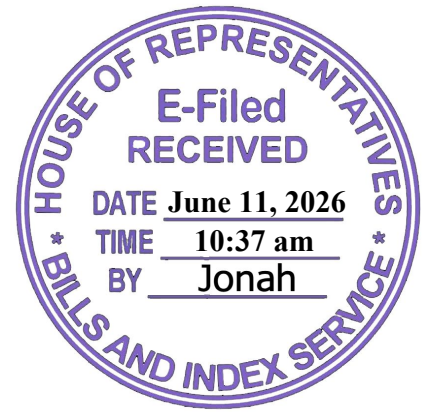


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 9857



Introduced by: **REP. SALVADOR A. PLEYTO, SR.**

EXPLANATORY NOTE

The modern workplace has changed significantly, blurring the lines between professional and personal life. While technology boosts productivity, it also fosters an "always-on" culture in high-pressure environments, leading to widespread workplace burnout across industries.

Burnout, as defined by the World Health Organization (WHO), is an occupational phenomenon stemming from unmanageable chronic workplace stress. It involves feelings of energy depletion, mental distance from work, and decreased professional efficacy. Burnout reflects a systemic organizational failure that significantly affects an employee's psychological, emotional, and physical well-being.

The economic costs of unmanaged workplace stress are staggering, resulting in decreased productivity, high employee turnover, absenteeism, and rising healthcare expenditures. Conversely, a workplace that actively promotes mental health fosters innovation, engagement, and sustainable economic growth.

While existing laws, such as Republic Act No. 11036 (The Mental Health Act), lay down the national framework for mental health care, there is an urgent need for specialized, enforceable legislation that directly addresses the unique structural stressors of the employment sector.

By establishing clear guidelines, providing institutional support, and protecting the fundamental right of every worker to a safe and healthy working environment, this measure seeks to transform workplace culture from one of endurance to one of holistic well-being.


SALVADOR A. PLEYTO, SR.

Republic of the Philippines
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HOUSE BILL NO. 9857

Introduced by: **REP. SALVADOR A. PLEYTO, SR.**

AN ACT
PROMOTING MENTAL HEALTH AND WELL-BEING IN THE WORKPLACE,
INSTITUTING MEASURES TO PREVENT BURNOUT, AND FOR OTHER
PURPOSES

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 "Workplace Mental Health and Burnout Prevention Act."

Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Recognizing that the workforce is the backbone of the nation's economy, the State shall ensure a safe, humane, and supportive working environment. The State hereby declares that the promotion of mental health and the prevention of occupational burnout are integral components of occupational safety and health standards in both the public and private sectors.

Sec. 3. *Definition of Terms.* – as used in this Act,

- (a) Mental Health refers to a state of well-being in which every individual realizes their own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to their community.
- (b) Burnout refers to an occupational phenomenon resulting from chronic workplace stress that has not been successfully managed, characterized by exhaustion, cynicism or detached attitudes toward work, and a sense of ineffectiveness.
- (c) Right to Disconnect refers to the employee's right to refrain from engaging in work-related communications, including emails, texts, or calls, outside of standard working hours without facing reprimand or retaliation.

- (d) Employer refers to any person, natural or juridical, utilizing the services of workers, including government agencies, government-owned or controlled corporations (GOCCs), and private business enterprises.

Sec. 4. *Mandatory Workplace Mental Health Program.*— All employers shall establish, implement, and maintain a Workplace Mental Health Program tailored to the scale and nature of their operations. This program shall include, at a minimum:

- Regular mental health awareness seminars and training for all personnel, with specialized training for managerial staff on recognizing signs of distress and burnout.
- Confidential access to mental health professionals, counseling services, or peer-support networks.
- The eradication of stigma against mental health conditions through inclusive workplace policies, reasonable accommodations, and non-discriminatory hiring and promotion practices.

Sec. 5. *Burnout Prevention Measures.*— To prevent chronic workplace stress, employers shall implement structural measures to manage workloads and promote work-life balance, including:

- **Workload Audits:** Regular assessments of employee workloads to ensure tasks are realistically achievable within standard working hours.
- **Flexible Work Arrangements:** Where feasible, the promotion of flexible hours, hybrid work setups, or compressed workweeks to reduce commuting stress and accommodate personal responsibilities.
- **Mandatory Rest Periods:** Strict enforcement of statutory rest days, utilization of paid annual leave, and regular breaks during the workday.

Sec. 6. *The Right to Disconnect.* - Employees shall have the right to disconnect from all digital and electronic work-related communications outside of their designated regular working hours.

- No employee shall be penalized, disciplined, or discriminated against for failing to reply to work-related communications during their rest hours, weekends, or statutory holidays.

- Exceptions may only be made in cases of clear emergencies involving imminent danger to life, property, or core operational security, as strictly defined by company policy or civil service rules.

Sec. 7. *Workplace Mental Health Committee.* — Every enterprise or government agency employing more than fifty (50) distinct individuals shall establish a Workplace Mental Health Committee. This committee, composed of representatives from management, human resources, and employee unions or regular staff, shall be responsible for monitoring the implementation of this Act, reviewing burnout metrics, and handling grievances related to workplace stress.

Sec. 8. *Roles of Oversight Agencies.* —

- The Department of Labor and Employment (DOLE), for the private sector, and the Civil Service Commission (CSC), for the public sector, in coordination with the Department of Health (DOH), shall serve as the primary enforcement agencies of this Act.
- These agencies shall conduct regular inspections to ensure compliance and provide technical assistance to employers in developing their mental health and burnout prevention frameworks.

Sec. 9. *Tax Incentives for Private Employers.*— Private employers who demonstrate exceptional compliance and implement verified wellness programs exceeding the minimum requirements of this Act shall be entitled to a tax deduction from their gross income, equivalent to a certain percentage of the total expenses incurred in the implementation of the Workplace Mental Health Program, subject to the guidelines issued by the Bureau of Internal Revenue (BIR).

SEC. 10. *Penalties.* — Any employer who fails to comply with the mandates of this Act, or violates the protections afforded under the Right to Disconnect, shall face administrative fines:

- For the first offense, a written warning and a mandated compliance period of thirty (30) days.
- For subsequent offenses, fines ranging from Fifty Thousand Pesos (PHP 50,000) to Five Hundred Thousand Pesos (PHP 500,000), depending on the size of the enterprise and gravity of the violation.

Sec. 11. *Implementing Rules and Regulations.* — Within ninety (90) days from the effectivity of this Act, DOLE, CSC, and DOH, in consultation with relevant stakeholders, labor groups, and mental health advocates, shall promulgate the necessary rules and regulations for its effective implementation.

Sec. 12. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

Sec. 13. *Repealing Clause.* – All laws, decrees, executive orders, presidential issuances, and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

Sec. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,