

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
HOUSE BILL No. 1963



Introduced by **REP. CLAUDINE DIANA D. BAUTISTA-LIM**

AN ACT
RECOGNIZING THE ESSENTIAL ROLE OF FATHERS IN THE EARLY LIFE OF CHILDREN BY PROVIDING FOR EXPANDED PATERNITY LEAVE BENEFITS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8187, OTHERWISE KNOWN AS THE “PATERNITY LEAVE ACT OF 1996”

EXPLANATORY NOTE

In 1996, Republic Act No. 8187 or the Paternity Leave Act, which grants seven (7) days of paternity leave exclusively to married males has been enacted. Several attempts have been made to amend it but almost 30 years have passed, it still has not been updated to reflect the current needs of our society. The passage of the Expanded Maternity Leave Law which allocates up to 7 days of leave credits to the father, at the option of the mother, does not diminish the fact that increased leave benefit that is entirely allocated to the father is just as important.

Recent years have shown that men have taken more active roles in the caring of their children which was traditionally relegated to women. We have seen more men engaged in childcare as inclusive parenting has become a norm, strengthening the advancement of gender equality and family well-being. While more men have shown willingness to actively participate in parenting and childcare, we lack policies that encourage them to do so.

The Philippines is the pacesetter in terms of institutionalizing paternity leave benefits among its ASEAN neighbors.¹ However, the country has a long way to go in contrast to some European nations that offer up to 480 days of parental leave. The Philippines should do better than its current policy by according fathers a longer period for paternity leave.

Fathers need to be given the same opportunity as women to care for their children and their partners. This not only breaks gender stereotypes, but also encourages fathers' involvement in their children's lives and abates problems faced by working mothers.

¹ HasnanThe ASEAN Post. <https://theaseanpost.com/article/paternity-leave-asean>

While the law acknowledges that a father's support is needed in childbirth, the grant of a 7-day paid paternity leave is just not enough to establish a quality one-on-one time between a father and his infant. Research has shown that the more hours alone that a father spends with his infant, the more it enables him to become more effective, instinctual caregiver for his children.² Studies further suggest that taking time off to care for a newborn child is beneficial for father-baby bonding, the baby's development, and the parents' relationship with each other.³

Men who avail of paternity leaves are more likely to be involved in child care over the long run, which results in improved child outcomes and more equal parent-child relationships.⁴ Taking paternity leaves have shown to result in healthier marriages; lessened postpartum demands and improvements in women's career advancements.⁵

In recognition of men's equally important role as fathers and caregivers, this measure aims to increase the number of paid exclusive paternity leave from seven (7) to fourteen (14) days and expand its coverage to all males, regardless of employment and civil status. The benefit shall cover not only fathers who are legally married to and cohabiting with the mother, but also to unmarried fathers who are exclusively cohabiting with the mother without legal impediment to marry each other.

Granting more days of paid paternity leave and expanding its coverage to all males is a crucial support that women need. Through this legislation, we recognize that fathers are just as important when women give birth. Labor and childbirth are physically taxing, so are breastfeeding and caring for a newborn baby.⁶ As mothers are healing and trying to regain their strength from childbirth, they need able partners to care for them and for their newborn. The presence of support and extra hands from their partner is therefore indispensable.

Immediate approval of this measure is earnestly sought.


REP. CLAUDINE DIANA D. BAUTISTA-LIM
DUMPER-PTDA Partylist

² Dickens, M., & Mangino, K. (2023, November 15). *How Paternity Leave Helps Dads' Brains Adapt to Parenting*. Harvard Business Review. <https://hbr.org/2023/11/how-paternity-leave-helps-dads-brains-adapt-to-parenting>

³ Ibid.

⁴ Rakesh. M, Tamilnadu Dr. (n.d.). Importance of Paternity Leave. *Indian Journal of Integrated Research in Law*, 4(2), 735–743.

⁵ Yang, Y. T., Wallington, S. F., & Morain, S. (2022). Paid leave for Fathers: policy, practice, and reform. *Milbank Quarterly*, 100(4), 973–990. <https://doi.org/10.1111/1468-0009.12590>

⁶ World Health Organization. (2013). *POSTNATAL CARE OF THE MOTHER AND NEWBORN*. Counselling for Maternal and Newborn Health Care - NCBI Bookshelf. <https://www.ncbi.nlm.nih.gov/books/NBK304191/>

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

SECTION 1. Section 2 of Republic Act No. 8187 is hereby amended to read as follows:

“**Section 2. Paternity Leave.** Notwithstanding any law, rules and regulations to the contrary, every [~~married~~] male employee in the private and public sectors, **REGARDLESS OF EMPLOYMENT OR CIVIL STATUS**, shall be entitled to a paternity leave of [~~seven-(7)~~] **FOURTEEN (14) WORKING** days with full pay for the first four deliveries of the legitimate spouse with whom he is cohabiting **OR PARTNER WITH WHOM HE IS EXCLUSIVELY COHABITING WITHOUT THE BENEFIT OF MARRIAGE; PROVIDED, THAT THE MALE EMPLOYEE AND HIS PARTNER HAVE NO LEGAL IMPEDIMENT TO MARRY EACH OTHER.** The male employee applying for paternity leave shall notify his employer of the pregnancy of his legitimate spouse **OR PARTNER** and the expected date of such delivery. For purposes of this Act, delivery shall include childbirth, or any miscarriage.”

SEC. 2. Section 3 of Republic Act No. 8187 is further 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 OR CIVIL STATUS**, allowing him not to report for work for [~~seven-(7)~~] **FOURTEEN (14) WORKING** days but continues to earn the compensation therefor, on the condition that his **LEGITIMATE** spouse **OR PARTNER** has delivered a

child or suffered a miscarriage for purposes of enabling him to effectively lend support to his **LEGITIMATE SPOUSE OR PARTNER** in her period of recovery and/or nursing of the newly-born child.”

SEC. 4. *Repealing Clause.* – All other laws, rules and regulations, orders, circulars, and other issuances or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 5. *Separability Clause.* – If for any reason any section or provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation in the Philippines.

Approved,