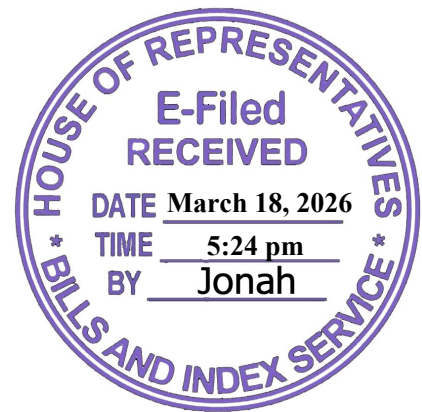


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8694



Introduced by Hon. Kenneth T. Gatchalian

EXPLANATORY NOTE

This bill seeks to grant female employees in both the public and private sectors two (2) days of paid menstrual leave per month to address menstrual-related discomfort and health conditions. The proposed benefit is non-cumulative and non-convertible to cash, ensuring that it is used solely for its intended purpose of supporting women's health in the workplace.

The measure provides that the availment of menstrual leave shall not require medical certification for up to two (2) days per month, thereby reducing unnecessary administrative burden on employees while preserving ease of access to the benefit. It further clarifies that employers already providing equivalent or greater menstrual leave benefits shall be deemed compliant with the provisions of this Act.

To safeguard workers, the bill explicitly prohibits any form of discrimination, harassment, retaliation, or adverse employment action against employees who avail of menstrual leave. It affirms that such availment shall not be a ground for termination, demotion, reduction of benefits, or non-renewal of employment contracts.

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


KENNETH T. GATCHALIAN

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8694

Introduced by Hon. Kenneth T. Gatchalian

**AN ACT GRANTING MENSTRUAL LEAVE TO FEMALE EMPLOYEES,
PROVIDING BENEFITS THEREFOR, AND FOR OTHER PURPOSES**

*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 “*Menstrual Leave*
2 *Act.*”

3 **SEC. 2.** *Declaration of Policy.* – The State shall protect working women
4 by providing safe and healthful working conditions, taking into account their
5 maternal functions, and such facilities and opportunities that will enhance their
6 welfare and enable them to realize their full potential in the service of the nation. To
7 this end, the State shall ensure that the unique health needs of women are recognized
8 in the workplace and that female employees are provided with menstrual leave
9 benefits to safeguard their health, productivity and dignity.

10 **SEC. 3.** *Coverage.* – This Act shall cover all female employees, except
11 pregnant and menopausal women in the public and private sectors, regardless of
12 employment status, who experience menstrual discomfort or health conditions
13 associated with menstruation.

1 Employers granting a menstrual leave or its equivalent are not covered by
2 this act.

3 **SEC. 4. *Menstrual Leave Benefits.*** – Female employees shall be entitled to
4 two (2) days of menstrual leave with pay per month, to address menstrual discomfort
5 or health conditions associated with menstruation. Such leave shall be non-
6 cumulative and non-convertible to cash.

7 Employers shall not require medical certification unless the employee avails
8 of more than two (2) consecutive days of menstrual leave.

9 **SEC. 5. *Non-Diminution of Benefits.*** – Nothing in this Act shall be
10 construed to reduce any existing benefits of any form granted under existing laws,
11 decrees, executive orders, or any contract, agreement or policy between employer
12 and employee.

13 **SEC. 6. *Non-Discrimination for availment of menstrual leave.*** – No
14 employee shall be subjected to any discrimination, harassment, retaliation, or
15 adverse action for availing of menstrual leave.

16 **SEC. 7. *Security of Tenure.*** – Any female employee who avails of the
17 menstrual leave benefits provided under this Act shall be entitled to security of
18 tenure. The availment of such benefit shall not constitute a just or authorized cause
19 for termination of employment, non-renewal of contract, demotion, reduction of
20 wages or benefits, or any form of discrimination, retaliation, or adverse employment
21 action.

22 **SEC. 8. *Penalty.*** – Any person, corporation, trust, firm, partnership,
23 association or entity found violating this Act or the rules and regulations
24 promulgated thereunder shall be punished by a fine not exceeding Two Hundred
25 Thousand Pesos (PHP 200,000.00).

26 The proceeds of fines collected under this Act shall be remitted to a special
27 fund dedicated to programs advancing women's health, promoting workplace equity,
28 and strengthening labor rights education.

1 **SEC. 9. *Implementing Rules and Regulations.*** – The Department of Labor
2 and Employment, Civil Service Commission, Department of Health, Philippine
3 Commission on Women in consultation with women's health advocates and
4 organizations, civil society organizations and other relevant stakeholders shall
5 within thirty (30) days from the effectivity of this Act, issue such rules and
6 regulations necessary for the proper implementation of the provisions of this Act.

7 **SEC. 10. *Separability Clause.*** – If for any reason, any part or provision of
8 this Act is held unconstitutional or invalid, the remaining parts or provisions not
9 affected shall remain in full force and effect.

10 **SEC. 11. *Repealing Clause.*** – All laws, executive orders, presidential
11 decrees or issuances, or parts thereof, inconsistent with the provisions of this Act,
12 are hereby repealed, amended, or modified accordingly.

13 **SEC. 12. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
14 publication in the Official Gazette or in two (2) national newspapers of general
15 circulation.

16 *Approved,*