

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session  
3324  
HOUSE BILL NO. \_\_\_\_\_



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Introduced by **HON. JOY MYRA S. TAMBUNTING**

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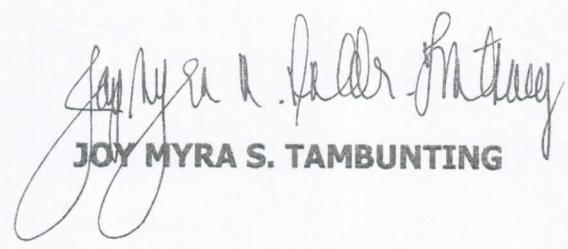
#### **EXPLANATORY NOTE**

This bill seeks to grant two (2) weeks of unpaid leave a year to employees whose spouse, parent, unmarried child or when they themselves are suffering from serious illness.

During prolonged illnesses or sickness, more often than not, consume their sick leave and vacation leave to attend to said exigencies. If not directly used for leave purposes, employees under the said situation resort to monetizing their accumulated leave credits to augment their financial needs, hence, diminishing the retirement money that will help them in their twilight years of non-employment.

The "Family and Medical Leave Act of 2019" will give the employees a new venue to attend further to the family during these trying times without necessarily compromising their future income and fear the loss of their jobs.

It is for this reason that the passage of this bill is earnestly sought.



JOY MYRA S. TAMBUNTING

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**AN ACT**

**MANDATING EMPLOYERS TO GRANT TWO (2) WEEKS OF UNPAID LEAVE A  
YEAR TO EMPLOYEES WHOSE SPOUSE, PARENT, UNMARRIED CHILD, OR  
WHEN THEY THEMSELVES ARE SUFFERING FROM SERIOUS ILLNESS**

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

**SECTION 1. *Short Title.*** – This Act shall be known as the “Family and Medical Leave  
Act of 2019.”

**SECTION 2. *Declaration of Policy.*** – It is hereby the policy of the State to reinforce  
the importance of the family as the primary social institution of society. The State shall  
support and uphold the health and well-being of the family.

**SECTION 3. *Coverage.*** – Any employee, regardless of status, may apply for and shall  
be granted by the employer an unpaid family and medical leave of up to two (2) weeks  
when his spouse, parent or unmarried child suffers from a serious illness; Provided,  
however, That spouses working for the same employer when availing of the benefits  
under this Act shall only be granted a combined total of two (2) weeks of unpaid leave.  
The employee may also apply for the same if he himself is physically unable to perform  
his job due to serious illness.

**SECTION 4.** The leave application shall be accompanied by a notarized medical  
certificate duly accomplished by a licensed physician. The medical certificate must clearly  
state the nature and extent of the illness.

**SECTION 5.** The employees availing of the availing of the leave benefits under this Act  
shall, upon return, be reinstated to his original position with equivalent pay, benefits and  
all other terms and conditions of employment.

**SECTION 6.** The two (2) weeks leave provided under this Act may be availed of by the employee in parts but no remainder thereof shall be carried over the succeeding year. Provided, that no accumulated leave credits under this provision shall accrue in favor of the employee for every year of service.

**SECTION 7.** The leave benefits mandated under this Act shall not diminish or affect whatever vested rights and benefits the employee is already receiving under the law, collective bargaining agreement (CBA) or from the employer: Provided, That the employee who is already receiving a similar unpaid leave benefits under the law or CBA shall only be entitled to a maximum of four (4) weeks of unpaid leave benefits.

**SECTION 8. *Implementing Rules and Regulations.*** – The Secretary of the Department of Labor and Employment shall promulgate the necessary rules and regulations to effectively implement this Act.

**SECTION 9. *Separability Clause.*** – If any of the provision of this Act is declared unconstitutional, the same shall not affect the validity and effectiveness of other provisions hereof.

**SECTION 10. *Repealing Clause.*** – All laws, presidential decrees, executive orders, proclamations and administrative regulations, which are inconsistent with the provisions of this Act, are hereby amended, modified, superseded or repealed accordingly.

**SECTION 11. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,