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
Republic of the Philippines

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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 CHILDBIRTH 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.