



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH (20th) CONGRESS
First Regular Session

House Bill No. **2366**

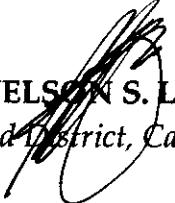
Introduced by Representative Nelson S. Legacion
3rd Congressional District, Camarines Sur

This bill seeks to amend Republic Act No. 8187, the Paternity Leave Act of 1996, which currently grants fathers only seven (7) working days of paternity leave. This limited period is insufficient to adequately support partners during childbirth and bond with newborns, especially considering the profound physical and emotional demands on new mothers. Adequate paternal presence during this critical postpartum period is crucial in helping mothers avoid or mitigate the risks of postpartum depression and anxiety, fostering their full recovery and well-being.

The proposed bill addresses these gaps by extending the standard paternity leave from the current seven (7) working days to fourteen (14) working days. Furthermore, it expands eligibility by granting paternity leave to male employees regardless of their civil status or employment status, provided they are the biological father and cohabiting with the child's mother, thereby recognizing diverse modern family structures. Finally, the bill provides for delicate cases by introducing an optional extension of up to thirty (30) calendar days for instances involving delicate or complicated pregnancy, miscarriage, or stillbirth, upon medical certification, ensuring crucial extended support during challenging times.

While Republic Act No. 11210, the 105-Day Expanded Maternity Leave Law, allows mothers to transfer seven (7) days of leave to the father, this bill provides independent and necessary additional paternal support. This measure aims to strengthen family units, promote gender equality in parenting, support mothers' mental and physical health during the postpartum period, and enhance the holistic well-being of families across the Philippines.

The immediate passage of this beneficial measure is earnestly sought.


NELSON S. LEGACION
Representative, 3rd District, Camarines Sur



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Introduced by Representative Nelson S. Legacion
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**AN ACT EXTENDING THE PERIOD OF PATERNITY LEAVE TO FOURTEEN
(14) WORKING DAYS, WITH AN OPTION FOR EXTENSION UP TO A
MAXIMUM OF THIRTY (30) CALENDAR DAYS FOR DELICATE
PREGNANCY CASES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO.
8187, OTHERWISE KNOWN AS THE "PATERNITY LEAVE ACT OF 1996,"
AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. This Act shall be known as the "Expanded Paternity
Leave Act."

SECTION 2. Definition of Terms. For the purpose of this Act, the following
terms are defined:

- a.) Delicate or Complicated Pregnancy Cases - shall refer to any pregnancy or childbirth that presents a significant health risk to the mother or the developing fetus, or results in adverse obstetric outcomes, as certified by a duly licensed physician. This may include, but is not limited to, conditions such as:
 - i.) Threatened abortion or miscarriage;

- ii.) Gestational complications (e.g., severe pre-eclampsia, eclampsia, gestational diabetes with complications, placenta previa, placental abruption, polyhydramnios, oligohydramnios);
 - iii.) Preterm labor or premature rupture of membranes;
 - iv.) Medical conditions aggravated by pregnancy (e.g., severe heart disease, kidney disease, uncontrolled hypertension, severe anemia, severe infections);
 - v.) Complications during labor and delivery (e.g., severe hemorrhage, prolonged labor requiring significant medical intervention, difficult delivery);
 - vi.) Multiple gestations (e.g., twins, triplets) with associated complications;
 - vii.) Pregnancies requiring prolonged bed rest or hospitalization; or
 - viii.) Any other condition diagnosed by a duly licensed physician as posing a significant risk or requiring extensive recovery time, impacting the mother's capacity for self-care or infant care.
- b.) Cohabiting - refers to the act of a man and a woman living together as husband and wife without the benefit of marriage or under a valid marriage.
- c.) Employment Status - refers to the nature of an employee's engagement, including but not limited to, regular, probationary, contractual, casual, project-based, or seasonal employment.

SECTION 3. *Amendment to Section 2 of Republic Act No. 8187.* Section 2 of Republic Act No. 8187, otherwise known as the "Paternity Leave Act of 1996," is hereby amended to read as follows:

"SEC. 2. Grant of Paternity Leave. - Every male employee in the private and public sectors, **regardless of his civil status and employment status**, shall be entitled to a paternity leave of **fourteen (14) working days** with full pay for the first four (4) deliveries of his legitimate spouse, common-law spouse, or a partner with whom he has a child, provided he is the biological father of the child and is cohabiting with the child's mother at the time of delivery.

The male employee applying for paternity leave shall notify his employer of the pregnancy of his spouse or partner and the expected date of delivery within a reasonable period, as may be prescribed by the implementing rules and regulations."

SECTION 4. *Provision for Delicate Pregnancy Cases.* A male employee, as defined in Section 3 hereof, in addition to the leave granted under Section 3, shall be entitled to an optional extension of paternity leave for a maximum of thirty (30) calendar days in cases of Delicate or Complicated Pregnancy Cases, miscarriage, or stillbirth suffered by his legitimate spouse, common-law spouse, or partner with whom he has a child, provided he is cohabiting with the child's mother.

This extended leave shall be granted upon presentation of a medical certificate from a duly licensed physician or hospital confirming the condition. The use of this extended leave shall be with pay for those covered by collective bargaining agreements or company policies that provide for such, or may be availed of as part of the employee's existing leave credits, or as may be agreed upon by the employer and employee, in accordance with applicable labor laws and regulations.

SECTION 5. *Integration with Expanded Maternity Leave Law.* Nothing in this Act shall be construed to diminish the provision under Republic Act No. 11210, also known as the "105-Day Expanded Maternity Leave Law," which allows the female worker to allocate up to seven (7) working days of her maternity leave benefits to the child's father, whether or not the same is married to the female worker. The leave granted under this Act shall be separate from and in addition to any transferred maternity leave days.

SECTION 6. *Non-Diminution of Benefits.* Nothing in this Act shall be construed to diminish existing paternity benefits, privileges, or leaves granted by collective bargaining agreements, company policies, or other existing laws which are more favorable to the employee.

SECTION 7. *Implementing Rules and Regulations.* The Department of Labor and Employment (DOLE) for the private sector, and the Civil Service Commission (CSC) for the public sector, in consultation with relevant stakeholders, shall jointly promulgate the necessary rules and regulations for the effective implementation of this Act within ninety (90) days from its effectivity.

SECTION 8. *Separability Clause.* If any provision or part of this Act is declared unconstitutional or invalid, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SECTION 9. *Repealing Clause.* All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,