

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
Third Regular Session

HOUSE BILL NO. 10456



Introduced by Representative Maria Lourdes O. Acosta-Alba

EXPLANATORY NOTE

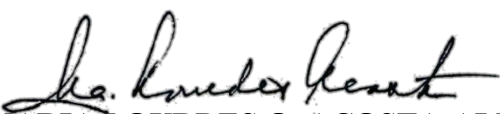
Numerous studies have shown that enactment of laws and creation of national policies and programs to support breastfeeding, like the increased maternity benefits for working women, leads to marked improvements in social, health and economic development outcomes.

While the Expanded Maternity Law or RA 11210 aims to increase the number of breastfeeding mothers, a considerable number of the labor force, were unable to enjoy the benefits and assistance of the said Act. These are the women working the informal economy who are non-members of the Social Security System.

Peer-reviewed research has quantified the economic toll that inadequate breastfeeding takes on individuals, communities and countries, and has found that the current cost to the Philippine health care system due to inadequate breastfeeding is around US\$16.3 million per year, and future cognitive losses of US\$2.3 billion a year owing to reduced development and earning potential can be expected. The costs of infant formula also significantly reduce a family's disposable income. Providing a maternity benefit to women workers in the informal economy equivalent to around US\$174 per mother is paltry compared to the potential economic benefits of improving breastfeeding rates at population level. In fact, according to the same study, the estimated cost of a 14-week maternity leave is only 5% of the cost of not breastfeeding in the Philippines (source: <https://onlinelibrary.wiley.com/doi/10.1111/mcn.13098>)

Therefore, a maternity benefit for women workers in the informal economy is not just a social justice measure and an important way to address the multiple burdens and increased vulnerabilities of women who are also mothers and informal workers, it also leads to demonstrable and quantifiable health outcomes at the population level. Without cash benefits to replace income, many low-income informal economy workers cannot take maternity leave.

For these reasons, the immediate passage of this measure is earnestly sought.


MARIA LOURDES O. ACOSTA-ALBA
First District, Bukidnon

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EIGHTEENTH CONGRESS
Third Regular Sessions

HOUSE BILL NO. 10456

Introduced by Representative Maria Lourdes O. Acosta-Alba

AN ACT
GRANTING MATERNITY BENEFIT TO WOMEN WORKERS IN THE
INFORMAL ECONOMY, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO.
11210, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. *Title.* – This Act shall be known as the ***“Maternity Benefit for Women in the Informal Economy Act of 2021.”***

Section 2. *Declaration of Policy.* – It is the declared policy of the State to protect the rights and welfare of women workers in the informal economy, to ensure optimal maternal health consistent with the Sustainable Development Goals (SDGs), and to encourage and support the practice of breastfeeding in furtherance of its obligation to ensure the survival and development of Filipino children.

Section 3. *Maternity Benefit for Women Workers in the Informal Economy.* – Section 11 of Republic Act No. 11210 is hereby deleted and replaced with a new Section 11, which will read as follows:

SECTION 11. MATERNITY BENEFITS FOR FEMALE WORKERS WHO ARE NON-MEMBERS OF THE SOCIAL SECURITY SYSTEM (SSS) - FEMALE WORKERS WHO ARE NEITHER VOLUNTARY NOR REGULAR MEMBERS OF THE SSS, SHALL RECEIVE, THROUGH THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), A ONE-TIME DIRECT MATERNITY CASH BENEFIT PER DELIVERY EQUIVALENT TO THE PREVAILING MINIMUM WAGE RATE IN HER REGION OF RESIDENCE MULTIPLIED BY THIRTY (30) DAYS.

Section 4. *Funding Source.* - The amounts necessary to fund this maternity benefit shall be taken from revenues from excise taxes on sweetened beverages, alcohol, tobacco products, heated tobacco products, and vapor products, and may be augmented under the General Appropriations Act.

Section 5. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the DOLE Secretary or his/her representative as Chairperson, the authorized representatives of DSWD, PCW and DOH, together with NGOs and women’s organizations in the informal sector shall jointly promulgate the rules and regulations for the effective implementation of this Act. At least two (2) members of the drafting committee, to be selected by the DOLE Secretary, shall come from NGOs and POs.

Section 6. *Mandatory Review.* – Congress shall undertake a mandatory review of this Act after its first three years of implementations and as often as it may deem necessary, with the primary objective of providing a more responsive program and structure for the maternity protection and benefits of those in the informal economy.

Section 5. *Separability Clause.* - Should any of the provision of this Act be declared unconstitutional, the remaining parts not affected thereby shall remain valid and operational.

Section 6. *Repealing Clause.* - All laws, decrees, orders, issuances, rules and regulations and parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Section 7. *Effectivity.* - This act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved,