

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



Senate

Office of the Secretary

**SENATE**  
**S. No. 584**

'19 JUL 17 P5:52

Introduced by Senator Grace Poe

RECEIVED

**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

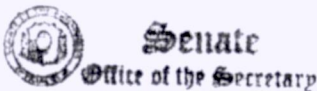
The loss of a family member is devastating. It carries an immeasurably heavy emotional and physical toll upon the bereaved. During this period, the mourner becomes crippled emotionally and drained mentally for days, unable to function normally. In some cases, it takes years to fully recover from such 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 provide 3 to 5 days of leave—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 bill proposes a simple remedy— the provision of a mandatory 10 day bereavement leave with pay to support employees in the public and private sectors who have recently lost an immediate family member. This bill also provides security of tenure and the non-diminution of benefits to those who avail said leave.

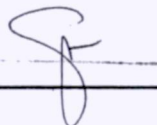
Thus, the speedy approval of this measure is eagerly sought.

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 of 2019".
- 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 emotional and psychological burden upon a family  
6 member. A bereavement leave benefit system is hereby institutionalized to support  
7 employees in the public and private sectors who have recently lost relatives  
8 belonging to their immediate family.
- 9           Sec. 3. *Definition of Terms.* –
- 10           a. *Bereavement Leave* - refers to a leave taken by an employee to grieve  
11 the death, or attend or to make arrangements for the funeral, of an  
12 immediate family member.
- 13           b. *Immediate Family Member* - refers to an employee's spouse, parent or  
14 child, brother or sister, and relatives within the third degree of  
15 consanguinity or affinity.
- 16           Sec. 4. *Bereavement Leave for Immediate Family Members.* – Employees in  
17 the private and public sectors shall be entitled to a bereavement leave of ten (10)  
18 days with full pay following the death of an employee's immediate family member.



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

8           Sec. 7. *Penalties.* – Any person, corporation, trust, firm, partnership,  
9 association, or entity found violating this act or the rules and regulations  
10 promulgated thereunder shall be punished by a fine not exceeding Twenty-thousand  
11 pesos (Php 20,000) or imprisonment of fifteen (15) days to one (1) month.

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

17           Sec. 8. *Implementing Rules and Regulations.* – The Department of Labor and  
18 Employment (DOLE) and the Civil Service Commission (CSC), for the private sector  
19 and public sector respectively, shall issue the necessary rules and regulations of this  
20 act within thirty (30) days of its effectivity.

21           Sec. 9. *Separability Clause.* – If, for any reason, any part, section or provision  
22 of this Act is held invalid or unconstitutional, the remaining provisions not affected  
23 thereby shall continue to be in full force and effect.

24           Sec. 10. *Repealing Clause.* – All laws, decrees, orders, rules, regulations and  
25 other issuances or parts thereof which are inconsistent with the provisions of this Act  
26 are hereby repealed or modified accordingly. Republic Act No. 1161, as amended, is  
27 further amended accordingly.

28           Sec. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
29 publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*