

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

House Bill No. 10697



Introduced by Representative Camille A. Villar

AN ACT PROVIDING FOR FLEXIBLE WORK ARRANGEMENTS FOR PREGNANT WOMEN AND POSTNATAL MOTHERS

EXPLANATORY NOTE

The 1987 Philippine Constitution recognizes the importance of the role of women in nation-building.¹ It also recognizes the need for the State to protect working women by providing them 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.²

In recognition of the challenges being faced by women during pregnancy and in rearing their children during the early stages of their development, this bill seeks to mandate the provision of a flexible work arrangements for pregnant women. The benefit extends to postnatal mothers, at least one year from the date of childbirth. The flexible work arrangements shall be agreed upon between the employer and employee, must not negatively affect individual and company productivity, and subject to certain parameters.

Hence, I humbly request the swift passage of this bill.


CAMILLE A. VILLAR

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WOMEN AND POSTNATAL MOTHERS**

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

Section 1. **Short Title.** – This Act shall be known as the “*Pregnant Women Welfare Act of 2024.*”

Section 2. **Definition of Terms.** – For the purpose of this Act, the following terms shall mean:

(a) “*Pregnant Woman*” means a woman expecting to deliver a child or children, which condition shall continue until she has delivered such child or children or has suffered a miscarriage.

(b) “*Flexible Work Arrangement*” refers to alternative work arrangements or schedules other than the traditional or standard work hours, workdays or workweek. Flexible work arrangements allow the pregnant employee to vary her arrival and departure time without affecting the core work hours in a day or in the week, depending on the agreed upon arrangement between the employee and the employer.

(c) “*Work-from-home*” refers to a work arrangement where the pregnant employee works at home or residence;

Section 3. **Flexible Work Arrangement.** — The employer, public or private, shall provide for a flexible work arrangement or a work-from-home program for pregnant women. This benefit shall extend to postnatal mothers, at least one year from the date of childbirth. Such arrangement shall allow pregnant women to work remotely or take advantage of the applicable flexible work arrangement to enable them to undergo a medical check-up related to her pregnancy, or to any ailment or affliction she may suffer as a result of her pregnancy.

The flexible work arrangement or work-from-home program to be adopted by employers under this Act shall be subject to the following parameters:

- b. The working arrangement agreed upon by the parties shall not affect individual and company productivity;
- c. The terms and conditions for the flexible working arrangement shall not be less than the minimum labor standards set by law, and shall include compensable work hours, minimum number of work hours, overtime, rest days, and entitlement to leave benefits; and
- d. On meritorious grounds, any employer may request exemption from complying with the above requirements from the Department of Labor and Employment (DOLE).

Section 4. ***Work Discrimination.*** - Without prejudice to the relevant provisions of the Labor Code of the Philippines, as amended, and its implementing rules and regulations, no employer shall discriminate against any pregnant employee with respect to the terms and conditions of employment on account of her status.

Section 5. ***Non-Diminution of Benefits.*** - Nothing in this Act shall be construed as to diminish existing employment benefits currently enjoyed by pregnant women or postnatal mothers whether or not these are granted under collective bargaining agreements (CBA) or present laws, if the same are more beneficial to such employee.

Section 6. ***Security of Tenure.*** - Those who avail of the benefits of this Act, whether in the government service or private sector, shall be assured of security of tenure. As such, the exercise of this option shall not be used as basis for demotion in employment or termination.

Section 7. ***Penalties.*** - Any person, corporation, trust, firm, partnership, association or entity found violating this Act or the rules and regulations promulgated thereunder shall be punished by a fine of not less than Twenty Thousand Pesos (PhP20,000) nor more than Two Hundred Thousand Pesos (PhP200,000), or imprisonment of not less than thirty (30) days nor more than six (6) months.

If the violation is committed by a corporation, trust or firm, partnership, association or any other entity, the penalty of imprisonment shall be imposed on the entity's responsible officers, including, but not limited to, the president, vice-president, chief executive officer, general manager, managing director or partner directly responsible therefor.

Failure on the part of any person, partnership, corporation, association, or private enterprise to comply with the provisions of this Act shall be a ground for non-renewal of business permits.

Section 8. ***Implementing Rules and Regulations.*** - The Secretary of Labor and Employment, the Chairman of the Civil Service Commission, the Secretary of Health and other relevant agencies shall issue such rules and regulations necessary for the proper implementation of this Act within sixty (60) days from its effectivity.

Section 10. ***Repealing Clause.*** – Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to the provision of this Act is hereby repealed or modified accordingly.

Section 11. ***Effectivity Clause.*** – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,