

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

Seventeenth Congress
Second Regular Session

HOUSE BILL NO. 7400



Introduced by Representative Michelle M. Antonio

EXPLANATORY NOTE

This bill seeks to grant a mental health wellness break to all employees and students, and integrate mental health awareness in the curriculum of all schools.

Section 15, Article II of the Constitution provides that *“The State shall protect and promote the right to health of the people and instill health consciousness among them.”*

The World Health Organization defines mental health as *“a state of well-being in which the individual realizes his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his or her community.”* Mental health, therefore, is more than just the presence of psychotic disorder or sickness but, more importantly, also redounds to a positive condition of ones’ mental well-being.

In the Philippines, a survey conducted by the Department of Health showed that among 327 government employees in Metro Manila, 32% were found to have experienced mental health problems. Among the youth, depression, anxiety and mood disorders were found to be the most common (WHO 2004). According to the global school-based student health survey from January to March 2015 among high school students, 17% of students aged 13-15 have attempted suicide at least once, 12% said they seriously considered attempting suicide, and 11% have made plans on how they would commit suicide.¹ The National Center for Mental Health's statistics project suicide rates of 2.5 for men and 1.7 for women per 100,000 members of the population. These numbers do not include unreported cases. According to a 2014 report of the World Health Organization, there were 2,558 cases of suicide due to mental health problems in the Philippines in the year 2012 alone.²

¹ <http://news.abs-cbn.com/focus/multimedia/infographic/10/12/17/mental-health-of-filipinos>

² <http://cnnphilippines.com/life/culture/2017/04/25/mental-illness-stigma.html>

Seeing these alarming statistics, it is with utmost urgency that the government should address the problem of mental health. It is therefore proposed that all employees and students be given a 3-day mental health wellness break. All public and private schools must also integrate mental health awareness in their curriculum. This is to give the employees and students the opportunity to reassess positively their mental well-being with the help of professionals.

It is likewise proposed in this bill that employers must offer mental health wellness activities that employees can attend. All these with the greatest hope that these employees and students will realize their own abilities to cope with the normal stresses of life, can work and study productively and fruitfully and be able to make a good contribution to the community.

In view of the foregoing, approval of this bill is highly and earnestly recommended.



MICHELLE M. ANTONIO

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HOUSE BILL NO. **7400**

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1 **AN ACT GRANTING MENTAL HEALTH WELLNESS BREAK TO**
2 **ALL EMPLOYEES AND STUDENTS AND INTEGRATING**
3 **MENTAL HEALTH AWARENESS IN THE CURRICULUM OF ALL**
4 **SCHOOLS**

5
6 *Be it enacted by the Senate and House of Representatives of the Philippines in*
7 *Congress assembled:*
8

9 SECTION 1. This Act shall be known as the “*Mental Health Break and*
10 *Awareness Act.*”

11 SEC. 2. Notwithstanding any law, rules and regulations to the contrary,
12 all employees of the private and public sectors are entitled to a mental health
13 wellness leave of three (3) days with full pay.

14 For purposes of this Act, *mental health wellness leave* refers to the
15 benefit granted to employees of the private and public sectors, allowing the
16 said employees not to report for work for three (3) days but continue to earn
17 compensation therefor.

18 SEC. 3. Employers, both of the private and public sectors, are
19 mandated to offer mental health wellness activities to their employees.

20 SEC. 4. Students in private and public schools shall be entitled to a
21 *mental health wellness break* of three (3) days.

22 This mental health wellness break will be counted as excused absences,
23 and will in no way prejudice the students’ grades or class standing, subject to
24 the condition that said break is availed of only during regular class days, and
25 not on examination days.

1 SEC. 5. A mental health awareness lecture or discussion shall be
2 integrated in the curriculum of all schools and educational institutions,
3 whether private or public.

4 SEC. 6. All public and private schools and educational institutions shall
5 employ at least one (1) in-house certified guidance counselor or allied
6 professional who is trained as an authorized mental health practitioner who
7 shall oversee and provide mental health awareness lectures, programs,
8 activities and counseling services to students.

9 SEC. 7. Within thirty (30) days from the effectivity of this Act, the
10 Secretary of Labor and Employment, the Chairperson of the Civil Service
11 Commission, the Secretary of Education, the Chairperson on Higher
12 Education and Secretary of Health shall issue the necessary rules and
13 regulations for the effective implementation of the provisions of this Act.

14 SEC. 8. Any corporation, trust, firm, partnership, association, entity
15 and school found violating Sections 2, 3, 4 and 5 of this Act or the rules and
16 regulations promulgated thereunder shall be punished by a fine not exceeding
17 One hundred thousand pesos (P100,000.00).

18 If the violation is committed by a corporation, trust or firm, partnership,
19 association, entity and school, the penalty of imprisonment of not less than
20 thirty (30) days nor more than six (6) months in addition to the fine mentioned
21 in the preceding paragraph shall be imposed on the entity's responsible
22 officers, such as, the president, vice-president, chief executive officer, general
23 manager, managing director or partner directly responsible therefor, and
24 principal.

25 SEC. 9. Nothing in this Act shall be construed to reduce any existing
26 benefits of any form granted under existing laws, decrees, executive orders, or
27 collective bargaining agreement or policy between the employer and
28 employee.

1 SEC. 10. All laws, ordinances, rules, regulations, issuances, or parts
2 thereof which are inconsistent with this Act are hereby repealed or modified
3 accordingly.

4 SEC. 11. This Act shall take effect fifteen (15) days after its publication
5 in the *Official Gazette* or in a newspaper of general circulation.

6 Approved,