

THIRTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session

SENATE
OFFICE OF THE SECRETARY

'04 JUN 30 P10:32

SENATE

S. No. 769

RECEIVED BY: 

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

EXPLANATORY NOTE

In a culture such as ours, pregnancy out of wedlock is still frowned at. Women who are in this situation are often stigmatized by society.

As time passed by however, more and more unmarried pregnant women are willing to bear society's criticism and prejudices and seek employment to be able to support their child. Unfortunately, with the existing Labor Code, unmarried pregnant women are not accorded the same benefits as those who are married, or at the very least, the laws are not clear about the benefits they can avail of.

This bill seeks to amend Article 133 of the Labor Code of the Philippines, since it has been construed by most employers that only pregnant married women may be granted maternity leave benefits.

This measure does not necessarily encourage pregnancy out of wedlock, it instead emphasizes on ensuring the health of both mother and child without depriving the former the opportunity to work and earn a living for their future.

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


MANUEL B. VILLAR, JR.

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**AN ACT
MANDATING MATERNITY LEAVE BENEFITS REGARDLESS OF MARITAL
STATUS, AMENDING FOR THIS PURPOSE ARTICLE 133 OF PRESIDENTIAL
DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE
PHILIPPINES**

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

SECTION 1. Article 133 of presidential Decree No. 442, otherwise known as
the Labor Code of the Philippines, is hereby amended to read as follows:

"ART. 133. *Maternity leave benefits.* - (a) Every employer shall
grant to any pregnant woman employee REGARDLESS OF MARITAL
STATUS, who has rendered an aggregate service of at least six (6)
months for the last twelve (12) months, maternity leave of at least
two (2) weeks prior to the expected date of delivery and another four
(4) weeks after normal delivery or abortion with full pay based on her
regular or average weekly wages. The employer may require from any
women employee applying for maternity leave the production of a
medical certificate stating that delivery will probably take place
within two (2) weeks. x x x"

SECTION 2. *Effectivity.* This Act shall take effect fifteen (15) days after the
completion of its publication in at least two (2) newspapers of general circulation.

Approved,