



Republic of the Philippines  
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO  
BANGSAMORO TRANSITION AUTHORITY  
Cotabato City

Second Parliament  
First Regular Session

Parliament Bill No. 270

Bangsamoro Autonomous Region in Muslim Mindanao  
Parliament  
BILLS AND INDEX DIVISION  
**RECEIVED**  
Name: ADILAH DAKTAN Signature: [Signature]  
Date: JAN 22 2024 Time: 2:38 PM

**AN ACT PROVIDING FOR BEREAVEMENT LEAVE OF FIVE (5) DAYS WITH HALF-PAY TO REGULAR AND CONTRACTUAL EMPLOYEES IN PUBLIC AND PRIVATE SECTOR**

**EXPLANATORY NOTE**

While death of a loved one and grief is an inevitable experience, a bereavement leave to allow an employee or a worker mourn their loss is a leave that is overlooked and unrecognized by employers, both in the public and private sector.

This puts an employee in a prejudiced condition as they have to make use and exhaust all their leaves for the year in order to attend to their grief and to the rites that are associated with the funeral of a loved one. In cases where there are no leaves available to an employee/worker, they are constrained to absent without leave and risk their employment records or to miss their attendance in the funeral of immediate family member. This is a situation that is not fair and highly unfavorable to the employee or a worker and a predicament not sanctioned under our constitutional laws on family being the foundation of nation (*Section 1, Article XV, 1987 Constitution*) and on labor as primary social economic force (*Section 18, Article II, 1987 Constitution*).

Further, the grant of bereavement leave is much more essential and vital in the context of Bangsamoro people where customary services are performed as part of their customary culture and practice. It is an integral part of the Moro culture to immediately arrange and conduct the burial of their loved and to perform *Janazah*. Thereafter, it is customary to gather for an average of four (4) days after the death of a family member or a kin. The gathering allows the family to mourn and to be consoled by the visiting relatives and friends.

Thus, more than the fair consideration that is afforded by this proposal to the labor, this also seeks to put value into the belief, customs, and practices of the Bangsamoro people by allowing them to grief for their loved ones and to be present during the performance of our customary services.

This bill is being proposed to provide remedy for the gap under our labor laws in relation to the lack of recognition of an employee/worker's bereavement and the preservation of our customs as people. Hence, its passage is earnestly sought.

**ROMEO K. SEMA, DPA**  
Member of the Parliament



Republic of the Philippines  
BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO  
BANGSAMORO TRANSITION AUTHORITY  
Cotabato City

Second Parliament  
First Regular Session

Parliament Bill No. 270

Bangsamoro Autonomous Region in Muslim Mindanao  
Parliament  
BILLS AND INDEX DIVISION

RECEIVED  
Name: ACTA H. DIPATUN Signature: [Signature]  
Date: JAN 22 2024 Time: 2:38 PM

---

Introduced by:  
MP ROMEO K. SEMA, DPA

---

**AN ACT PROVIDING FOR BEREAVEMENT LEAVE OF FIVE (5) DAYS WITH  
HALF-PAY TO REGULAR AND CONTRACTUAL EMPLOYEES IN PUBLIC  
AND PRIVATE SECTOR**

*Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao Assembled:*

**SECTION 1. Short Title.** This Act shall be known as the “Bangsamoro Bereavement Leave Act”.

**SEC. 2. Bereavement Leave.** An employee, whether regular, casual, or contractual, in a public office or a private establishment, shall be granted a bereavement leave of five (5) days with half pay following the death of his or her immediate family member.

**SEC. 3. Immediate Family, defined.** An immediate family member of an employee shall be his or her:

- a) biological/adopted parent/s;
- b) biological/adopted child/ren;
- c) sibling/s.

**SEC. 4. Period of Availment.** The employee shall avail of the bereavement leave within two (2) days from the death of the immediate family member. The failure to immediately avail of the bereavement leave within the said period shall be considered as a waiver thereof.

**SEC. 5. Non-Commutation.** The bereavement leave not availed of by an employee/worker shall neither be regarded as leave credits nor be commuted into corresponding monetary value.

**SEC. 6. Non-Diminution of Benefits.** The benefit under this law shall be without prejudice to existing bereavement leave or similar benefits under a company policy or a company practice. In cases where a bereavement leave or a similar benefit granted by the public office or private establishment through a company policy, a CBA, law, or a similar document is greater or more beneficial to the employee, the latter shall take precedence over this law.

**SEC. 7. Implementing Rules and Regulations.** The Ministry of Labor and Employment shall coordinate with the Civil Service Commission for BARMM, the private sector, and the public sector, for the crafting and issuance of the necessary rules and regulations within thirty (30) days from the effectivity of this act.

**SEC. 8. Effectivity.** This Act shall take effect fifteen (15) days after its publication in the Bangsamoro Gazette or in a newspaper of regional circulation within BARMM.

**SEC. 6. Non-Diminution of Benefits.** The benefit under this law shall be without prejudice to existing bereavement leave or similar benefits under a company policy or a company practice. In cases where a bereavement leave or a similar benefit granted by the public office or private establishment through a company policy, a CBA, law, or a similar document is greater or more beneficial to the employee, the latter shall take precedence over this law.

**SEC. 7. Implementing Rules and Regulations.** The Ministry of Labor and Employment shall coordinate with the Civil Service Commission for BARMM, the private sector, and the public sector, for the crafting and issuance of the necessary rules and regulations within thirty (30) days from the effectivity of this act.

**SEC. 8. Effectivity.** This Act shall take effect fifteen (15) days after its publication in the Bangsamoro Gazette or in a newspaper of regional circulation within BARMM.



**MP ROMEO K. SEMA, DPA**

Member of the Parliament