

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



Senate
Office of the Secretary

'16 JUL 18 P6:20

S E N A T E

S.B. NO. 401

FILED BY: *J'*

Introduced by SENATOR LOREN LEGARDA

AN ACT TO REQUIRE EMPLOYERS TO PROVIDE DAYCARE FACILITIES FOR THEIR EMPLOYEES' CHILDREN AGED FIVE (5) YEARS OLD AND BELOW, AMENDING FOR THE PURPOSE ARTICLE 157 OF THE LABOR CODE

Explanatory Note

Section 1, Article XV of the 1987 Constitution provides that the State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development. In addition, Section 12 of Article II of the Constitution declares that the natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government. In effect, it is the State's responsibility to enable parents to provide for their family while at the same time ensuring that parents will be able to ensure the welfare and safety of their small children.

This bill renders it compulsory for all employers in the country, including the government, to establish day care facilities for companies and establishments that have at least 150 employees. This way, parents will be able to pursue their careers that redound to the benefit of the family while at the same time, care for their small children.

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

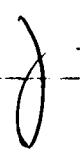

LOREN LEGARDA

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

1 **SECTION 1.** There shall be incorporated in Article 157 of the Labor Code of
2 the Philippines, as amended, a new provision which read as follows:
3

4 " Article 157. [Emergency] [m] Medical, [and] dental, **AND DAY**
5 **CARE** services. – it shall be the duty of every employer to furnish his
6 employees in any locality with free medical and dental attendance
7 consisting of:
8

9 xxx

10 **MOREOVER, ALL EMPLOYERS, WHERE THE NUMBER OF**
11 **EMPLOYEES IS AT LEAST ONE HUNDRED FIFTY (150), SHALL**
12 **ESTABLISH A DAYCARE FACILITY FOR CHILDREN OF**
13 **REGULAR EMPLOYEES AGED FIVE (5) YEARS AND BELOW.**
14 **THE FACILITY SHALL BE HANDLED BY QUALIFIED AND**
15 **COMPETENT PERSONNEL WITH PROVEN EXPERIENCE IN**
16 **CHILD CARE.**
17

18 **SEC. 2. Implementation.** The Department of Labor and Employment (DOLE)
19 shall promulgate rules and regulations to implement the provision of this Act.
20

21 **SEC. 3. Repealing clause .** All laws, decree, order, rules and regulations, or
22 portions thereof, inconsistent with this Act are hereby repealed or modified
23 accordingly.
24

25 **SEC 4. Separability Clause.** Should any part or provision of this Act be
26 declared unconstitutional or invalid, other parts or provisions hereof not
27 otherwise affected thereby shall remain in full force and effect.
28

29 **SEC. 5 Effectivity.** This Act shall take effect fifteen (15)days after its
30 publication in at least two (2) newspapers of general circulation.
31

32 Approved,