

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



Senate
Office of the Secretary

23 JAN 11 P4 59

SENATE
S. No. 1648

RECEIVED BY:

Introduced by Senator Loren B. Legarda

AN ACT
PROVIDING FOR BENEFITS AND PRIVILEGES TO UNPAID CARE
WORKERS AND THEIR FAMILIES, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Unpaid care work is still work. Due to persistent gender stereotypes around unpaid care work and breadwinning in modern society, women make up the majority of those who provide unpaid care. Globally, over seventy percent (70%) of the unpaid care workforce is made up of women, who perform three (3) times as much unpaid care work as men do.¹ In the Philippines, women continue to shoulder the brunt of unpaid care work, which forces many of them to balance a full-time job with a “second shift” at home -- taking care of backbreaking household chores and caring for family members.²

The COVID-19 pandemic has further exposed and even deepened these long-standing economic and gender disparities, which frequently begin at home. The boundary separating work from personal life has worsened due to school closures, travel restrictions, and challenges in obtaining food and water, among others. It is now much more demanding for parents who work full-time while supporting their

¹ <http://stateoftheworldsfathers.org/report/state-of-the-worlds-fathers-2021/>

² <https://www.philstar.com/headlines/2022/04/02/2171621/women-still-bear-bruntof-unpaid-care-work-study/amp/>

children as they attend online classes, a responsibility that falls more frequently on mothers than fathers.

This glaring gender gap in unpaid care work has a substantial influence on both the types of occupations that are open to women and their ability to actively participate in the labor market. It is the greatest impediment to women joining, remaining, and advancing in the workforce. This is because time is a finite resource, which means that time spent on one activity reduces the amount of time available for other activities, and a woman's time can only be split so much. Every minute a woman spends providing unpaid care is a minute she could be investing in her education and job.

Unknown to many, unpaid care work contributes between ten to thirty-nine percent (10–39%) of the gross domestic product (GDP). This is because women's unpaid work openly compensates for the lack of available social services by helping defray the cost of care intended to support and maintain families and economies. Yet, it is rarely recognized as "work."

Certainly, unpaid care work is crucial to the future of work. It is urgently necessary to invest in care policies, services, and infrastructure that support unpaid care workers, promote gender parity in domestic and care work, and create more paid jobs in the care. This will accelerate the nation's economic progress and improve the individual and societal welfare. However, care work in the Philippines remains mostly invisible, unrecognized, and unaccounted for in decision-making.

This bill seeks to change that. By supporting unpaid caregivers and developing infrastructure and services that lighten the load of unpaid care work on women, the proposed measure aims to improve the future of Filipino families across the country. Most importantly, this bill aims to challenge traditional family structures and gender norms while also helping Filipinos realize their fair share of household and caregiving duties.

It is still possible to acknowledge that providing care is not just the responsibility of women but the responsibility of the entire family. When we all care and do our share, the future is equal.

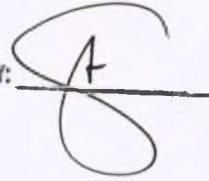
In view of the foregoing, the immediate approval of this bill is earnestly sought.



LOREN LEGARDA

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

1 Section. 1. *Short Title.* - This Act shall be known as the "Unpaid Care Workers
2 *Welfare Act of 2022.*"

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to promote a just and
4 dynamic social order that will ensure the prosperity and independence of the nation
5 and free the people from poverty through policies that provide adequate social
6 services, promote full employment, a rising standard of living, and an improved
7 quality of life for all.

8 The State likewise values the dignity of every human person and recognizes
9 the role of women in nation-building. Towards this end, the State shall ensure full
10 respect for human rights and the fundamental equality of men and women in the eyes
11 of the law.

12 Sec. 3. *Definition of Terms.* - As used in this Act, the following terms shall be
13 defined as follows:

14 (a) "Care work" consists of the following activities:

- 15 (1) *Direct, personal, and relational care activities, such as taking care of*
16 *the children, tending to the elderly or persons with disabilities,*
17 *nursing an ill member of the household; and/or*

1 (2) *Indirect care activities*, such as, among others, production of goods
2 and services for the exclusive use of the household, domestic work
3 like cleaning, cooking, and other household chores;

4 (b) "Unpaid care work" refers to care work provided by unpaid care
5 workers for members of his or her household without monetary reward.
6 Unpaid care work is still considered work and is thus a crucial
7 dimension of the world of work;

8 (b) "Unpaid care worker" (UCW) refers to any individual who performs
9 unpaid care work as defined in this Act.

10 (c) "Household" refers to the immediate members of the family or the
11 occupants of the house who are directly and regularly provided services
12 by the unpaid care worker.

13 (d) "Children" refer to those living with the unpaid care worker and
14 dependent on him/her for support, who are single and unmarried,
15 unemployed, and below eighteen (18) years of age, or those over but are
16 unable to fully take care of themselves or protect themselves from abuse,
17 neglect, cruelty, exploitation or discrimination because of a physical or
18 mental disability or condition;

19 (e) "Disabled persons" refers to those suffering from the restriction of
20 different abilities, a result of mental, physical, or sensory impairment, to
21 perform an activity in the manner or within the range considered normal
22 for a human being as provided by Republic Act No. 7277, as amended,
23 otherwise known as the "*Magna Carta for Disabled Persons*;" and

24 (f) "Parental responsibility" refers to the rights and duties of parents with
25 respect to their children as defined in Article 220 of Executive Order No.
26 209, as amended, otherwise known as the "*Family Code of the Philippines*."

27 Sec. 4. *Criteria for Support*. - Any person who possesses either the following
28 qualifications may avail of the benefits and privileges provided for under this Act:

29 (a) Any spouse living with the household, primarily performing unpaid
30 care work as defined by this Act, and is:

31 (1) At least eighteen (18) years of age;

32 (2) Not more than sixty (60) years of age; and

1 (3) Must have legally contracted marriage;

2 (b) Any family member, living with the household, and primarily
3 performing unpaid care work as defined by this Act; or

4 (c) Any individual, living with the household, and primarily performing
5 unpaid care work as defined by this Act.

6 These individuals must not have been convicted by final judgment for an
7 offense involving moral turpitude. However, employment, whether part-time or full-
8 time, shall not disqualify these individuals from claiming benefits under this Act:
9 *Provided, That a change in the status or circumstance of the UCW claiming benefits*
10 *under this Act shall terminate his or her eligibility for these benefits, but may qualify*
11 *him/her for other benefits either as a Solo Parent under Republic Act No. 8972, or the*
12 *"Solo Parent's Welfare Act of 2000," or as a Senior Citizen under the applicable laws:*
13 *Provided, further, That only one (1) individual may qualify as a UCW for every*
14 *household: Provided, finally, That this individual shall avail of the benefits under this*
15 *Act exclusively without availing other benefits provided under other relevant laws*
16 *either as a Solo Parent or as a Senior Citizen.*

17 Sec. 5. *Inter-Agency Council on Unpaid Care Work.* – For the purpose of carrying
18 out the provisions of this Act, there is hereby established an Inter-Agency Council on
19 Unpaid Care Work, hereinafter referred to as the Council, which shall be composed
20 of the following agencies:

21 (a) Department of Social Welfare and Development (DSWD) as the
22 Chairperson;

23 (b) Philippine Commission on Women (PCW) as the Vice-Chairperson;

24 (c) Philippine Statistics Authority (PSA) Board;

25 (d) Commission on Human Rights (CHR);

26 (e) Department of Health (DOH);

27 (f) Department of Education (DepEd);

28 (g) Commission on Higher Education (CHED);

29 (h) Technical Education and Skills Development Authority (TESDA);

30 (i) Department of Labor and Employment (DOLE); and

31 (j) Department of Interior and Local Government (DILG).

1 The Council members may designate their duly authorized representative who
2 shall have a rank not lower than an Assistant Secretary or its equivalent. These
3 representatives shall attend Council meetings on their behalf and shall receive
4 emoluments as may be determined by the Council in accordance with existing budget
5 and accounting rules and regulations.

6 The Council shall be organized within sixty (60) days from the effectivity of this
7 Act. The majority of the Council members shall constitute a quorum.

8 *Sec. 6. Powers and Functions of the Inter-Agency Council on Unpaid Care Work. –*
9 The Council shall have the following powers and functions:

- 10 (a) Develop the country's care goals, priorities, and long-term strategy;
- 11 (b) Guided by the legal mandates of the agencies concerned, direct national
12 government agencies and local government units (LGUs) to implement
13 care policies, programs, and services;
- 14 (c) Coordinate with various sectors and agencies to ensure coherent
15 strategic direction and programs;
- 16 (d) Engage in national care policy-making;
- 17 (e) Formulate programs and projects to eliminate gaps in unpaid care work
18 based on their mandates and monitor the implementation thereof;
- 19 (f) Regularly review and update the country's care policies and strategies;
- 20 (g) Initiate information campaigns on unpaid work;
- 21 (h) Conduct research necessary to: (1) develop a new body of knowledge on
22 UCWs; (2) define the executive and legislative measures needed to
23 promote and protect the interest of UCWs and their families; and (3)
24 assess the effectiveness of programs designed for disadvantaged UCWs;
- 25 (i) Submit annual reports to the Congress of the Philippines on the progress
26 of implementation of this Act; and
- 27 (j) Perform other functions as may be necessary for the implementation of
28 this Act.

29 The Council shall endeavor to use integrated, people-centered, participatory,
30 responsive, and sustainable principles in the development, implementation, and
31 assessment of care programs and strategies.

1 *Sec. 7. Comprehensive Package of Social Development and Welfare Services for Unpaid*
2 *Care Workers.* – A Comprehensive Package of Social Development and Welfare
3 Services for UCWs, hereinafter referred to as the UCW Comprehensive Package, is
4 hereby established for the benefit of qualified UCWs and their families. The Council
5 shall lead the implementation of the UCW Comprehensive Package, in coordination
6 with LGUs, non-government organizations, people’s organizations, and other key
7 stakeholders. At the minimum, the package shall include:

- 8 (a) *Livelihood development services*, including, but not limited to, training
9 programs on livelihood skills, basic business management, value
10 orientation, and the provision of seed capital for self-employed UCWs
11 or job placement in flexible work opportunities;
- 12 (b) *Counseling services*, including, but not limited to, individual, peer group,
13 or family counseling. This will focus on conflict resolution in personal
14 relationships;
- 15 (c) *Parent effectiveness services*, including, but not limited to, the provision
16 and expansion of knowledge and skills of the UCWs and the members
17 of their households on early childhood development, behavior
18 management, health care, and the rights and duties of parents and
19 children;
- 20 (d) *Child and elderly care support services*, including, but not limited to, the
21 establishment of elderly care centers, breastfeeding centers, and day-
22 care centers;
- 23 (e) *Critical incidence stress debriefing*, including, but not limited to,
24 preventive stress management strategies designed to assist UCWs in
25 coping with crisis situations and cases of abuse; and
- 26 (f) *Special projects for individuals in need of protection*, including, but not
27 limited to, temporary shelter, counseling, legal assistance, medical care,
28 self-concept or ego-building, crisis management, and spiritual
29 enrichment.

30 *Sec. 8. Privileges for Unpaid Care Workers.* – In consideration of the services by
31 the qualified UCWs, they may avail the following benefits or privileges, in addition
32 to the other privileges herein provided:

- 1 (a) *UCW Discount.* – The grant of twenty percent (20%) discount from all
2 establishments relative to the utilization of transportation services,
3 restaurants, and recreation centers, and purchase of medicine anywhere
4 in the country: *Provided,* That the establishments may claim the
5 discounts granted under this Section as a tax deduction based on the net
6 cost of the goods sold or services rendered: *Provided, further,* That the
7 cost of the discount shall be allowed as a deduction from gross income
8 for the same taxable year that the discount is granted: *Provided, finally,*
9 That the total amount of the claimed tax deduction net of value-added
10 tax, if applicable, shall be included in their gross sales receipts for tax
11 purposes and shall be subject to proper documentation and to the
12 provisions of the National Internal Revenue Code, as amended;
- 13 (b) *Prohibition Against Work Discrimination.* – No employer shall
14 discriminate against any UCW employee with respect to terms and
15 conditions of employment on account of his or her status.
- 16 (c) *Flexible Work Schedule.* –The employer shall provide for a flexible
17 working schedule for UCWs: *Provided,* That the same shall not affect
18 individual and company productivity: *Provided, further,* That any
19 employer may request exemption from the above requirements from the
20 DOLE on certain meritorious grounds;
- 21 (d) *UCW Leave.* - In addition to leave privileges under existing laws,
22 parental leave of not more than three (3) working days every year shall
23 be granted to any UCW employee who has rendered service of at least
24 one (1) year;
- 25 (e) *Educational Benefits.* – DepEd, CHED, and TESDA shall provide the
26 following benefits and privileges:
- 27 (1) Scholarship programs for qualified UCWs and the members of
28 their household in institutions of basic, tertiary, and technical or
29 skills education; and
- 30 (2) Non-formal education programs appropriate for UCWs and the
31 member of their household.

1 (f) *Medical Assistance.* – DOH shall develop a comprehensive healthcare
2 program for UCWs and their family. The program shall be implemented
3 by DOH through their retained hospitals and medical centers and by
4 LGUs through their respective local hospitals and/or health care
5 centers;

6 (g) *Community Engagement.* – The LGUs, in coordination with non-
7 government organizations, people’s organizations, the private sector,
8 and other stakeholders, shall conduct regular dialogues and information
9 drives with the community to educate them on the importance of care
10 work and other gender issues. Through this multi-sectoral mechanism,
11 UCWs can participate and put forth their needs for integration into the
12 local government pandemic programming and management;

13 (h) *Gender and Development Information Drive.* – PCW, in coordination with
14 the CHR, shall lead the conduct of advocacy activities, gather input, and
15 develop data on UCWs, in coordination with the PSA, thru the conduct
16 of the *Census of Population*, dissemination of information, and education
17 of communities in the recognition of UCW’s importance in nation
18 building. The PCW shall be guided by a model of three (3)
19 interconnected dimensions to incorporate the issue of UCW into the
20 development agenda, namely: (1) Recognition; (2) Reduction; and (3)
21 Redistribution.

22 Sec. 9. *Care Work Education and Training Program.* – The Council, together with
23 DepEd for basic education, the CHED for State Universities and Colleges (SUCs), and
24 TESDA for technical-vocational schools, shall establish a strong collaboration for the
25 formulation and implementation of plans and programs for the integration and
26 mainstreaming of care work in the educational system.

27 Sec. 10. *Responsibility of Local Government Units.* – The city or municipality,
28 through the city or municipal mayor concerned, shall ensure the effective
29 implementation of the provisions of this Act, as well as care policies, programs, and
30 services developed by the Council, within their respective jurisdictions. The city or
31 municipal mayor concerned shall submit annual reports to DILG on their progress.

1 Sec. 11. *Implementing Rules and Regulations.* - The Council, through its
2 Chairperson, shall issue the necessary rules and regulations for the effective
3 implementation of this Act within sixty (60) days from its approval. The Council, in
4 consultation with LGUs, non-government organizations, people's organizations, and
5 other key stakeholders, shall lead the preparation of the implementing rules and
6 regulations. The rules and regulations issued pursuant to this Section shall take effect
7 fifteen (15) days after its publication in a newspaper of general circulation.

8 Sec. 12. *Appropriations.* - The funds necessary to carry out the initial
9 implementation of this Act shall be charged against the respective budget of
10 concerned agencies for the current year. Thereafter, such sums as may be necessary
11 for the continued implementation of this Act shall be included in the annual General
12 Appropriations Act.

13 Sec. 13. *Annual Report.* - The Council shall submit comprehensive annual
14 reports to the Congress of the Philippines, which shall include its assessment of the
15 efficacy of the care policies, programs, and services, and the status of its
16 implementation, including, but not limited to, progress reports, challenges, and
17 recommendations, review of the policies involved, research and data, and other
18 reports integral to the implementation of this Act.

19 Sec. 14. *Congressional Oversight.* - Both Houses of Congress, particularly the
20 Committee on Women, Children, Family Relations, and Gender Equality of the Senate
21 and the Committee on Women and Gender Equality of the House of Representatives,
22 shall oversee the implementation of this Act.

23 Sec. 14. *Sunset Review.* - Within five (5) years after the effectivity of this Act, or
24 as the need arises, both Houses of Congress shall conduct a sunset review. For
25 purposes of this Act, the term "sunset review" shall mean a systematic evaluation by
26 the Committee on Women, Children, Family Relations, and Gender Equality of the
27 Senate and by the Committee on Women and Gender Equality of the House of
28 Representatives of the accomplishments and impact of this Act, as well as the
29 performance and organizational structure of its implementing agencies, for purposes
30 of determining remedial legislation.

1 Sec. 15. *Separability Clause.* - If any part, section, or provision of this Act shall
2 be held invalid or unconstitutional, no other part, section, or provision thereof shall
3 be affected thereby.

4 Sec. 16. *Repealing Clause.* - All laws, decrees, executive orders, rules and
5 regulations, issuances, or parts thereof inconsistent with the provisions of this Act are
6 hereby repealed, amended, or modified accordingly.

7 Sec. 17. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
8 complete publication either in the Official Gazette or in at least two (2) newspapers of
9 general circulation.

Approved,