

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4130



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution (Sec. 12, Article II, The 1987 Philippine Constitution). In keeping with this State policy, Republic Act No. 8187 was enacted in 1996 to grant paternity leave to married male employees to enable them to fulfil their roles as fathers in taking care of their newly born children as well as their wives during their post-delivery condition.

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 her strength for weaning the infant.

Hence, the paternity leave should be increased to fourteen (14) days and the limitation on the delivery should be stricken off as it has no moral and logical basis.

The immediate passage of this proposed measure is highly recommended.


WINNIE CASTELO

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AN ACT

INCREASING TO FOURTEEN (14) DAYS THE PATERNITY LEAVE AND REMOVING THE LIMITATION ON DELIVERY, AMENDING FOR THE PURPOSE SECTION 2 OF REPUBLIC ACT NO. 8187, OTHERWISE KNOWN AS THE "PATERNITY LEAVE ACT OF 1996"

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

SECTION 1. This Act shall be known as the "Paternity Leave Act of 2016."

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, every married male employee in the public and private sectors shall be entitled to a paternity leave of FOURTEEN (14) DAYS with full pay for the DELIVERY of the legitimate 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.

For purposes of this Act, delivery shall include childbirth or any miscarriage."

SEC. 3. If any section or provision of this Act is declared unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 4. Any laws, decrees, or rules and regulations which are inconsistent with the provisions of this Act are hereby amended or repealed accordingly.

SEC. 5. This Act shall take effect upon its publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,