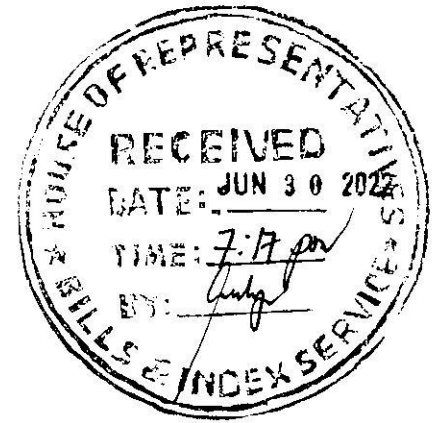


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 566



Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
PROVIDING FOR EXPANDED PATERNITY LEAVE BENEFITS,
AMENDING REPUBLIC ACT 8187, OTHERWISE KNOWN AS
THE "PATERNITY LEAVE ACT OF 1996"

EXPLANATORY NOTE

Paternity leave is the period that a father takes off work before, during, and after the delivery in order to support his wife or partner during the earliest stages of childrearing and the mother's recovery. Research suggests that fathers who take paternity leave, especially those taking two weeks or more immediately after childbirth, are more likely to be involved with their young children.¹ Giving new fathers time off work helps evenly distribute childcare duties and allows women to take care of their health and maintain their careers. Beyond having positive effects for gender equality in the home and at work, paternity leave also greatly improves maternal and infant health, and its multiple advantages echo into the child's adulthood.²

No international standard concerning paternity leave exists. However, the International Labor Organization in 2009 called for governments to develop adequate policies for a better balance of work and family responsibilities, to include paternity and/or parental leave, with incentives for men to use them.³

¹ *Maternity and paternity at work (Law and practice across the world)*. International Labor Organization, 2014.

² *State of the World's Fathers: A MenCare Advocacy Publication*. Save the Children (2015).

³ *Resolution concerning gender equality at the heart of decent work*.

Republic Act 8187 of the *Paternity Leave Act* was enacted in 1996, granting seven days leave with full pay to all married male employees in the private and public sectors. Though beneficial, this law limits the vital bond between the spouses and their infants, and the period is not enough for the husband to perform all his obligations.

This bill seeks to grant to male employees a longer paternity leave to give them a longer time to assist their wives and care for their newborns. Thirty days is about one-third of the total maternity leave of 105 days.

This bill also removes the limit of four deliveries in the availment of the benefit and extends the benefit to all male employees, regardless of employment status. Furthermore, in recognition of current social realities in which about four million of the population are in “live-in” or common-law relationships,⁴ the bill proposes to make the benefit available to a male employee who is not married to the woman who gave birth or suffered an abortion or miscarriage, provided that they have no legal impediment to marry each other during their cohabitation and have been living as husband and wife for at least two years at the time of childbirth, abortion, or miscarriage.

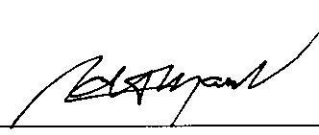
For these reasons, passage of this bill is earnestly sought.



Rep. FRANCE L. CASTRO
ACT Teachers Party-List



Rep. ARLENE D. BROSAS
GABRIELA Women's Party



Rep. RAOUL DANNIEL A. MANUEL
KABATAAN Party-List

⁴ Estimate of the Philippine Commission on Women, May 2014

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AMENDING REPUBLIC ACT 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. The title of Republic Act 8187 otherwise known as "The Paternity Leave Act of 1996" is hereby amended to read as follows:

AN ACT
GRANTING PATERNITY LEAVE OF [SEVEN (7) DAYS] THIRTY (30)
DAYS WITH FULL PAY TO ALL MARRIED MALE EMPLOYEES IN THE
PRIVATE AND PUBLIC SECTORS FOR [THE FIRST FOUR (4)] ALL
DELIVERIES OF THE LEGITIMATE SPOUSE WITH WHOM HE IS
COHABITING OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY
COHABITING WITHOUT THE BENEFIT OF MARRIAGE AND FOR
OTHER PURPOSES

SEC. 2. Section 2 of the same law is hereby further amended to read as follows:

"Section 2. **PATERNITY LEAVE.** – Notwithstanding any law, rules and regulations to the contrary, every [married] male employee, **REGARDLESS OF EMPLOYMENT STATUS, MARRIED OR IN A COMMON-LAW RELATIONSHIP**, in the private and public sectors shall be entitled to a paternity leave of [seven (7)] **THIRTY (30) WORKING** days with full pay for [the first four (4)] **ALL** deliveries of the legitimate spouse with whom he is cohabiting **OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY COHABITING**

WITHOUT THE BENEFIT OF MARRIAGE. The male employee applying for paternity leave shall notify his employer of the pregnancy of his legitimate spouse **OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY COHABITING WITHOUT THE BENEFIT OF MARRIAGE** and the expected date such delivery.

“FOR PURPOSES OF THIS ACT:

1. DELIVERY SHALL INCLUDE CHILDBIRTH, ABORTION, OR ANY MISCARRIAGE, PROVIDED THAT, THE PATERNITY LEAVE SHALL BE THIRTY (30) WORKING DAYS IN THE CASE OF ABORTION OR MISCARRIAGE.

2. A MALE EMPLOYEE IS IN A COMMON-LAW RELATIONSHIP IF HE AND HIS SPOUSE HAVE BEEN LIVING TOGETHER AS HUSBAND AND WIFE WITHOUT THE BENEFIT OF MARRIAGE FOR AT LEAST TWO YEARS AT THE TIME OF CHILDBIRTH, ABORTION, OR MISCARRIAGE, PROVIDED HOWEVER, THAT THE MALE EMPLOYEE AND HIS PARTNER HAVE BEEN COHABITING FOR AT LEAST ONE (1) YEAR, HAVING NO LEGAL IMPEDIMENT TO MARRY EACH OTHER DURING THEIR COMMON-LAW RELATIONSHIP.”

SEC. 3. Section 3 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, **REGARDLESS OF EMPLOYMENT STATUS, MARRIED OR IN A COMMON-LAW RELATIONSHIP**, allowing him not to report for work for **THIRTY (30) WORKING DAYS** but continues to earn the compensation therefor, on the condition that his legitimate spouse **OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY COHABITING WITHOUT THE BENEFIT OF MARRIAGE** has delivered a child or suffered a miscarriage for purposes of enabling him to effectively lend support to his wife in her period of recovery and/or nursing of the newly-born child.”

SEC. 4. *Separability Clause.* If for any reason any section or provision of this Act is declared unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 5. *Repealing Clause.* - Any Laws, decrees, or laws, decrees, or rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed.

SEC. 6. *Effectivity.* This Act shall take effect fifteen (15) days from the publication in the Official Gazette or in any newspaper of general circulation.

Approved,