAVE
ONLY ONE (1) LOCAL HOLIDAY BY LAW OR ORDINANCE**

TO COMMEMORATE ITS FOUNDING, HEROES, OR FIESTA IN ITS RESPECTIVE TERRITORY, WHICH SHALL BE CONTAINED IN A RESOLUTION OF THE CORRESPONDING SANGGUNIAN BY AT LEAST SIX (6) MONTHS PRIOR TO THE CHOSEN LOCAL HOLIDAY AND SHALL BE COPY FURNISHED TO THE OFFICE OF THE PRESIDENT.

- (d) REGULAR HOLIDAYS AND LOCAL HOLIDAYS SHALL BE NONWORKING DAYS. SPECIAL DAYS SHALL BE WORKING DAYS, BUT THE EMPLOYEES ARE HEREBY GIVEN AN ALLOWANCE OF SEVEN (7) NONWORKING DAYS TO COMMEMORATE THEIR CHOSEN SPECIAL DAYS AS AGREED WITH THEIR EMPLOYERS. IN AGREEING TO SPECIAL DAYS AS NONWORKING DAYS, THE EMPLOYERS SHALL GIVE DUE CONSIDERATION TO THE CULTURAL, RELIGIOUS, AND PERSONAL PREFERENCE OF THEIR EMPLOYEES.
- (e) FOR THE PUBLIC SECTOR, THE 7 SPECIAL DAYS TO BE DETERMINED AS NON-WORKING SHALL BE MADE BY THE OFFICE OF THE PRESIDENT
- (f) FOR THE PURPOSE OF HOLIDAY ECONOMICS, EXCEPT WHEN THE HOLIDAY OR SPECIAL DAY REQUIRES A SPECIFIC DATE OF COMMEMORATION, In the event the holiday OR SPECIAL DAY falls on a Wednesday, [~~the holiday~~] IT will be observed on the Monday of that week. If the holiday OR SPECIAL DAY falls on a Sunday, [~~the holiday~~] IT will be observed on the Monday that follows:
Provided, That for movable holidays OR SPECIAL DAYS, the President shall issue a proclamation, at least six (6) months prior to the holiday concerned, the specific date THEREFOR [~~shall be declared as a nonworking day~~].””

SEC. 4. *Implementing Rules and Regulations.* – The Department of Labor and Employment (DOLE) shall promulgate the rules and regulations to implement the provisions of this Act within ninety (90) days from its effectivity.

SEC. 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. *Effectivity.* – This Act shall take effect in the beginning of next year following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,