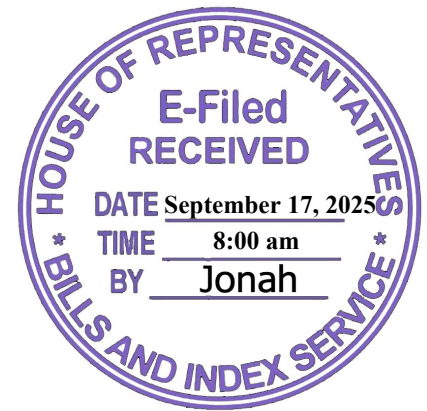


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4629



Introduced by
Rep. Gil "Kabarangay Jr" A. Acosta and Rep. Jose C. Alvarez

AN ACT
GRANTING MENTAL HEALTH WELLNESS LEAVE TO ALL EMPLOYEES

EXPLANATORY NOTE

This proposal builds on prior legislative efforts from both Chambers. In the Senate, the 19th Congress saw the filing of Senate Bill No. 1817, the "Mental Health Promotion and Leave Act for Employees," on January 31, 2023 by Senator Raffy T. Tulfo, which sought to institutionalize mental health promotion and a dedicated leave benefit for workers. In the House of Representatives, the 18th Congress deliberated House Bill No. 04620 (Session No. 18-1RS-018), filed on September 16, 2019 by Rep. Romulo "Kid" Peña Jr., a measure of national significance granting mental health wellness leave to all employees and integrating mental health awareness in the curriculum of all schools. The present bill aligns with, and advances, the policy direction charted by these initiatives.

The 1987 Philippine Constitution, under Article II, Section 15, affirms that "The State shall protect and promote the right to health of the people and instill health consciousness among them."¹ This constitutional directive recognizes that health is not solely physical—it includes the psychological and emotional well-being of every individual. Mental health is an integral part of total health.

In recent years, and especially in the aftermath of the COVID-19 pandemic, mental health issues have become a national concern. A study conducted by the World Health Organization (WHO) in 2022 reported a 25% global increase in the prevalence of anxiety and depression, with the Philippines showing parallel trends.² Locally, the Department of Health (DOH) has observed a steady rise in mental health consultations, and suicide remains a leading cause of death among Filipino youth and working adults.

The enactment of Republic Act No. 11036, otherwise known as the Mental Health Act of 2018, was a watershed moment in Philippine mental

¹ Philippine Constitution, Art. II, Sec. 15.

² World Health Organization. (2022, March 2). *Mental health and COVID-19: Early evidence of the pandemic's impact: Scientific brief* (WHO Reference No. WHO/2019-nCoV/Sci_Brief/Mental_health/2022.1). Geneva: World Health Organization.

health policy. It institutionalized the right to mental health and mandated the development of national and local mental health services.³ However, the law is largely programmatic and does not expressly provide time-based entitlements to employees suffering from stress, burnout, or psychological strain. It also leaves the implementation of workplace programs largely to the discretion of employers.

This bill addresses that legislative gap by granting all employees in the public and private sectors three (3) days of Mental Health Wellness Leave with full pay each year. This leave shall be separate and distinct from existing leave entitlements such as sick leave or service incentive leave under the Labor Code.⁴ It shall be granted without requiring medical certification or participation in employer-led activities, though employers are encouraged to provide access to mental wellness programs.

The objectives of this legislation are:

1. To promote preventive mental health care by allowing time off before conditions worsen;
2. To create psychologically safe work environments that normalize mental well-being;
3. To increase employee productivity and morale through structured wellness support;
4. And to reinforce the constitutional and statutory commitment of the State to holistic health.

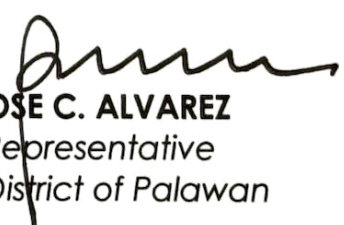
This bill also introduces proportionate penalties to ensure compliance, while protecting small and medium enterprises from undue hardship by providing a system of graduated sanctions.

Ultimately, this is not merely a labor rights bill—it is a public health measure, a human dignity safeguard, and a societal shift toward compassionate employment practices.

In light of the foregoing, the immediate passage of this bill is fervently sought.



GIL "Kabarangay Jr" A. ACOSTA
Representative
3rd District of Palawan



JOSE C. ALVAREZ
Representative
2nd District of Palawan

³ Republic Act No. 11036. (2018). *An Act establishing a national mental health policy for the purpose of enhancing the delivery of integrated mental health services*. Official Gazette of the Republic of the Philippines. <https://www.officialgazette.gov.ph/2018/06/20/republic-act-no-11036/>

⁴ **Presidential Decree No. 442, Labor Code of the Philippines**, Book III, Title I, Chapter III – Conditions of employment (Service incentive leave). Official Gazette of the Republic of the Philippines. <https://www.officialgazette.gov.ph/1974/05/01/presidential-decree-no-442-s-1974/>

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

1 Section 1. *Short Title.* — This Act shall be known as the “Mental Health
2 Wellness Leave Act.”

3 Sec. 2. *Declaration of Policy.* — The State values the dignity of every
4 human person. It shall protect and promote the right to health of the people,
5 including their mental well-being, in accordance with Article II, Section 15 of
6 the 1987 Constitution.

7 Consistent with Republic Act No. 11036, otherwise known as the Mental
8 Health Act, the State shall pursue holistic health by recognizing the
9 psychological and emotional needs of all Filipinos and promoting programs
10 that support mental wellness in the workplace.

11 Sec. 3. *Mental Health Wellness Leave.* — Notwithstanding any law, rule,
12 or regulation to the contrary, all employees in the public and private sectors
13 shall be entitled to three (3) days of Mental Health Wellness Leave with full pay
14 every year.

15 This leave shall be separate and distinct from other existing leave
16 entitlements such as sick leave, service incentive leave, or vacation leave.

17 For the purposes of this Act, Mental Health Wellness Leave refers to
18 excused absence from work with pay, regardless of whether the employee
19 participates in any specific activity, provided the purpose is to care for one's
20 mental well-being, recover from stress, prevent burnout, or address emotional
21 or psychological concerns.

22 Employers are encouraged to provide access to mental health wellness
23 activities or programs to support employees in utilizing this leave meaningfully.
24 Still, such participation shall not be required for leave entitlement.

1 Sec. 4. *Penalties.* — Any employer, company, trust, firm, partnership, or
2 entity that willfully refuses to grant the leave provided under Section 3 shall be
3 subject to the following administrative fines:

4 First offense: Written warning and mandatory compliance order;

5 Second offense: Fine not exceeding Fifty Thousand Pesos (₱50,000.00);

6 Third and subsequent offenses: Fine not exceeding One Hundred
7 Thousand Pesos (₱100,000.00) and/or other sanctions as may be determined
8 by the appropriate government agency.

9 If the violation is committed with willful intent or gross negligence, the
10 responsible officers such as the president, CEO, general manager, or
11 managing director may be held administratively and criminally liable, subject
12 to due process, with penalties of imprisonment of not less than thirty (30) days
13 nor more than six (6) months, or a fine, or both, at the discretion of the court.

14 Sec. 5. *Non-Diminution of Benefits.* — Nothing in this Act shall be
15 construed to reduce, diminish, or eliminate any benefits or privileges under
16 existing laws, company policies, or collective bargaining agreements.

17 Sec. 6. *Implementing Rules and Regulations.* — Within thirty (30) days
18 from the effectivity of this Act, the Secretary of Labor and Employment, in
19 coordination with the Chairperson of the Civil Service Commission, the
20 Secretary of Health, and in consultation with labor and employer sectors, shall
21 promulgate the necessary rules and regulations for its effective
22 implementation.

23 Sec. 7. *Separability Clause.* — If any provision of this Act is declared
24 unconstitutional or invalid, the other provisions not affected thereby shall
25 remain in full force and effect.

26 Sec. 8. *Repealing Clause.* — All laws, presidential decrees, executive
27 orders, memoranda, circulars, and other issuances, or parts thereof, which are
28 inconsistent with the Act, are hereby repealed or modified accordingly.

29 Sec. 9. *Effectivity Clause.* — This Act shall take effect fifteen (15) days
30 after its publication in the *Official Gazette* or a newspaper of general
31 circulation.

32 *Approved,*