

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7115



Introduced by: Kababaihan Kabalikatan para sa Kapakanan at Kaunlaran ng Bayan (4K) Party-list
Representative Iris Marie D. Montes

AN ACT
PROVIDING FOR BENEFITS AND PRIVILEGES TO UNPAID CARE WORKERS AND
THEIR FAMILIES, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Philippines case study, "Valuing Unpaid Care and Domestic Work", which was developed through the collaboration between the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the Institute of Development Studies (IDS) in the United Kingdom, acknowledges that the growth in the productive market economy has been made possible by the unpaid and underpaid work of caregivers who are largely women and girls.

Consequently, the unequal distribution of unpaid care and domestic work is found to lead to time and income poverty for women and have negative effects on their health and wellbeing.

Moreover, it was estimated that women in their mid-30s spend on average 24 hours per week on housework alone, while the comparable figure for men is just eight hours per week.

The study says that "Women spend more time on childcare as well as elder care than men do. Adding in their market work means women end up working more hours than men. The total workday is therefore longer for women than for men. As a result, women have less leisure time than men. And although women do more total work, they still have less access to money, measured in terms of income or ownership of assets."

The Sustainable Development Goal (SDG) 5 aims to achieve gender quality and empower all women and girls. It has nine (9) targets and fourteen (14) indicators. SDG 5 is focused on pursuing the main goal of real and sustained gender equality in all aspects of women and girls' lives which includes among others the target to recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate.

A study found that men spend more time on paid market work compared to women who spend equal or more time on unpaid work at home.¹

Authors of "Counting Women's Work in the Philippines" by the Philippines Institute of Development Studies say that this role differentiation between men and women persists across the lifecycle and starts early in age. They noted that by age 15, girls spend an average of nine (9) hours of their time every week on housework, while boys spend an average of four hours.

Thus, this bill recognizes the work of unpaid care workers, who are largely stay-at-home women, mothers or housewives, as valuable economic activity because without them, men will not be able to go to work or do productive labor. Without the social reproductive work of unpaid care workers, production processes of the country will come to a halt and impede the economy.

In view thereof, approval of this bill is earnestly sought.


IRIS MARIE D. MONTES
Kababaihan Kabalikatan para sa Kapakanan
at Kaunlaran ng Bayan (4K) Party-list

¹ Abrigo, Michael R M, and Kris Francisco-Abrigo (2019). Counting Women's Work in the Philippines. Discussion Paper Series 2019-02. Quezon City, Philippines: Philippines Institute of Development Studies.

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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 "Unpaid Care Workers Equity and Empowerment Act."

SEC. 2. *Declaration of Policy.* - It is the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

The State likewise values the dignity of every human person and recognizes the role of women in nation-building. Towards this end, the State shall ensure full respect for human rights and the fundamental equality of men and women in the eyes of the law.

SEC. 3. *Definition of Terms.* - As used in this Act, the following terms shall be defined as follows:

(a) "Care work" consists of the following activities:

(1) Direct, personal, and relational care activities, such as taking care of the children, tending to the elderly or persons with disabilities, nursing an ill member of the household; and/or

(2) Indirect care activities, such as, among others, production of goods and services for the exclusive use of the household, domestic work like cleaning, cooking, and other household chores.

(b) "Unpaid care work" refers to care work provided by unpaid care workers for members of his or her household without monetary reward. Unpaid care work is still considered work and is thus a crucial dimension of the world of work;

(c) "Unpaid care worker" (UCW) refers to any individual who performs unpaid care work as defined in this Act;

(d) "Household" refers to the immediate members of the family or the occupants of the house who are directly and regularly provided services by the unpaid care worker;

(e) "Children" refer to those living with the unpaid care worker and dependent on him/her for support, who are single and unmarried, unemployed, and below eighteen (18) years of age, or those over 18 years of age but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition;

(f) "Disabled persons" refers to those suffering from the restriction of different abilities, a result of mental, physical, or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being as provided by Republic Act No. 7277, as amended, otherwise known as the "Magna Carta for Disabled Persons, and

(g) "Parental responsibility" refers to the rights and duties of parents with respect to their children as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines."

SEC. 4. *Criteria for Support.* - Any person who possesses either of the following qualifications may avail of the benefits and privileges provided for under this Act:

(a) Any spouse living with the household, primarily performing unpaid carework as defined by this Act for at least 20 hours per week, and is:

(1) At least eighteen (18) years of age but not more than sixty (60) years of age; and

(2) Must have legally contracted marriage;

(b) Any family member living with the household, and primarily performing unpaid care work as defined by this Act; or

(c) Any individual living with the household, and primarily performing unpaid care work as defined by this Act.

Employment, whether part-time or full-time, shall not disqualify these individuals from claiming benefits under this Act: Provided, further, That only one (1) individual may qualify as a UCW for every household.

SEC. 5. *Disqualification.* - The following shall not be qualified to avail the benefits of this Act:

(a) Individuals convicted by final judgment for an offense involving moral turpitude shall not be qualified;

(b) A change in the status or circumstance of the UCW claiming benefits under this Act placing him or her outside the definition of a UCW shall terminate his or her eligibility for these benefits; and

(c) Those receiving similar benefits as a Solo Parent or Senior Citizen.

SEC. 6. *Lead Implementing Agency.* - The Department of Social Welfare and Development (DSWD) shall serve as the lead implementing agency of this Act. In the exercise of this mandate, the DSWD shall:

(a) Develop and implement policies, programs, and services under this Act and coordinate with the appropriate national government agencies and local government units;

(b) Study the viability of creating a national registry of unpaid care workers;

(c) Formulate policies and strategies for the implementation of this Act, which should be raised to and reviewed through the Social Development Committee under the Economy and Development Council under Republic Act No. 12145. For this purpose, the DSWD shall consult with the following:

(1) Philippine Commission on Women (PCW) as the Vice-Chairperson;

(2) Philippine Statistics Authority (PSA);

(3) Commission on Human Rights (CHR);

(4) Department of Health (DOH);

(5) Department of Education (DepEd);

(6) Commission on Higher Education (CHED);

(7) Technical Education and Skills Development Authority (TESDA);

(8) Department of Labor and Employment (DOLE);

(9) Department of Interior and Local Government (DILG); and

(10) Department of Budget and Management.

SEC. 7. *Comprehensive Package of Social Development and Welfare Services for Unpaid Care Workers.* - A Comprehensive Package of Social Development and Welfare Services for UCWs, hereinafter referred to as the UCW Comprehensive Package, is hereby established for the benefit of qualified UCWs and their families.

The DSWD, in partnership with the appropriate agencies, shall lead the implementation of the UCW Comprehensive Package, in coordination with LGUs, non government organizations, people's organizations, and other key stakeholders. At the minimum, the package shall include:

(a) Livelihood development services, including, but not limited to, training programs on livelihood skills, basic business management, value orientation, and the provision of seed capital for self-employed UCWs or job placement in flexible work opportunities;

(b) Counseling services, including, but not limited to, individual, peer group, or family counseling. This will focus on conflict resolution in personal relationships;

(c) Parent effectiveness services, including, but not limited to, the provision and expansion of knowledge and skills of the UCWs and the members of their households on early childhood development, behavior management, health care, and the rights and duties of parents and children;

(d) Child and elderly care support services, including, but not limited to, the establishment of elderly care centers, breastfeeding centers, and day care centers;

(e) Critical incidence stress debriefing, including, but not limited to, preventive stress management strategies designed to assist UCWs in coping with crisis situations and cases of abuse; and

(f) Special projects for individuals in need of protection, including, but not limited to, temporary shelter, counseling, legal assistance, medical care, self-concept or ego-building, crisis management, and spiritual enrichment.

SEC. 8. *Privileges for Unpaid Care Workers.* - In consideration of the services by the qualified UCWs, they may avail the following privileges, in addition to the benefits herein provided:

(a) **UCW Discount** -The grant of twenty percent (20%) discount from all establishments relative to the utilization of transportation services, restaurants, and recreation centers, and purchase of medicine anywhere in the country: Provided, That the establishments may claim the discounts granted under this Section as a tax deduction based on the net cost of the goods sold or services rendered: Provided, further, That the cost of the discount shall be allowed as a deduction from gross income for the same taxable year that the discount is granted: Provided, finally. That the total amount of the claimed tax deduction net of value added tax, if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code, as amended;

(b) **Prohibition Against Work Discrimination.** - No employer shall discriminate against any UCW employee with respect to terms and conditions of employment on account of his or her status;

(c) **Flexible Work Schedule.** -The employer shall provide for a flexible working schedule for UCWs: Provided, That the same shall not affect individual and company productivity: Provided, further. That any employer may request exemption from the above requirements from the DOLE on certain meritorious grounds;

(d) UCW Leave. - In addition to leave privileges under existing laws, parental leave of not more than three (3) working days every year shall be granted to any UCW employee who has rendered service of at least one (1) year;

(e) Educational Benefits. - DepEd, CHED, and TESDA shall provide the following benefits and privileges:

(1) Scholarship programs for qualified UCWs and the members of their household in institutions of basic, tertiary, and technical or skills education; and

(2) Non-formal education programs appropriate for UCWs and the member of their household.

(f) Medical Assistance. - DOH shall develop a comprehensive healthcare program for UCWs and their family. The program shall be implemented by DOH through their retained hospitals and medical centers and by LGUs through their respective local hospitals and/or health care centers;

(g) Community Engagement - The LGUs, in coordination with non government organizations, people's organizations, the private sector, and other stakeholders, shall conduct regular dialogues and information drives with the community to educate them on the importance of care work and other gender issues. Through this multi-sectoral mechanism, UCWs can participate and put forth their needs for integration into the local government pandemic programming and management;

(h) Gender and Development Information Drive. - PCW, in coordination with the CHR, shall lead the conduct of advocacy activities, gather input, and develop data on UCWs, in coordination with the PSA, thru the conduct of the Census of Population, dissemination of information, and education of communities in the recognition of UCW's importance in nation building. The PCW shall be guided by a model of three (3) interconnected dimensions to incorporate the issue of UCW into the development agenda, namely: (1) Recognition; (2) Reduction; and (3) Redistribution.

SEC. 9. *Care Work Education and Training Program.* - The Council, together with DepEd for basic education, the CHED for State Universities and Colleges (SUCs), and TESDA for technical-vocational schools, shall establish a strong collaboration for the formulation and implementation of plans and programs for the integration and mainstreaming of care work in the educational system.

SEC. 10. *Responsibility of Local Government Units.* - The city or municipality, through the city or municipal mayor concerned, shall ensure the effective implementation of the provisions of this Act, as well as care policies, programs, and services developed by the Council, within their respective jurisdictions. The city or municipal mayor concerned shall submit annual reports to DILG on their progress.

SEC. 11. *Implementing Rules and Regulations.* - The Council, through its Chairperson, shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days from its approval. The Council,

in consultation with LGUs, non-government organizations, people's organizations, and other key stakeholders, shall lead the preparation of the implementing rules and regulations. The rules and regulations issued pursuant to this Section shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

SEC. 12. *Appropriations.* - The funds necessary to carry out the initial implementation of this Act shall be charged against the respective budget of concerned agencies for the current year. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 13. *Annual Report.* — The Council shall submit comprehensive annual reports to the Congress of the Philippines, which shall include its assessment of the efficacy of the care policies, programs, and services, and the status of its implementation, including, but not limited to, progress reports, challenges, and recommendations, review of the policies involved, research and data, and other reports integral to the implementation of this Act.

SEC. 14. *Sunset Review.* - Within five (5) years after the effectivity of this Act, or as the need arises, both Houses of Congress shall conduct a sunset review. For purposes of this Act, the term "sunset review" shall mean a systematic evaluation by the Committee on Women, Children, Family Relations, and Gender Equality of the Senate and by the Committee on Women and Gender Equality of the House of Representatives of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

SEC. 15. *Separability Clause.* - If any part, section, or provision of this Act shall be held invalid or unconstitutional, no other part, section, or provision thereof shall be affected thereby.

SEC. 16. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 17. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication either in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,