

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5986



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

In a world where everything is fast-paced, it can sometimes be hard to keep up. Pressure coming from the workplace, family, society, personal life, and even social media keep on piling up. Thus, it is not surprising that the mental health and wellness of working Filipinos is steadily declining.

According to the Department of Health (DOH), the number of individuals in the Philippines with major depressive disorder is already at 17 million.¹ Meanwhile, the incidence of suicide increased both in males and females. The rise of mental health disorders is even exacerbated by either the lack of access to professional help or the stigma that still exists in society against those who seek help for their mental health issues.

Hence, in order to address the needs of the modern workforce for better mental health initiatives, this bill aims to provide employees in the private sector five days per year which they can use to go to a mental health professional for consultation, to receive therapy from a mental health practitioner, or even just to take a break from the stressors of daily life. This bill likewise mandates employers to offer and implement programs to ensure their employees' mental well-being. It is hoped that through this legislation we can contribute in raising better mental health awareness and in creating more accepting work spaces where every person can thrive mentally and emotionally.


ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Partylist

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AN ACT
GRANTING MENTAL HEALTH WELLNESS LEAVE TO ALL EMPLOYEES IN
THE PRIVATE SECTOR

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 "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. In line with this, the State recognizes the psychological dimension of health and shall pursue measures to ensure that every citizen is holistically healthy.

SECTION 3. *Mental Health Wellness Leave.* - Notwithstanding any law, rules, and regulations to the contrary, all employees of the private sector are entitled to mental health wellness leaves. Each employee shall be entitled to five (5) leave days with full pay per annum; provided that such leaves if unused shall not be carried over to the next year; provided further that such leaves cannot be monetized at the end of the year if unused by the employee. Employers shall accordingly offer and implement programs to raise awareness on mental health and to ensure their employees' mental wellbeing.

SECTION 4. *Implementing Rules and Regulations.* - Within thirty (30) days from the effectivity of this Act, the Secretary of Labor and Employment 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 employer, whether they are a corporation,

trust, firm, partnership, association, entity, or person, found violating this Act shall be punished by a fine not exceeding One hundred thousand pesos (P100,000.00).

If the violation is committed by a juridical person, the penalty of imprisonment of not less than thirty (30) days nor more than six (6) months in addition to the fine mentioned shall be imposed on the entity's responsible officers.

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

SECTION 7. *Repealing Clause.* - All laws, decrees, executive orders, and proclamations, rules and regulations or parts thereof inconsistent with this Act, are hereby amended 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,