

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session  
HOUSE BILL NO. **3650**



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Introduced by Rep. Winston "Winnie"Castelo

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#### EXPLANATORY NOTE

The Constitution has a special concern for working women.

It mandates thus, "*The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.*" (Section 14, Article XIII).

Even the International Labor Organization (ILO), through the ILO Convention No. 103, is urging member countries to adopt maternity benefits sufficient for the full and healthy maintenance of the woman and her child in accordance with a suitable standard of living (Art. 4 [2] ILO Convention No. 103).

The bill envisions that the maternity leave benefits be increased from sixty (60) calendar days to eight-four (84) calendar days for normal delivery and one hundred (100) calendar days, in the case of high-risk pregnancy or caesarean delivery for women workers both in the government and in the private sector.

This way, the State helps them cope with changing times and worsening economic conditions.

The immediate passage of this bill is therefore earnestly sought.

A large, stylized signature of Winnie Castelo, written in black ink, is positioned over the name "WINNIE CASTELO".

WINNIE CASTELO

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**AN ACT**  
**INCREASING THE MATERNITY BENEFITS OF WOMEN WORKERS IN GOVERNMENT AND**  
**IN THE PRIVATE SECTOR, AND FOR OTHER PURPOSES**

*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 'Maternity Leave Benefits Act of 2016.'

SEC. 2. A covered female employee who has paid at least three (3) monthly contributions to the Social Security System (SSS), in the case of private sector employees or the Government Service Insurance System (GSIS) in the case of government employees preceding the semester of her childbirth, abortion or miscarriage and who is currently employed shall be paid a daily maternity benefit equivalent to one hundred fifty percent (150%) of her present basic salary, allowances and other benefits or cash equivalent of such benefits for eighty-four (84) calendar days subject to the following conditions:

- a. That in case of high-risk pregnancy or caesarean delivery, the employee shall be paid the daily maternity benefit for one hundred (100) calendar days;
- b. That the maternity benefits provided under this section shall be paid only for the first four deliveries;
- c. That the payment of maternity benefits shall be advanced by the employer in two (2) equal instalments within one (1) month from the filing of the maternity leave application; and
- d. That the SSS and the GSIS shall immediately reimburse the employer of one hundred percent (100%) of the amount of maternity benefits advanced by the employer upon receipt of proof of such payment.

SEC. 3. All laws, executive orders, proclamations, presidential decrees, rules and regulations, issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers.

*Approved,*