

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10644



Introduced by Abang Lingkod Party-list Representative
Manuel "Manman" O. Ko

EXPLANATORY NOTE

The family is the foundation of our nation, and both parents play indispensable roles in ensuring the health, well-being, and development of every child. The period immediately following childbirth is critical not only for the recovery of the mother but also for the care, nurturing, and bonding of the newborn. During this time, the active presence and support of fathers significantly contribute to the physical and emotional well-being of both mother and child.

Under the existing Paternity Leave Act of 1996 (Republic Act No. 8187), eligible married male employees are entitled to only seven (7) days of paid paternity leave. While this was a progressive measure at the time of its enactment, evolving family dynamics, workplace practices, and international labor standards underscore the need for a more adequate period that enables fathers to meaningfully participate in caregiving responsibilities during the first month following childbirth or pregnancy loss.

This bill seeks to amend Republic Act No. 8187 by increasing the paternity leave benefit from seven (7) days to twenty-eight (28) calendar days with full pay, expanding its coverage to all male employees in both the public and private sectors regardless of employment status, and extending the benefit to childbirth, miscarriage, or emergency termination of pregnancy involving either a legitimate spouse or an exclusive common-law partner. It likewise removes the limitation of the benefit to only the first four deliveries, recognizing that every childbirth and pregnancy-related event deserves adequate parental support.

By providing fathers with sufficient time to assist in maternal recovery, bond with their newborns, and share caregiving responsibilities during the crucial first month after childbirth or pregnancy loss, this measure promotes stronger family

relationships, advances gender equality in caregiving, supports maternal and child health, and upholds the constitutional mandate to strengthen and protect the Filipino family as a basic autonomous social institution.

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

A handwritten signature in black ink, appearing to be 'Manman' or similar, written over the printed name.

Manuel "Manman" O. Ko

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House Bill No. **10644**

Introduced by Abang Lingkod Party-list Representative
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AN ACT INCREASING THE PATERNITY LEAVE BENEFITS OF MALE EMPLOYEES FROM SEVEN (7) DAYS TO TWENTY-EIGHT (28) CALENDAR DAYS WITH FULL PAY FOR EVERY CHILDBIRTH, MISCARRIAGE, OR EMERGENCY TERMINATION OF PREGNANCY OF THEIR LEGITIMATE SPOUSE OR EXCLUSIVE COMMON-LAW PARTNER, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8187, OTHERWISE KNOWN AS THE "PATERNITY LEAVE ACT OF 1996," AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the "*Expanded Paternity Leave Act* "

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to strengthen the Filipino family as the basic social institution by promoting shared parental responsibility and recognizing the important role of fathers in childbirth, maternal recovery, infant care, and child development.

The State likewise recognizes that fathers play a vital role in providing emotional, physical, and psychological support to mothers during pregnancy, childbirth, miscarriage, emergency termination of pregnancy, and the postpartum period. It is therefore the policy of the State to provide adequate paid paternity leave to enable fathers to actively participate in caregiving responsibilities, promote maternal health, improve infant outcomes, and foster stronger family relationships.

SECTION 3. Amendment of Section 2 of Republic Act No. 8187.– Section 2 of Republic Act No. 8187 is hereby amended to read as follows:

Section 2. Grant of Paternity Leave. – EVERY ~~MARRIED~~ MALE EMPLOYEE, **REGARDLESS OF EMPLOYMENT STATUS, MARRIED OR IN COMMON-LAW RELATIONSHIP**, IN THE PRIVATE AND PUBLIC SECTORS SHALL BE ENTITLED TO A PATERNITY LEAVE OF ~~SEVEN—(7)~~ **TWENTY-EIGHT (28) CALENDAR** DAYS WITH FULL PAY FOR ~~THE FIRST FOUR—(4) DELIVERIES—~~ **EVERY CHILDBIRTH, MISCARRIAGE, OR EMERGENCY TERMINATION OF PREGNANCY OF HIS** LEGITIMATE SPOUSE WITH WHOM HE IS COHABITING **OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY COHABITING WITHOUT THE BENEFITS OF MARRIAGE.** THE MALE EMPLOYEE APPLYING FOR PATERNITY LEAVE SHALL NOTIFY HIS EMPLOYER OF THE PREGNANCY OF HIS LEGITIMATE SPOUSE **OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY COHABITING WITHOUT THE BENEFIT OF MARRIAGE** AND THE EXPECTED DATE OF DELIVERY.

The benefit shall apply to all deliveries or pregnancy-related events of the legitimate spouse or exclusive common-law partner, unless otherwise provided by law.

The leave may be availed of continuously or intermittently within sixty (60) days from the date of childbirth, miscarriage, or emergency termination of pregnancy, subject to the needs of the family and the reasonable requirements of the employer.

SECTION 4. Amendment of Section 3 of Republic Act No. 8187. – Section 3 of Republic Act No. 8187 is hereby amended to read as follows:

SECTION 3. DEFINITION OF TERM- FOR PURPOSE OF THIS ACT, PATERNITY LEAVE REFERS TO THE BENEFITS GRANTED TO A ~~MARRIED~~ MALE EMPLOYEE, **REGARDLESS OF EMPLOYMENT STATUS, MARRIED OR IN A COMMON-LAW RELATIONSHIP**, ALLOWING HIM NOT TO REPORT FOR WORK FOR **TWENTY-EIGHT (28) CALENDAR DAY** BUT CONTINUES TO EARN THE COMPENSATION THEREFOR, ON THE CONDITION THAT HIS LEGITIMATE SPOUSE **OR THE WOMAN WITH WHOM HE IS EXCLUSIVELY COHABITING WITHOUT THE BENEFIT OF MARRIAGE** HAS DELIVERED A CHILD OR SUFFERED A MISCARRIAGE FOR PURPOSES OF ENABLING HIM TO EFFECTIVELY LEND SUPPORT TO HIS WIFE IN HER PERIOD OF RECOVERY AND/OR IN THE NURSING OF THE NEWLY-BORN CHILD”

SECTION 5. Coverage. – This Act shall apply to all male employees in the government and private sectors regardless of employment status unless a more favorable benefit is provided under existing laws, collective bargaining agreements, or company policies.

SECTION 6. *Non-Diminution of Benefits.* – Nothing in this Act shall be construed to reduce or diminish existing benefits granted under collective bargaining agreements, company practices, employment contracts, or other laws.

SECTION 7. *Prohibition Against Discrimination.* – No employer shall refuse the grant of paternity leave or discriminate against any employee for exercising rights granted under this Act.

Any adverse employment action taken solely because an employee availed of paternity leave shall be deemed unlawful.

SECTION 8. *Amendment of Section 5 of Republic Act No. 8187.* – Section 5 of Republic Act No. 8187 is hereby amended to read as follows:

“SECTION 5. PENAL CLAUSE. – ANY PERSON, CORPORATION, ENTITY, OR EMPLOYER WHO VIOLATES ANY PROVISION OF THIS ACT OR ITS RULES AND REGULATIONS SHALL BE PUNISHED BY A FINE OF NOT LESS THAN **FIFTY THOUSAND PESOS (P50,000.00) NOR MORE THAN TWO HUNDRED THOUSAND PESOS (P200,000.00),** OR IMPRISONMENT OF NOT LESS THAN THIRTY (30) DAYS NOR MORE THAN SIX (6) MONTHS, OR BOTH, AT THE DISCRETION OF THE COURT.

SECTION 9. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment, the Civil Service Commission, and the Social Security System shall jointly promulgate the necessary rules and regulations for its effective implementation.

SECTION 10. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remaining provisions shall remain in full force and effect.

SECTION 11. *Repealing Clause.* – All laws, presidential decrees, executive orders, and issuances inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two newspapers of general circulation.

Approved,