

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2693



Introduced by Hon. LEOPOLDO N. BATAOIL

EXPLANATORY NOTE

This bill seeks to further amend Presidential Decree 1146, AMENDING, EXPANDING, INCREASING AND INTEGRATING THE SOCIAL SECURITY AND INSURANCE BENEFITS OR GOVERNMENT EMPLOYEES AND FACILITATING THE PAYMENT THEREOF UNDER COMMONWEALTH ACT NO. 186, AS AMENDED, AND FOR OTHER PURPOSES, for the purpose of amending the definition of secondary beneficiaries as well as expanding the maternity benefits of the women workers in the public sector.

It is a declared policy of the state to "protect working women workers 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." More so, the state recognizes the role of the women in nation building and shall ensure the fundamental equality before the law of women and men (Sec. 14, Art XIII)

Moreover, the Philippines is likewise committed to the policy adopted by the International Labor Organization to "adopt maternity benefits sufficient for the full and healthy maintenance of the woman and her child in accordance with a suitable standard of living. (ILO Convention No. 103, Article 4 (2))

Unfortunately, women employees working in the government do not enjoy the same privileges enjoyed by workers in the private sector.

Hence, the passage of this bill is earnestly sought for.


LEOPOLDO N. BATAOIL
Representative, 2nd District of Pangasinan

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SIXTEENTH CONGRESS
First Regular Session
2693
HOUSE BILL NO. ____

Introduced by Hon. LEOPOLDO N. BATAOIL

AN ACT
FURTHER AMENDING PRESIDENTIAL DECREE NO. 1146, AS AMENDED
INCREASING THE BENEFITS OF THE GOVERNMENT SERVICE
INSURANCE SYSTEM AND FOR OTHER PURPOSES

SECTION 1. Presidential Decree No. 1146, as amended, otherwise known as the "Revised Government Service Insurance Act of 1977," is hereby further amended to read as follows:

SECTION 2 (h). Secondary beneficiaries shall be in accordance with the Law on Succession under the New Civil Code.

Secondary dependents shall be the following:

"(a) Dependent parent who is receiving regular support from the employee without age qualification;

"(b) Relatives up to the fourth civil degree of consanguinity not gainfully employed and has not reached twenty one (21) years of age, or if even twenty one (21) years of age, he is congenitally or while still a minor has been permanently incapacitated and incapable of self-support, physically or mentally;

SECTION 15-A. Maternity Leave Benefit. - A covered female employee who has paid at least three monthly maternity contributions in the twelve-month period preceding the semester of her childbirth, abortion or miscarriage and who is currently employed shall be paid a daily maternity benefit equivalent to one hundred percent (100%) of her present salary, allowances and other benefits or the cash equivalent of such benefits for sixty (60) days subject to the following conditions:

"(a) That the employee shall have notified her employer of her pregnancy and the probable date of her childbirth which notice shall be transmitted to the GSIS in accordance with the rules and regulations it may provide;

"(b) That the payment shall be advanced by the GSIS in two equal installments within thirty (30) days from the filing of the maternity leave application;

"(c) That the case of caesarian delivery, the employee shall be paid the daily maternity benefit for seventy-eight (78) days;

"(d) That payment of daily maternity benefits shall be a bar to the recovery of sickness benefits provided by this Act for the same compensable period of sixty (60) days for the same childbirth, abortion, or miscarriage;

"(e) That the maternity benefits provided under this Section shall be paid only for the first four deliveries after the effectivity of this act; and,

(f) That if an employee should give birth or suffer abortion or miscarriage without the required contributions having been remitted for her by her employer to the GSIS, or without the latter having been previously notified by the employer of the time of the pregnancy, the employer shall pay to the GSIS damages equivalent to the benefits which said employee would otherwise have been entitled to, and the GSIS shall in turn pay such amount to the employee concerned."

SECTION 2. Nothing in this Act shall be construed as to diminish existing benefits under the present laws and collective negotiation agreements.

SECTION 3. All laws, executive orders, proclamations, presidential decrees, rules and regulations, and other issuances, or parts thereof, inconsistent, with the provisions of this Act are hereby repealed accordingly.

SECTION 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved.