

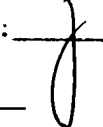
SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'16 JUL 18 P6:18

SENATE

S. B. NO. 398

RECEIVED BY: 

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Introduced by **SENATOR LOREN LEGARDA**

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**AN ACT PROVIDING PRE-NATAL LEAVE BENEFITS FOR FEMALE EMPLOYEES**

Explanatory Note

Article XIII Section 14 on Social Justice and Human Rights of the Constitution provides that the State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and facilities that will enhance their welfare and enable them to realize their full potential in the service of the nation.

This bill addresses the need of women for sufficient medical screening during their pre-maternity period. This bill mandates a one day leave every month with payment from filing of notice of such pregnancy until delivery, abortion or miscarriage.

This pre-natal leave benefit is in accordance with Republic Act No. 9710 or the "Magna Carta of Women" which recognizes the right of women to support services that will enable them to balance their family obligations and work responsibilities.

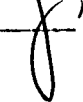
In view of the foregoing, the passage of this bill is earnestly sought.

  
**LOREN LEGARDA**  
Senator

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**AN ACT PROVIDING PRE-NATAL LEAVE BENEFITS FOR FEMALE EMPLOYEES**

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

1 **SECTION 1.** In addition to other benefits under the law, women who are  
2 employed in the private sector or in public service shall be entitled to a one (1)  
3 day paid pre-natal leave every month from filing of notice of such pregnancy  
4 until delivery, abortion or miscarriage, subject to the following conditions:  
5

6 (a) The employee is currently employed in the private sector or the  
7 government, as the case may be, and shall have paid at least three (3)  
8 monthly Social Security System (SSS) or Government Service  
9 Insurance System (GSIS) contributions, as the case may be, in the  
10 twelve month period preceding the childbirth, abortion or miscarriage;  
11

12 (b) The employee shall have notified the employer, or the head or chief of  
13 the bureau or office of the pregnancy and the probable date of  
14 childbirth, as the case may be, which notice shall be transmitted to  
15 SSS or GSIS in accordance with the rules and regulations it may  
16 provide;  
17

18 (c) The employee shall present a medical certificate to the employer  
19 within five (5) days from the pre-natal appointment; and  
20

21 (d) The pre-natal leave benefit shall not be cumulative.  
22

23 **SEC. 2. Implementation.** The SSS and the GSIS, in coordination with all  
24 relevant government offices, shall jointly promulgate and issue the necessary  
25 implementing rules and regulations for the implementation of this Act within  
26 sixty (60) days after the effectivity of this Act.  
27

28 **SEC. 3. Separability Clause.** If any portion or provision of this Act is declared  
29 void and unconstitutional, the remaining portions or provisions hereof shall  
30 not be affected by such declaration.  
31

32 **SEC. 4. Repealing Clause.** All laws, decrees, orders, rules and regulations,  
33 other issuances, or parts thereof inconsistent with the provisions of this Act are  
34 hereby repealed or modified accordingly.  
35

1 **SEC. 5. Effectivity Clause.** This Act shall take effect fifteen (15) days after its  
2 complete publication in at least two (2) national newspapers of general  
3 circulation.  
4  
5 Approved,