

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

SENATE
OFFICE OF THE SECRETARY

10 JUL 19 AM 1:01

SENATE
S. No. **1539**

RECEIVED BY 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Our country has suffered numerous disasters throughout our history. Though our government has increased its efforts to attend to our countrymen who are affected by these emergencies and major disasters, it is still necessary to secure the assistance of the volunteer sector.

In order to encourage individual to volunteer for these emergencies and major disasters, we should allow them relief from being dismissed due to their absences while serving as volunteer firefighters and emergency medical service personnel. This would allow them to maintain their regular job while standing by to serve when needed.

This bill seeks to prohibit terminating, demoting or otherwise discriminating against volunteer firefighters and emergency medical service personnel.¹


MIRIAM DEFENSOR SANTIAGO
act

¹ This bill was originally filed in the Fourteenth Congress, Second Regular Session

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1 AN ACT
2 TO PROHIBIT TERMINATION OF EMPLOYMENT OF VOLUNTEER FIREFIGHTERS
3 AND EMERGENCY MEDICAL PERSONNEL RESPONDING TO EMERGENCIES

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Volunteer Firefighter and
7 EMS Personnel Job Protection Act.”

8 SECTION 2. *Definitions.* – In this Act, the term--

9 A. VOLUNTEER EMERGENCY MEDICAL SERVICES- means emergency medical
10 services performed on a voluntary basis for a fire department or other emergency
11 organization.

12 B. VOLUNTEER FIREFIGHTER- means an individual who is a member in good
13 standing of a qualified volunteer fire department.

14 SECTION 3. *Termination Prohibited.* – No employee may be terminated, demoted, or in
15 any other manner discriminated against in the terms and conditions of employment because such
16 employee is absent from or late to the employee's employment for the purpose of serving as a
17 volunteer firefighter or providing volunteer emergency medical services as part of a response to
18 an emergency or major disaster.

19 SECTION 4. *Deployment.* – The prohibition in Section 3 shall apply to an employee
20 serving as a volunteer firefighter or providing volunteer emergency medical services if such
21 employee—

1 A. is specifically deployed to respond to the emergency or major disaster in accordance
2 with a coordinated national deployment system or a pre-existing mutual aid
3 agreement; or

4 B. is a volunteer firefighter who—

5 1. is a member of a qualified volunteer fire department that is located in the State
6 in which the emergency or major disaster occurred;

7 2. is a member of a qualified fire department that has a mutual aid agreement
8 with a community affected by such emergency or major disaster; and

9 3. has been deployed by the emergency management agency of such State to
10 respond to such emergency or major disaster.

11 SECTION 5. *Limitations.* — The prohibition in Section 3 shall not apply to an employee
12 who—

13 A. is absent from the employee's employment for the purpose described in Section 3 for
14 more than 14 working days per calendar year, unless the area suffering such
15 emergency or major disaster is declared as under the State of Calamity as provided by
16 law;

17 B. responds on the emergency or major disaster without being officially deployed as
18 described in Section 4; or

19 C. fails to provide the written verification described in Section 6 within a reasonable
20 period of time.

21 SECTION 6. *Verification.* — An employer may require an employee to provide a written
22 verification from the official of the government agency supervising the response to the
23 emergency or major disaster that states—

24 A. the employee responded to the emergency or major disaster in an official capacity;
25 and

26 B. the schedule and dates of the employee's participation in such response.

1 SECTION 7. *Reasonable Notice Required.* – An employee who may be absent from or
2 late to the employee's employment for the purpose described in Section 3 shall—

3 A. make a reasonable effort to notify the employee's employer of such absence; and

4 B. continue to provide reasonable notifications over the course of such absence.

5 SECTION 8. *Right of Action.* – An individual who has been terminated, demoted, or in
6 any other manner discriminated against in the terms and conditions of employment in violation
7 of the prohibition described in Section 3 has the right to action for illegal termination, as defined
8 by law, against individual's employer.

9 SECTION 9. *Study.* – The Secretary of Labor shall conduct a study on the impact that
10 this Act could have on the employers of volunteer firefighters or individuals who provide
11 volunteer emergency medical services and who may be called on to respond to an emergency or
12 major disaster.

13 SECTION 10. *Report.* – Not later than 12 months after the date of the enactment of this
14 Act, the Secretary of Labor shall submit to the appropriate congressional committees a report on
15 the study conducted under Section 9

16 SECTION 11. *Separability Clause.* – If any provision or part hereof, is held invalid or
17 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
18 valid and subsisting.

19 SECTION 12. *Repealing Clause.* – Any law, presidential decree or issuance, executive
20 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
21 with the provision of this Act is hereby repealed, modified, or amended accordingly.

22 SECTION 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
23 publication in at least two (2) newspapers of general circulation.

24 Approved,