

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 938



Introduced by MAGDALO Party-List Representative
HON. MANUEL DG. CABOCHAN III


EXPLANATORY NOTE

Several countries have been assisted by the Red Cross during times of disasters. Disaster preparedness, one of the major components of the Red Cross program, aims to prepare the vulnerable communities in the event of calamities. The Philippine National Red Cross (PNRC), specifically, has been offering a wide array of humanitarian services that include relief operations in times of disasters in the country.

In response to the increasing number of disasters in recent years and to the rising costs brought about by these calamities, it is timely and favorable to have a legislation authorizing a paid leave for employees who volunteer for the PNRC disaster operations. Those employees who possess skills that can be useful to disaster operations, such as shelter management, mass feeding, damage assessment and family services, deserve to be granted with particular kinds of benefits.

This bill grants public and private employees, who are also disaster service volunteers, a leave from work with pay in any twelve-month period to participate in specialized disaster relief services for the PNRC. This also considers it essential for the government to allow and encourage the employees to request for disaster leave during periods of disasters and humanitarian need to assist the PNRC.

In view of the foregoing, the immediate passage of this measure is earnestly requested.


MANUEL DG. CABOCHAN III
Representative
Magdalo Para sa Pilipino Party-List

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HON. MANUEL DG. CABOCHAN III

AN ACT
GRANTING DISASTER SERVICE VOLUNTEERS PAID LEAVE DURING PERIOD
OF DISASTERS

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

1 **SECTION 1. *Short Title.***- This Act shall be known as the "Disaster Service
2 Volunteer Leave Act".

3
4 **SEC. 2. *Definition of Terms.***- For purposes of this Act, the following terms shall
5 mean:

- 6
7 a) "Department" or "agency" refers to any of the various units of the government
8 including a department, bureau, office, instrumentality or government-owned or
9 controlled corporations;
- 10
11 b) "Disaster" includes a local disaster designated at level I or higher in the Philippine
12 Red Cross (PRC) Regulations and Procedures or a national disaster at level III or
13 higher in the PRC Regulations;
- 14
15 c) "Certified disaster service volunteer" or "volunteer" means any person who has
16 completed the necessary training and has been certified as a disaster service specialist
17 by the PRC.

18
19 **SEC. 3. *Disaster Service Volunteer Leave.*** -

20
21 (a) An employee of an agency who is a certified disaster service volunteershall be
22 granted leave from work with pay, for up to an aggregate of fifteen (15) days, consecutively
23 or non-consecutively, in any twelve-month period, to participate in specialized disaster relief
24 services for the Philippine Red Cross (PRC) in connection with any disaster, upon the request
25 of the PRC for such employee's services and upon the approval of such employee's
26 employing agency. An employee of any private sector business who is a certified disaster
27 service volunteer may be granted the same benefits.

28
29 (b) An employee of an agency granted leave pursuant to Subsection (a) of this Section
30 shall be compensated by the employing agency at the employee's regular rate of pay for those
31 regular work hours during which the employee is absent from work, but shall not receive

1 overtime pay, night shift differential pay, hazardous duty pay or any other form of pay or
2 compensation in addition to the employee's regular pay. An employee who is granted leave
3 pursuant to Subsection (a) of this Section shall not lose any seniority or any already
4 accumulated vacation time, sick time or earned overtime due to such leave.

5
6 (c) The government shall not be liable for workers' compensation claims arising from
7 accident or injury while an employee is on assignment as a certified disaster service volunteer
8 for the PRC. Duties performed while on disaster leave shall not be considered to be a work
9 assignment by any department or agency. In determining whether to grant leave to an
10 employee, the employing agency may consider the needs of the PRC for expertise in a
11 particular certified area. The employee's activities and job functions while on leave, however,
12 shall not be directed by the government but shall be determined and controlled solely by the
13 PRC.

14
15 **SEC. 4. *Certification as a Disaster Service Volunteer.***- No employee shall be paid
16 during regular work hours in the completion of any training towards certification as a disaster
17 service volunteer unless such employee uses personal or annual leave.

18
19 **SEC. 5. *Implementing Rules and Regulations.*** - The Civil Service Commission (CSC), after
20 consultation and coordination with the government agencies and/or instrumentalities affected
21 by this Act, including, but not limited to, the National Disaster Risk Reduction and
22 Management Council (NDRRMC), the Philippine Red Cross (PRC), the Department of Labor
23 and Employment (DOLE) and the Department of Interior and Local Government (DILG),
24 shall promulgate and issue the appropriate rules and regulations for the proper
25 implementation of this Act.

26
27 **SEC. 6. *Separability Clause.*** - If any provision of this Act is declared
28 unconstitutional, the other provisions not affected thereby shall remain in full force and
29 effect.

30
31 **SEC. 7. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or parts
32 thereof which are inconsistent with the provisions of this Act are hereby repealed or modified
33 accordingly.

34
35 **SEC. 8. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
36 in two (2) national newspapers of general circulation.

Approved,