

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



Senate  
Office of the Secretary

'22 JUL 18 P1:45

**SENATE**  
**S. No. 707**

RECEIVED BY:

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Introduced by Senator Grace Poe

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**AN ACT**  
**GRANTING BEREAVEMENT LEAVE OF TEN (10) DAYS WITH FULL PAY TO**  
**ALL EMPLOYEES IN THE PRIVATE AND PUBLIC SECTORS AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

The loss of a family member is devastating. It carries an immeasurably heavy emotional, psychological, and physical toll upon the bereaved. During this period, the mourner becomes crippled emotionally and drained mentally for days, unable to function normally. In some cases, it takes years to fully recover from such a loss.

Unfortunately, the demands of work and everyday life do not give mourners adequate time to cope with their loss. Companies have the discretion on whether or not to provide a bereavement leave. Some of them will grant 3 to 5 days of leave from work- a terribly insufficient length of time to attend to the details of a wake and burial, much less to properly mourn a loss. More often, the time taken to mourn a loss is simply deducted from the leave benefits provided by a company, usually with a corresponding salary deduction.

This measure proposes a simple remedy - the granting of a mandatory 10-day bereavement leave with pay to support employees in the public and private sectors who recently lost an immediate family member. In availing of said leave, the worker is also assured of non-diminution of existing benefits and security of tenure.

In view of the foregoing, the speedy approval of this measure is eagerly sought.

*Grace Poe*  
GRACE POE  
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*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1           Section 1. *Short Title.* – This Act shall be known as the "Bereavement Leave  
2 Act".

3           Sec. 2. *Declaration of State Policy.* – The State affirms that the Filipino family  
4 is the foundation of the nation and recognizes that the death of an immediate family  
5 member bears a significant physical, emotional and psychological burden upon a  
6 family member. A bereavement leave benefit system is hereby institutionalized to  
7 support employees in the public and private sectors who have recently lost an  
8 immediate family member, and give their family time to mourn together and share  
9 the emotional and material burden in the interment of the departed.

10           Sec. 3. *Bereavement Leave.* -- Under this Act, employees in the private and  
11 public sectors shall be entitled to a bereavement leave of ten (10) days with full pay  
12 following the death of an employee's immediate family member in order to grieve,  
13 attend to or make arrangements for the funeral.

14           For the purpose of this Act, an immediate family member refers to the  
15 employee's spouse, parent or child, brother or sister.

1           Sec. 4. *Non-diminution of Benefits.* – Nothing in this Act shall be construed to  
2 reduce existing benefits granted under existing laws, decrees, executive orders, or  
3 any contract, agreement, or policy between the employer and employee.

4           Sec. 5. *Security of Tenure.* – Employees in the public and private sectors who  
5 avail of the bereavement leave provided under this Act shall be assured of security  
6 of tenure. Availment of the leave shall not be used as reason for misconduct,  
7 demotion, or termination in employment, or for any form of unsatisfactory  
8 performance.

9           Sec. 6. *Penalties.* – Any person, corporation, trust, firm, partnership,  
10 association, or entity found violating this act or the rules and regulations  
11 promulgated thereunder shall be punished by a fine not exceeding Twenty-thousand  
12 pesos (Php 20,000) or imprisonment of fifteen (15) days to one (1) month.

13           If the violation is committed by a corporation, trust or firm, partnership,  
14 association or any other entity, the penalty of imprisonment shall be imposed on the  
15 entity's responsible officers, including but not limited to, the president, vice  
16 president, chief executive officer general manager, managing director or partner  
17 directly responsible therefor.

18           Sec. 7. *Implementing Rules and Regulations.* – The Department of Labor and  
19 Employment (DOLE) and the Civil Service Commission (CSC), for the private sector  
20 and public sector respectively, shall issue the necessary rules and regulations of this  
21 act within thirty (30) days of its effectivity.

22           Sec. 8. *Separability Clause.* – If, for any reason, any part, section or provision  
23 of this Act is held invalid or unconstitutional, the remaining provisions not affected  
24 thereby shall continue to be in full force and effect.

25           Sec. 9. *Repealing Clause.* – All laws, decrees, orders, rules, regulations and  
26 other issuances or parts thereof which are inconsistent with the provisions of this Act  
27 are hereby repealed or modified accordingly. Republic Act No. 1161, as amended, is  
28 further amended accordingly.

29           Sec. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
30 publication in the Official Gazette or in a newspaper of general circulation.

Approved,