

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

13 JUL 10 12 8

SENATE

S. No. 1183

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Introduced by Senator Antonio "SONNY" F. Trillanes IV

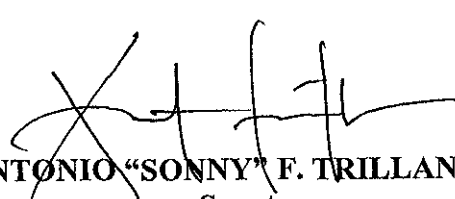
Explanatory Note

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.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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AN ACT
GRANTING DISASTER SERVICE VOLUNTEERS A 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 Volunteer
2 Leave Act".

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

5 (a) "Department" or "agency" - means any office, officer, official, department, board,
6 commission, institution, bureau, agency, division or unit, including those within the legislative
7 and judicial branches of the government;

8 (b) "Disaster" includes a local disaster designated at level I or higher in the Philippine
9 National Red Cross (PNRC) Regulations and Procedures or a national disaster at level III or
10 higher in the PNRC Regulations;

11 (c) "Certified disaster service volunteer" or "volunteer" means any person who has
12 completed the necessary training and has been certified as a disaster service specialist by the
13 PNRC.

14
15 **SEC. 3. *Disaster Service Volunteer Leave.*** - (a) An employee of an agency who is a
16 certified disaster service volunteer may be granted leave from work with pay, for up to an
17 aggregate of fifteen (15) days, consecutively or non-consecutively, in any twelve-month period
18 to participate in specialized disaster relief services for the Philippine National Red Cross
19 (PNRC) in connection with any disaster, upon the request of the PNRC for such employee's

1 services and upon the approval of such employee's employing agency. An employee of any
2 private sector business who is a certified disaster service volunteer may be granted the same
3 benefits.

4 (b) An employee of an agency granted leave pursuant to Subsection (a) of this Section
5 shall be compensated by the employing agency at the employee's regular rate of pay for those
6 regular work hours during which the employee is absent from work, but shall not receive
7 overtime pay, shift differential pay, hazardous duty pay or any other form of pay or
8 compensation in addition to the employee's regular pay. An employee who is granted leave
9 pursuant to Subsection (a) of this Section shall not lose any seniority or any already
10 accumulated vacation time, sick time or earned overtime due to such leave.

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

18

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

22

23 **SEC. 5. *Separability Clause.*** - If any provision of this Act is declared unconstitutional,
24 the other provisions not affected thereby shall remain in full force and effect.

25

26 **SEC. 6. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or parts
27 thereof which are inconsistent with the provisions of this Act are hereby repealed or modified
28 accordingly.

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1 **SEC. 7. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
2 two (2) national newspapers of general circulation.

Approved,