

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL No. **10929**



Introduced by Representative CAMILLE A. VILLAR

AN ACT
GRANTING MENTAL HEALTH WELLNESS LEAVE TO ALL EMPLOYEES IN
THE PUBLIC AND PRIVATE SECTORS

Explanatory Note

Under Section 18, Article II, of the 1987 Philippine Constitution, the State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare. Whereas, Section 15 of the same Article II provides that the State shall protect and promote the right to health of the people and instill health consciousness among them.

Republic Act No. 11036 or the Mental Health Act provides that the State affirms the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services. Under the Mental Health Act, the State commits itself to promoting the well-being of people by ensuring that mental health is valued, promoted and protected; mental health conditions are treated and prevented; timely, affordable, high-quality, and culturally-appropriate mental health care is made available to the public; mental health services are free from coercion and accountable to the service users; and persons affected by mental health conditions are able to exercise the full range of human rights, and participate fully in society and at work, free from stigmatization and discrimination.

Moreover, one of the objectives of the Mental Health Act is to develop and establish a comprehensive, integrated, effective and efficient national mental health care system responsive to the psychiatric, neurologic, and psychosocial needs of the Filipino people.

This bill seeks to supplement the overall State objectives by granting employees of the public and private sectors a mental health wellness leaves of three (3) days with full pay. It is the hope of this bill to increase labor productivity and efficiency and raise awareness of the importance of mental health not only for the

individual well-being of the employees but also to the overall health and well-being of our nation.

Thus, this Representation joins her colleagues in humbly calling for the immediate passage of this bill.

Camille Villar
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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 "Mental Health Leave Act."

SECTION 2. *Declaration of Policy.* - Through constitutional fiat, the State values the dignity of every human person and shall protect and promote the right to health of the people and instill health consciousness among them. In line with this, the State recognizes the psychological dimension of health and shall pursue measures to ensure that every Filipino is holistically healthy.

SECTION 3. *Mental Health Wellness Leave.* - Notwithstanding any law, rules, and regulations to the contrary, all employees of the private and public sectors are entitled to a mental health wellness leave of three (3) days with full pay.

For purposes of this Act, mental health wellness leave refers to the benefit granted to employees of the private and public sectors, allowing the said employees not to report for work for three (3) days but continue to earn compensation on the condition that the employees will participate in mental health wellness activities offered by their respective employers.

SECTION 4. *Implementing Rules and Regulations.* - Within thirty (30) days from the effectivity of this Act, the Secretary of Labor and Employment, the Chairperson of the Civil Service Commission, and the Secretary of Health shall issue the necessary rules and regulations for the effective implementation of the provisions of this Act.

SECTION 5. *Penalties.* - Any corporation, trust, firm, partnership, association, and entity found violating Section 3 of this Act or the rules and regulations promulgated

thereunder shall be punished by a fine not exceeding One Hundred Thousand Pesos (PhP100,000.00).

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

SECTION 6. *Non-diminution of Benefits.* - Nothing in this Act shall be construed to reduce any existing benefits of any form granted under existing laws, decrees, executive orders, or collective bargaining agreement or policy between the employer and employee.

SECTION 7. *Repealing Clause.* - All laws, ordinances, rules, regulations, issuances, or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 8. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,