

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6408



Introduced by REP. DENNIS "TOM" L. HERNANDEZ

AN ACT
GRANTING MENTAL HEALTH WELLNESS LEAVE TO ALL GOVERNMENT
EMPLOYEES

EXPLANATORY NOTE

In a country and planet where everything is almost always on hyperdrive, it oftentimes is hard for State workers to be attuned to the adaptive and evolving needs and initiatives in governance. Varied types of pressure from the workplace, family, personal life, and the ever-evolving socio-political landscape impact the mental health and wellness of working in government.

This bill seeks to grant government employees seven days of mental health wellness leaves every year. This is to allow them to pause, rest, recuperate and even restore their mental well-being, to help reduce the risk of work-related stress, fatigue and burnout. This mental health leave shall be in addition to the regular vacation and sick leave entitlements provided under existing laws. But mental health leaves shall not be cumulative, and if unused, shall not be carried over to the next year and cannot be monetized.

Governments across the world have started to recognize the significance of attending to the mental well-being of employees, alongside the importance of protecting physical health. This measure is also a policy platform that shall help eliminate the stigma associated with mental health concerns by helping ensure that government employees are allowed to seek appropriate support and intervention without fear of discrimination.

In view of the foregoing, the passage of this bill is earnestly sought.

REP. DENNIS "TOM" L. HERNANDEZ
4th District of Rizal

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6408

Introduced by REP. DENNIS "TOM" L. HERNANDEZ

AN ACT
GRANTING MENTAL HEALTH WELLNESS LEAVE TO ALL GOVERNMENT
EMPLOYEES

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 “**Government Employees Mental Health Wellness Leave Act**”.

SEC. 2. *Declaration of Policy.* – The State values the dignity of every citizen and shall protect and promote the right to health of the people and instill health consciousness in them. The State recognizes the mental health needs and concerns of its workers and shall pursue measures to ensure their welfare and well-being are holistically addressed.

SEC. 3. *Mental Health Wellness Leave.* – Every government employee in the Philippines shall be entitled to a mental health leave of not less than seven (7) working days per year. The mental health leave shall be in addition to the regular vacation and sick leave entitlements provided under existing laws *Provided, That* such leaves are not cumulative, and 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. All national government agencies shall accordingly offer and implement programs to raise awareness on mental health and to ensure their employees' mental wellbeing.

SEC. 4. *Qualifications for Mental Health Wellness Leave.* – A government employee shall be qualified for mental health wellness leave if:

- a) They have been employed for at least six (6) months with the same national government agency, local government unit, state university or college,

government-owned or -controlled corporation, government financial institution;
and

- b) They have a medical certificate issued by a licensed mental health professional certifying that the employee is suffering from a mental health condition and is in need of rest, treatment, or counseling.

SEC. 5. *Disciplinary Action for Unauthorized Absences.* – An employee who goes on leave without prior approval shall face salary deductions for extended absence.

SEC. 6. *Non-compliance of Approving Authorities.* – Failure to act on a leave application by the respective approving authority can lead to sanctions from the Civil Service Commission (CSC), including but not limited to suspension, fine, or dismissal from the service.

SEC. 7. *Implementing Rules and Regulations.* – Within thirty (30) days from the effectivity of this Act, the Chairperson of the Civil Service Commission shall promulgate the necessary rules and regulations for its effective implementation.

SEC. 8. *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 negotiation agreements, or contract between the government agency and the employees.

SEC. 9. *Separability Clause.* – If, for any reason, any provisions of this Act are declared to be unconstitutional or invalid, the other sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,