

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



'22 NOV 23 P 6 :23

SENATE

S. No. 1545

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
GRANTING SANITARY LEAVE OF ONE (1) DAY A MONTH WITH ONE
HUNDRED PERCENT DAILY REMUNERATION TO ALL FEMALE EMPLOYEES**

EXPLANATORY NOTE

Section 14, Article XIII of the 1987 Constitution provides that "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."

Female participation in the Labor force (% of total labor force) in the Philippines was reported at 39.33 % in 2021, according to the World Bank collection of development indicators, compiled from officially recognized sources.

Due to high levels of estrogen, women experience symptoms of premenstrual tension, and such symptoms last between ten to fourteen days before menses. Such symptoms include constipation, abdominal cramps, aching legs, and even severe pain. Despite these scientifically proven symptoms, there is no law in the Philippines that addresses the need of female employees to rest from work due to premenstrual or menstrual tension.

This bill seeks to grant every female employee in both the private and public sectors a one (1) day Sanitary Leave with one hundred percent (100%) remuneration.

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


RAMON BONG REVILLA, JR.

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

- 1 Section 1. *Short Title.* – This Act shall be known as the “*Sanitary Leave Act.*”
2 Sec. 2. *Definition of Terms.* – For Purposes of this Act, the following items shall
3 have the following meaning:
4 a. *Employee* refers to any person who performs services for an employer in which
5 physical and/or mental efforts are exerted and in exchange receives
6 compensation for such services in an employer-employee relationship;
7 b. *Employer* refers to any person, natural or juridical, who carries in the Philippines
8 any business, undertaking, or activity of any kind, and uses the services of
9 another person who is under his employment, or the national government, its
10 political subdivisions, agencies, instrumentalities, including government owned
11 and controlled corporations and financial institutions, the Constitutional
12 Commissions, and the Judiciary;
13 c. *Menstrual Tensions* refers to a state of physical and/or mental uneasiness
14 relating to the period of menstruation;
15 d. *Menstruation* refers to the process of a woman discharging of blood and other
16 materials from the lining of the uterus that recurs at a monthly interval and
17 lasts three (3) to five (5) days;
18 e. *Menstruation Leave* refers to the benefit granted to a female employee,
19 allowing her not to report to work for one (1) day every month due to

1 premenstrual or menstrual tension but still earn one hundred percent (100%)
2 of her compensation; and

3 f. Premenstrual Tension refers to a state of physical and/or mental uneasiness
4 relating to the period of menstruation.

5 Sec. 3. *Sanitary Leave.* - Every female employee, except pregnant and
6 menopausal women, in the private and public sectors, regardless of the nature of their
7 employment, shall be entitled to a menstruation leave, notwithstanding any law, rules,
8 and regulations to the contrary.

9 Sec. 4. *Exemptions.* - Employers already providing a Sanitary Leave or its
10 equivalent shall not be covered by this Act.

11 Sec. 5. *Implementing Rules and Regulations (IRR).* - Within thirty (30) days
12 from the effectivity of this Act, the Secretary of Labor and Employment, the Chairman
13 of the Civil Service Commission (CSC), and the Secretary of Health, shall jointly issue
14 the IRR necessary for the proper implementation of the provisions hereof.

15 Sec. 6. *Penalty.* - Any person, corporation, partnership, association, or any
16 type of similar entity found to be in violation of this Act or the rules and regulations
17 promulgated thereunder shall be punished by a fine not exceeding one hundred
18 thousand pesos (P100,000.00) or imprisonment of not less than thirty (30) days but
19 not exceeding six (6) months.

20 If the violation is committed by a corporation, partnership, association, or any
21 type of similar entity, the penalty of imprisonment shall be imposed upon the entity's
22 responsible officers, including but not limited to, the president, chief executive officer,
23 general manager, managing director, or partner directly responsible therefor.

24 Sec. 7. *Non-Dominion Clause.* - Nothing in this Act shall be construed to
25 reduce any existing benefit granted under existing laws, executive orders, contract,
26 agreement, or policy between the employer and the employee.

27 Sec. 8. *Separability Clause.* - If any provision of this Act shall be held invalid
28 or unconstitutional, the other provisions not otherwise affected shall remain in full
29 force and effect.

30 Sec. 9. *Repealing Clause.* - All other laws, rules and regulations, orders,
31 circulars, or issuances, or parts thereof, which are contrary to, or inconsistent with,
32 the provisions of this Act are hereby repealed, modified or amended accordingly.

1 Sec. 10. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after
2 its complete publication either in the *Official Gazette* or in a newspaper of general
3 circulation in the Philippines.

Approved,