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SENATE

S. No. 624

RECEIVED BY: *ju*

Introduced by Senator Ralph G. Recto

Explanatory Note

Article XV of the 1987 Constitution recognizes the Filipino family as the foundation of the nation and underscores the importance of strengthening its solidarity and actively promoting its total development. To wit:

- (a) The right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood;
- (b) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development;
- (c) The right of the family to a family living wage and income; and
- (d) The right of families or family associations to participate in the planning and implementation of policies and programs that affect them.

It is in this light that this bill is put forward. This proposed measure seeks to grant employed parents or legal guardians of schoolchildren three days paid leave to attend school-related activities. It aims to encourage parental involvement in the educational system and grant employed parents and guardians who are unable to meet with educators because of work conflict, the right to an allotment of time during the school year to attend educational or behavioral conferences of their children.

The bill covers employees who have rendered service for at least six consecutive months and whose child/children are attending public or private pre-school, elementary, and secondary schools. The child or children can be biological, adopted or foster child, a stepchild or a legal ward of the employee.

To deter arbitrary use of the school visitation rights by employees, the bill requires that leave can only be taken by an employee when he/she has exhausted all accrued vacation leave, personal leave, compensatory leave and any other leave that may be granted except sick leave and disability leave.

In addition, the parent or guardian will also be required to submit a documentation of the school visitation which shall be provided by the school administrator. Failure to do so subjects the employee to the standard disciplinary procedures imposed by the employer for unexcused absences from work.

In view of the foregoing, immediate approval of this bill is earnestly sought.


RALPH G. RECTO



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AN ACT
GRANTING EMPLOYEES THREE DAYS PAID LEAVE TO ATTEND SCHOOL-RELATED ACTIVITIES OF THEIR CHILDREN

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

1 **SECTION 1. Title.** - This Act shall be known as the "School Visitation Rights Act."

2 **SEC. 2. Declaration of Policy.** - It is hereby declared as a policy of the State to
3 encourage parental involvement in the educational system and grant employed parents and
4 guardians who are unable to meet with educators because of a work conflict the right to an
5 allotment of time during the school year to attend necessary educational or behavioral
6 conferences at the school their children attend.

7 **SEC. 3. Definition of Terms.** - As used in this Act, the following terms shall mean:

8 (a) "Employee" means a person who performs services for hire for an employer for at
9 least six (6) consecutive months immediately preceding a request for leave under this Act;

10 (b) "Employer" means any of the following: a government agency, officer, or
11 department, local government unit, a school district, an individual, a corporation, a partnership,
12 an association, or a nonprofit organization;

13 (c) "Child" means a biological, adopted or foster child, a stepchild or a legal ward of an
14 employee and who is enrolled in a public or private pre-school, elementary or secondary school;

15 (d) "School" means any public or private pre-school, elementary or secondary school or
16 educational facility located within the country;

17 (e) "School administrator" means the principal or equivalent administrator who is
18 responsible for the operations of the school.

19 **SEC. 4. School conference and activity leave.** - An employer must grant an employee
20 paid leave of up to three days during any school year which may be taken on any given day, to
21 attend school conferences or classroom activities related to the employee's child if the
22 conference or classroom activities cannot be scheduled during non-work hours: *Provided*, That
23 no leave may be taken by an employee unless he/she has exhausted all accrued vacation leave,
24 personal leave, compensatory leave and any other leave that may be granted to the employee
25 except sick leave and disability leave.

1 Before arranging attendance at the conference or activity, the employee shall provide the
2 employer with a written request for leave at least seven (7) days in advance of the time the
3 employee is required to utilize the visitation right. In emergency situations, no more than 24
4 hours notice shall be required. The employee must consult with the employer to schedule the
5 leave so as not to unduly disrupt the operations of the employer.

6 **SEC. 5. Verification.** --Upon completion of school visitation rights by a parent or
7 guardian, the school administrator shall provide the parent or guardian documentation of the
8 school visitation. The parent or guardian shall submit such verification to the employer. The
9 Secretary of Education and the Secretary of Labor shall suggest a standard form of
10 documentation of school visitation to schools for use as required by this Section. The standard
11 form of documentation shall include, but not be limited to, the exact time and date the visitation
12 occurred and ended. Failure of a parent or guardian to submit the verification statement from the
13 school to his or her employer within two (2) working days of the school visitation subjects the
14 employee to the standard disciplinary procedures imposed by the employer for unexcused
15 absence from work.

16 **SEC. 6. No diminution of visitation rights.** -- Nothing in this Act shall prevent an
17 employer from providing school visitation rights in excess of those allowed under this Act. The
18 rights afforded by this Act shall not be diminished by any collective bargaining act or by any
19 employee benefit plan.

20 **SEC. 7. Limits on Leave.** -- No employer that is subject to this Act is required to grant
21 school visitation leave to an employee if granting the leave would result in more than 5% of the
22 employer's work force or five percent (5%) of an employer's work force shift taking school
23 conference or activity leave at the same time.

24 **SEC. 8. Implementing Rules and Regulations.** -- The Department of Labor and
25 Employment and the Civil Service Commission shall issue the implementing rules and
26 regulations not later than thirty (30) days from the approval of this Act.

27 **SEC. 9. Effectivity.** -- This Act shall take effect fifteen (15) days after its publication either
28 in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,