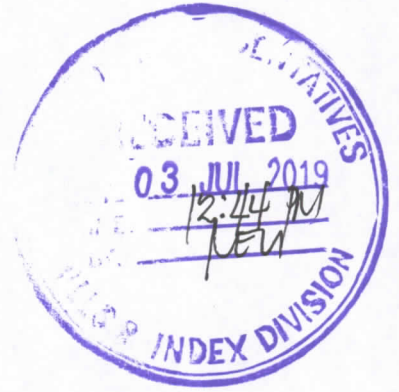


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 1322

Introduced by: **“KUYA” JOSE ANTONIO R. SY-ALVARADO**

AN ACT
EXTENDING THE PATERNITY LEAVE FROM SEVEN (7) TO FIFTEEN (15) DAYS
WITH FULL PAY, AMENDING FOR THE PURPOSE SECTIONS 2 AND 3 OF
REPUBLIC ACT NO. 8187, OTHERWISE KNOWN AS THE “PATERNITY LEAVE
ACT OF 1996”

EXPLANATORY NOTE

The presence of both parents is important in the formative stages of an infant's development. The role of child rearing cannot be left to the mother alone and thus it is essential for the father to fulfill his responsibilities as well. Dividing the responsibilities between the husband and the wife balances the freedoms afforded by both. Extending the paternity leave will help in the development of the child while also making sure that the married individual both male and female are able to have the same professional opportunities as unmarried individuals.

Studies show that fathers who take paternity leave are more likely to take on active roles in child-care tasks, therefore establishing strong relationships with their children and active involvement in their lives. Furthermore, sufficient early-child interaction has long term benefits for the child's cognitive development. Companies also benefit in providing their employees with a paternity leave policy as such policies help companies in attracting the best and the brightest people to their human resource.

However, the law limits the benefits of paternity leave to only seven (7) days and to only the first four (4) deliveries of the wife. This representation finds the limitation unsound. The father should be granted latitude for caring for his newly born child and his wife to allow him to effectively discharge his duties as the chief member of the family principally responsible for the ministration of his family. Seven days are not enough for the complete recuperation of the mother and the father should be by her side to see that she regains strength for weaning the infant.

This bill seeks to provide paternity leave to all married employees, regardless of the nature of employment, and lengthen the leave period to fifteen (15) days. The bill also gives father-employees an option to extend his leave for fifteen (15) days more without pay. The paternity leave shall not be deducted from the employee's annual leave credits.

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

“KUYA” JOSE ANTONIO R. SY-ALVARADO 
Representative, First District of Bulacan

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Be it enacted in the Senate and the House of Representatives of the Republic of the Philippines in congress assembled.

SEC. 1. *Title* – This Act shall be known as the "Paternity Leave Act of 2017"

SEC. 2. Section 2 of Republic Act No. 8187, otherwise known as the "Paternity Leave Act of 1996" is hereby amended to read as follows:

SECTION 2. Notwithstanding any law, rules, and regulations to the contrary, every ~~married~~ male employee REGARDLESS OF HIS EMPLOYMENT STATUS in the public and private sectors shall be entitled to a paternity leave of ~~seven (7)~~ FIFTEEN WORKING days with full pay for ~~the first four (4) deliveries~~ ALL DELIVERIES of the legitimate OR COMMON-LAW spouse with whom he is cohabiting. The male employee applying for paternity leave shall notify his employer of the pregnancy of his legitimate spouse and the expected date of such delivery. AN ADDITIONAL FIFTEEN (15) WORKING DAYS LEAVE WITHOUT PAY, MAY BE AVAILED OF BY THE MALE EMPLOYEE, PROVIDED HE GIVES DUE NOTICE TO HIS EMPLOYER WITHIN FIVE (5) DAYS PRIOR TO THE EXPIRATION OF HIS ORIGINAL FIFTEEN (15) DAY PATERNITY LEAVE.

A MALE EMPLOYEE IS CONSIDERED IN COMMON-LAW RELATIONSHIP IF HE AND HIS SPOUSE ARE LIVING TOGETHER FOR AT LEAST SIX (6) MONTHS PRIOR TO THE CHILBIRTH OR MISCARRIAGE AND WITHOUT LEGAL IMPEDIMENT TO MARRY EACH OTHER DURING THE PERIOD OF THEIR COHABITATION.

For the purpose of this Act, delivery shall include childbirth, or miscarriage.

SEC. 3. 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 allowing him not to report for work for ~~seven (7)~~ FIFTEEN (15) WORKING days but continues to earn the compensation therefor, on the condition that his LEGITIMATE OR COMMON-LAW spouse has delivered a child or suffered a miscarriage for purposes of enabling him to effectively lend support to his LEGITIMATE OR COMMON-LAW SPOUSE ~~wife~~ in her period of recovery and/or in the nursing of the newly-born child.

SEC. 4. *Repealing Clause* – All laws, executive orders and issuance, or any part thereof, which are inconsistent herewith are hereby repealed or amended accordingly.

SEC. 5. *Effectivity Clause* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least one newspaper of general circulation.

Approved.

