

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

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4071



Introduced by Deputy Speaker Mylene F. Garcia-Albano

EXPLANATORY NOTE

It is a matter of fact that we, Filipinos, are known as family-centered. We value the family above anything else. In times of sorrows and joys, we stick together, more so in the event of death of an immediate family member.

It is quite ironic, however, that while vacation leaves are granted on top of the other leave benefits such as paternity and maternity and sick leaves, no leave is granted as a matter of right on the part of the employees in the event of death of an immediate family member. Consequently, absences were usually incurred during this contingency as it is innate in us to join our family in times of tragedies especially the passing away of a loved one. This we don't mind as it as a bounden duty for us to mourn together with our families and afford the departed a decent interment.

It is, therefore, the objective of this bill to grant a bereavement leave of ten (10) working days, with full compensation, to employees in the private and public sectors in the event of death of a spouse, child, parent or sibling to enable them to join their families during their mourning and perform their last duties to the beloved departed. During the duration of the ten-day leave, said employees shall be excused from reporting for work while receiving full compensation therefor, subject only to reasonable limitations.

It is believed that the approval of this measure will boost the morale of the working force and ultimately, enhance their efficiency and productivity.

In view of the foregoing, the prompt approval of this measure is earnestly requested.


MYLENE F. GARCIA-ALBANO

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AN ACT

**GRANTING BEREAVEMENT LEAVE OF TEN WORKING DAYS WITH 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
2016."

SECTION 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 is a tragic
occasion for Filipinos that requires family solidarity to mourn together and share in the
emotional and material burden in the interment of the departed.

SECTION 3. *Bereavement Leave.* - There shall be granted under this Act a
Bereavement Leave of ten (10) working days with full compensation to any employee of the
private and public sectors in the event of death of an immediate family member. *Provided,* that
an employee may avail of this leave for not more than three occasions during the entire duration
of his employment under the same employer.

For purposes of this Act, an immediate member of an employee's family refers to the
spouse, a parent, a child or a sibling.

SECTION 4. *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 provisions hereof.

SECTION 5. *Penalties.* - Violations of Section 2 of this Act or the rules and regulations promulgated thereunder shall be penalized by a fine not exceeding fifty thousand pesos (P50,000) or by imprisonment of not less than thirty (30) days nor more than six (6) months, or both fine and imprisonment, at the discretion of the Court.

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.

SECTION 6. *Non-Diminution Clause.* - 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.

SECTION 7. *Repealing Clause.* - All laws, decrees, issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 8. *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.