

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th Congress
3rd Regular Session

House Bill No. 6691



Introduced by Representative Maria Evita R. Arago

EXPLANATORY NOTE

The Constitution provides as State Policies the following provisions:

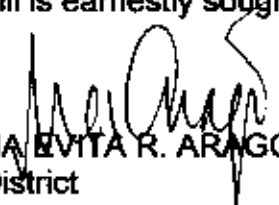
Section 12. The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and life of the unborn from conception.

Section 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

Section 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

This bill seeks for the development of a comprehensive program that would benefit pregnant women who are employed in the course of their pregnancies. Pregnant women who are employed will enjoy the benefit of medical leaves once every month for pregnancy related medical consultation. The bill likewise seeks to provide flexible working hours for pregnant women as long as it will not affect adversely affect productivity. This bill hopes to aid pregnant women during the course of their delicate condition at the same time ensure that their employment will remain secure while they are pregnant.

In the view of the foregoing, passage of this bill is earnestly sought.


MARIA EVITA R. ARAGO
3RD District
Laguna

HOUSE OF REPRESENTATIVES

H.B. No. **6691**

INTRODUCED BY REPRESENTATIVE MARIA EVITA R. ARAGO

AN ACT
PROVIDING FOR THE BENEFITS AND PRIVILEGES TO PREGNANT WOMEN AND
THEIR FAMILIES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

1 **SECTION 1. Short Title.** This Act shall be known as the "Pregnant Women's
2 Welfare Act."

3 **SECTION 2. Declaration of Policy.** It is the policy of the State to promote the
4 family as the foundation of the nation, strengthen its solidarity and ensure its total
5 development. Towards this end, it shall develop a comprehensive program of services
6 for pregnant women and their families to be carried out by the Department of Labor and
7 Employment (DOLE), the Department of Social Welfare and development (DSWD), the
8 Department of Health (DOH), and other related government and nongovernment
9 agencies.

10 **SECTION 3. Definition of Terms.** – For purposes of this Act, the term

- 11 (1) "Pregnant woman" means a woman expecting to deliver a child or children, which
12 shall continue until she has delivered such child or children or has suffered a
13 miscarriage;
14 (2) "Family" means the pregnant woman, her legitimate spouse with whom she is
15 cohabiting, and any children living with and dependent upon them who are
16 unmarried, unemployed and not more than eighteen (18) years of age, or even
17 over eighteen (18) years but are incapable of self support because of mental
18 and/or physical defect/disability. If the pregnant woman is not lawfully married or
19 is a widow, "family" shall refer to herself, her and her legitimate spouse's parents
20 who are living with her, and any children living with her, and any children living
21 with and dependent upon her who are unmarried, unemployed and not more than
22 eighteen (18) years of age, or even over eighteen (18) years but are incapable of
23 self-support because of mental and/or physical defect/disability;
24 (3) "Medical leave" means the leave benefits granted to a pregnant woman to enable
25 her to undergo a medical check-up related to her pregnancy, or to any ailment or
26 affliction she may be suffering from as a result of her pregnancy.
27 (4) "Flexible work schedule" means the work of schedule granted to a pregnant
28 employee allowing her to vary her arrival and departure time without affecting the
29 core work hours as defined by the employer.
30

31 **SECTION 4. Criteria for Support.** – Any pregnant woman whose income in the place
32 of domicile falls below the poverty threshold as set by the National Economic and
33 Development Authority (NEDA) and subject to the assessment of the DSWD worker in
34 the area shall be eligible for assistance: *Provided, however,* that any pregnant woman
35 whose income is above the poverty threshold shall enjoy the benefits mentioned in
36 Sections 5,6 and 7 of this Act.
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41 SECTION 5. *Flexible Work Schedule.* – The employer shall provide for a flexible
42 working schedule for pregnant women: Provided, that the same shall not affect
43 individual and company productivity: Provided, further, that any employer may request
44 exemption from the above mentioned requirements from the DOLE on certain
45 meritorious grounds.

46
47 SECTION 6. *Work Discrimination.* – Without prejudice to the relevant provisions of
48 the Labor Code and the implementing rules thereto, no employer shall discriminate
49 against any pregnant woman employee with respect to terms and conditions of
50 employment.

51
52 SECTION 7. *Medical Leave.* – In addition to leave privileges under existing laws,
53 medical leaves of one (1) day during each month of the woman's pregnancy shall be
54 granted to enable her to undergo a medical check-up related to her pregnancy, or to
55 any ailment or affliction she may be suffering from as a result of her pregnancy;
56 Provided, she has previously furnished her employer a medical certificate confirming
57 her pregnancy and the ailment or affliction she may be suffering from is a result of her
58 pregnancy: Provided further, that she has rendered service of at least one (1) year prior
59 to her pregnancy: Provided further, that the same shall not affect individual and
60 company productivity: Provided further, that each time she takes such medical leave,
61 she notifies her employer at least five (5) days in advance.

62
63 SECTION 8. *Medical Assistance.* – The DOH shall develop a comprehensive health
64 care program for pregnant women. The program shall be implemented by the DOH,
65 through their retained hospitals and medical centers, and the local government units
66 (LGUs) through their provincial/district/city/municipal hospital and rural health units.

67
68 SECTION 9. *Implementing Rules and Regulations.* – An interagency committee
69 headed by the DOLE, in coordination with the DSWD and DOH, is hereby established
70 which shall formulate, within ninety (90) days upon the effectivity of this Act, the
71 implementing rules and regulations in consultation with the LGUs, nongovernment
72 organization and people's organizations.

73
74 SECTION 10. *Penalties.* – Any person, corporation, trust, firm, partnership,
75 association or entity found violating this Act or the rules and regulations promulgated
76 thereunder shall be punished by a fine not exceeding Twenty-five thousand (P25,000)
77 or imprisonment of not less than thirty (30) days nor more than six (6) months.

78
79 If the violation is committed by a corporation, trust or firm partnership, association or
80 any other entity, the penalty of imprisonment shall be imposed on the entity's
81 responsible officers, including but not limited to, the president, vice-president, chief
82 executive officer, general manager, managing director or partner directly responsible
83 therefor.

84
85 SECTION 11. *Nondiminution Clause.* – Nothing in this Act shall be construed to
86 reduce any existing benefits of any form granted under existing laws, decrees,
87 executive orders, or any contract, agreement or policy between employer and
88 employee.

89
90 Act shall be included in the budget of the concerned government agencies in the
91 General Appropriations Act of the year following its enactment into law and thereafter.

92
93 SECTION 13. *Repealing Clause* – All laws, decrees, executive orders,
94 administrative orders or parts thereof inconsistent with the provisions of this Act are
95 hereby repealed, amended or modified accordingly.

96

97 SECTION 14. *Separability Clause.* – If any provision of this Act is held invalid or
98 unconstitutional, other provision not affected thereby shall continue to be in full force
99 and effect.

100
101 SECTION 15. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
102 following its complete publication in the Official Gazette or in at least two (2)
103 newspapers of general circulation.

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105 Approved,