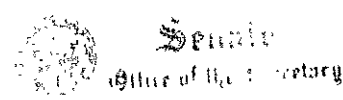


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )



'13 OCT 14 AM 11:50

SENATE  
S.B. No. 1835

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Introduced by Sen. Manuel "Lito" M. Lapid

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**EXPLANATORY NOTE**

Victims of domestic violence who emancipate themselves from abusive intimate partners are faced with numerous problems after-the-fact. While free of the abusive environment, victims must overcome legal, medical, social, and financial hurdles in order to be fully independent and self-sufficient. In consideration of these needs, the Anti-Violence against Women and Children (VAWC) Act provides for ten (10) days paid leave from work for victims of abuse to afford them an opportunity to pursue legal proceedings, relocate their residence, care for their children, or attend counseling sessions.

However, in the case of legal proceedings alone there may be a need to go to court once a month. The same can be said for counseling and therapy that needs to be regular in order to be effective. Add to this the similar needs and frequency of appointments for the minor children of women who have also suffered domestic violence. Considering these circumstances, the minimum ten (10) days leave afforded victims of domestic violence would be insufficient.

Thus, the proposed measure increases the number of minimum leaves afforded to victims of domestic violence. While, the VAWC Act allows extension of the 10 days presently provided under law, such extension would have to be upon approval and determination of the court.

This bill ensures that the minimum number of leaves needed by victims of domestic violence would be afforded them immediately upon court determination that they are indeed suffering from domestic abuse - as opposed to the need to further establish and justify the need for more than 10 days leave. In this regard, this piece of legislation hopes to empower victims of domestic abuse to recover from the trauma of their past by helping them put in order their medical, legal, and domestic needs.

  
MANUEL "LITO" M. LAPID  
Senator

13 OCT 14 AM 1:50

SENATE

S.B. No. 1835

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Introduced by Sen. Manuel "Lito" M. Lapid

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**AN ACT**  
**GRANTING ADDITIONAL LEAVES FOR VICTIMS OF DOMESTIC VIOLENCE,**  
**PROVIDING PARAMETERS THEREFOR,**  
**AND AMENDING FOR SUCH PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE**  
**KNOWN AS THE ANTI-VIOLENCE AGAINST WOMEN AND CHILDREN ACT**

*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 "Additional Leaves for  
2 Victims of Domestic Violence Act of 2013."

3  
4       **SEC. 2. Declaration of Policy.** - The State values the dignity of women and  
5 children and guarantees full respect for human rights. The State further recognizes the  
6 need to protect the family and its members, particularly women and children, from  
7 violence and threats to their personal safety and security. Towards this end, the State  
8 shall exert efforts to aid victims of domestic violence to recover from the trauma thereof,  
9 be it for the purpose of putting in order medical, legal, or domestic needs.

10  
11       **SEC. 3. Definition of Terms.** - For purposes of this Act, the term -  
12 (A) "Domestic Violence" shall refer to any act or acts of abuse as defined in  
13 Section 3 of Republic Act No. 9262, otherwise known as the "Anti-Violence Against  
14 Women and Their Children Act of 2004";

15 (B) "Eligible Employee" shall refer to an individual who (1) is a victim of  
16 domestic violence or is the parent of a minor child who is a victim of domestic violence;  
17 and (2) has been employed for at least twelve (12) months by the employer to whom a  
18 request for leave under this Act is directed.

19 (C) "Employer" shall refer to the national or local government or any of its  
20 agencies or instrumentalities, including government-owned and controlled

1 corporations, as well as private employers or entities that employ at least fifteen (15)  
2 persons each work day for twenty (20) or more weeks within a given calendar year;

3 (D) "Certification from Proper Authorities" shall refer to any of the following  
4 insofar as the same can establish that the employee is a victim of domestic violence:

5 (1) Certification from the court wherein legal proceedings have been  
6 initiated that the employee or her minor child is involved in legal proceedings  
7 related to domestic violence;

8 (2) Certification from a competent medical professional that the  
9 employee or her minor child need medical attention, counseling, or therapy in  
10 relation to domestic violence committed against them; or

11 (3) Certification from law enforcement agencies or anti-domestic  
12 violence advocacy groups or help desks that the victim and/or her minor  
13 children are victims of domestic violence.

14  
15 **SEC. 4.** *Amendment of Republic Act No. 9262.* - Section 43 of Republic Act  
16 No. 9262, otherwise known as the Anti-Violence Against Women and their Children Act  
17 of 2004, is amended as follows:

18  
19 "SECTION 43. Entitled to Leave. - Victims under this Act shall be  
20 entitled to take a paid leave of absence up to [ten (10)] **TWENTY (20)**  
21 days in addition to other paid leaves under the Labor Code and Civil  
22 Service Rules and Regulations, extendible when the necessity arises as  
23 specified in the protection order.

24  
25 **ELIGIBLE EMPLOYEES MAY CLAIM SUCH ALLOWABLE**  
26 **LEAVES, UPON SUBMISSION OF A CERTIFICATION FROM**  
27 **PROPER AUTHORITIES AND AFTER GIVING DUE NOTICE TO**  
28 **THEIR EMPLOYER, FOR MEDICAL TREATMENT, LEGAL**  
29 **PROCEEDINGS, RELOCATION, COUNSELING, OR THERAPY**  
30 **RELATED TO SUCH DOMESTIC VIOLENCE, OR TO EXTEND**  
31 **ASSISTANCE TO THEIR MINOR CHILDREN FOR SUCH**  
32 **PURPOSES.**

33  
34 xxx"  
35

36 **SEC. 5.** *Implementing Rules and Regulations.* - The Secretaries of the  
37 Social Welfare and Development and the Department of Labor and Employment shall  
38 issue such rules and regulations necessary for the proper implementation of this Act  
39 within sixty (60) days from its effectivity.

40

1           **SEC. 6.**       *Repealing Clause.* All laws, presidential decrees, executive orders,  
2 rules and regulations, or portions thereof inconsistent with this Act are hereby repealed  
3 or modified accordingly.

4

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

Approved,