

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



FIFTEENTH CONGRESS
Second Regular Session

House Bill No. **6128**

Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO

AN ACT
INCREASING MATERNITY LEAVE BENEFITS FROM SIXTY (60) DAYS OR TWO MONTHS TO ONE HUNDRED TWENTY (120) DAYS OR FOUR MONTHS, WITH AN ADDITIONAL AND OPTIONAL SIXTY DAYS (60) OR TWO MONTHS, AMENDING FOR THE PURPOSE, P.D. 442, AS AMENDED BY R.A. 7322

EXPLANATORY NOTE

The vital role of women in society and their contribution to the national economy has always been espoused and recognized in our country. No less than our Constitution, under Art. II, Sec. 14, states that "*The State shall recognize the role of women in nation-building and shall ensure the fundamental equality before the law of men and women.*" Similarly in Art. XIII of the same section, it provides that "*The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.*"

In a recent report by UNICEF, it revealed that the Philippines' Mortality Rate, in particular, its under-five mortality rate, ranked 86th out of 190 countries. Such ranking meant that thirty two (32) Filipino children (per 1,000 live births) die before the age of five. Said report also cited several recommendations to reduce our country's mortality rate, one of which is the access to exclusive breastfeeding for a long period of time. Similarly, the World Health Organization (WHO)

recognizes breastfeeding as an effective way of providing young infants with the necessary nutrients they need for healthy growth and development.

These facts only emphasize the importance of maternity as a vital social function played by women and the need to protect their rights, especially those who are employed, and that of their infants to proper health care. This bill seeks to do that by increasing the maternity leave of working women from sixty (60) days or eight (8) weeks to one hundred twenty (120) days or sixteen (16) weeks with an additional and optional sixty (60) days or eight (8) weeks to allow mothers to breastfeed their child for at least six (6) months which is in accordance with UNICEF and WHO standards. This gives mother and child quality time for bonding while at the same time, ensures the child's proper growth and development.

We therefore urge our colleagues to ensure the immediate passage of this bill into law.



DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur



GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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

SECTION 1. Article 133 of Presidential Decree (P.D.) 442, as amended by R.A. 7322, is hereby amended to read as follows:

"ART. 133. *Maternity Leave Benefits.*

(a) "Every employer shall grant to any pregnant [woman] **FEMALE** employee, who has rendered an aggregate service of at least six (6) months for the last twelve (12) months, maternity leave of at least two (2) weeks prior to the expected date of delivery and another [four (4)] **FOURTEEN (14)** weeks after normal [or abortion] **OR CAESARIAN DELIVERY**, with full pay based on her regular or average weekly wages. **AN ADDITIONAL AND OPTIONAL MATERNITY LEAVE OF EIGHT (8) WEEKS SHALL BE GRANTED ANY CONCERNED PREGNANT FEMALE EMPLOYEE WITH EITHER FULL PAY, HALF PAY OR NO PAY. IN CASE THE CONCERNED PREGNANT FEMALE EMPLOYEE OPTS TO TAKE THE ADDITIONAL AND OPTIONAL MATERNITY**

LEAVE, SHE IS ASSURED OF SECURITY OF TENURE AND SUCH SHALL NOT BE USED AS BASIS FOR TERMINATION FROM EMPLOYMENT."

SECTION 2. All laws, decrees, order, rules and regulations, and other issuances or parts thereof, inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 3. This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,