

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5995



Introduced by:
Gabriela Women's Party Reps. **ARLENE D. BROSAS** and **EMMI A. DE JESUS**

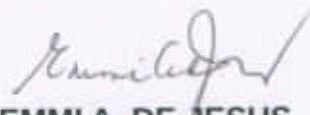
EXPLANATORY NOTE

Republic Act No. 8187 otherwise known as the Paternity Leave Act was enacted in 1996 in acknowledgment of the necessary material and non-material support and assistance of a father to a mother and child before, during and after delivery. However, the law merely extends seven (7) days paternity leave with full pay to husband-employees, both in the public and private sectors, for the first four (4) deliveries only of his legal spouse with whom he is cohabiting.

These limitations are what this bill seeks to address. Through lengthening the existing 7-day paternity leave to 15 days with full pay, providing an additional 15 days leave without pay at the option of the employee, and extending the same benefits to all biological fathers provided they are cohabiting with their pregnant common-law spouse and without any legal impediment to marry, the vital role of a father in child-rearing, as well as his part as source of emotional support to the mother, are recognized. Furthermore, this expansion of benefits is intended to give the father ample opportunity to give support to his wife or common-law spouse and newborn child for her prompt recovery.

Thus, the approval of this bill is earnestly sought.


ARLENE D. BROSAS
Gabriela Women's Party


EMMI A. DE JESUS
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AN ACT EXTENDING THE PATERNITY LEAVE FROM SEVEN (7) TO FIFTEEN (15) DAYS WITH FULL PAY, AMENDING FOR THE PURPOSE SECTIONS 2 AND 3 OF REPUBLIC ACT NO. 8187, OTHERWISE KNOWN AS THE "PATERNITY LEAVE ACT OF 1996"

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

SECTION 1. Section 2 of Republic Act No. 8187, otherwise known as the "Paternity Leave Act of 1996" is hereby amended to read as follows:

SECTION 2. Notwithstanding any law, rules, and regulations to the contrary, every ~~married~~-male employee REGARDLESS OF HIS EMPLOYMENT STATUS in the public and private sectors shall be entitled to a paternity leave of ~~seven (7)~~ FIFTEEN (15) WORKING days with full pay for ~~the first four (4) deliveries~~ ALL DELIVERIES of the legitimate OR COMMON-LAW spouse with whom he is cohabiting. The male employee applying for paternity leave shall notify his employer of the pregnancy of his legitimate spouse and the expected date of such delivery. AN ADDITIONAL FIFTEEN (15) WORKING DAYS LEAVE WITHOUT PAY, MAY BE AVAILED OF BY THE MALE EMPLOYEE, PROVIDED HE GIVES DUE NOTICE TO

HIS EMPLOYER WITHIN FIVE (5) DAYS PRIOR TO THE EXPIRATION OF HIS ORIGINAL FIFTEEN (15) DAY PATERNITY LEAVE.

A MALE EMPLOYEE IS CONSIDERED IN A COMMON-LAW RELATIONSHIP IF HE AND HIS SPOUSE ARE LIVING TOGETHER FOR AT LEAST SIX (6) MONTHS PRIOR TO THE CHILDBIRTH OR MISCARRIAGE AND WITHOUT LEGAL IMPEDIMENT TO MARRY EACH OTHER DURING THE PERIOD OF THEIR COHABITATION.

For the purposes of this Act, delivery shall include childbirth or miscarriage.

SECTION 2. Section 3 of Republic Act No. 8187 is hereby amended to read as follows:

SECTION 3. DEFINITION OF TERM. For purposes of this Act, Paternity Leave refers to the benefits granted to a ~~married~~-male employee allowing him not to report for work for ~~seven (7)~~ FIFTEEN (15) WORKING days but continues to earn the compensation therefor, on the condition that his LEGITIMATE OR COMMON-LAW spouse has delivered a child or suffered a miscarriage for purposes of enabling him to effectively lend support to his LEGITIMATE OR COMMON-LAW SPOUSE ~~wife~~ in her period of recovery and/or in the nursing of the newly-born child.

SECTION 3. Repealing Clause. All laws, executive orders and issuances, or any part thereof, which are inconsistent herewith are hereby repealed or amended accordingly.

SECTION 4. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least one newspaper of general circulation.

Approved,