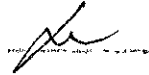


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL 26 93 AM

SENATE
S.B. No. 1379

RECEIVED BY: 

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to make it compulsory for all employers with at least 150 employees to provide day care facilities for the children of their regular employees aged five years and below to aid parents in pursuing their career and livelihood for the family while ensuring the safety and welfare of their children.

Section 1 Article XV of the 1987 Philippine 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. Parents are essentially at the forefront of ensuring that the family stays together. And Section 12 of Article II of the same 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.

Data from the National Statistical Coordination Board reveal that in the year 2006, Filipino families living in the National Capital Region comprising of five members should have earned a monthly income of PhP 8,254 to be able to sustain their families' minimum basic food and non-food needs. Of the PhP 8,254 monthly income, PhP 4,920 (60 percent of the poverty threshold) should have been allocated for basic food needs and PhP 3,334 (40 percent of the poverty threshold) to basic non-food needs of the family. On the other hand, at the national level, a family of five needed PhP 204 daily to buy their minimum basic food and non-food needs. Clearly, with the rising cost of living in our country today, the conventional roles that spouses play in a growing family has become an exception rather than the rule, as more and more women join the male population in taking jobs to support the family.

With these developments, the State must act to fulfill its constitutional mandate to support parents in caring for the family. This bill aims to do just that by making it compulsory for all employers in the country, except 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 being able to care for their small children.


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


LOREN LEGARDA
Senator

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

7 JUL 26 PM '00

SENATE
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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

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

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

“Article 157. [Emergency] [m] Medical, [and] dental, **AND DAY CARE** services. - It shall be the duty of every employer to furnish his employees in any locality with free medical and dental attendance consisting of:

xxx

MOREOVER, ALL EMPLOYERS, EXCEPT THE NATIONAL GOVERNMENT OR ANY OF ITS POLITICAL SUBDIVISIONS, GOVERNMENT OWNED AND/OR CONTROLLED CORPORATIONS AND CHARITABLE AND RELIGIOUS ORGANIZATION, WHERE THE NUMBER OF EMPLOYEES IS AT LEAST ONE HUNDRED FIFTY (150), SHALL ESTABLISH A DAYCARE FACILITY FOR CHILDREN OF REGULAR EMPLOYEES AGED FIVE (5) YEARS AND BELOW. THE FACILITY SHALL BE HANDLED BY QUALIFIED AND COMPETENT PERSONNEL WITH PROVEN EXPERIENCE IN CHILD CARE.

SECTION 2. The Department of Labor and Employment (DOLE) shall promulgate rules and regulations to implement the provision of this Act.

SECTION 3. Repealing Clause. All laws, presidential decrees, executive orders, presidential proclamation, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 4. *Separability Clause.* If any provision of this Act is declared unconstitutional, the same shall not effect the validity and effectivity of the other provisions hereof.

SECTION 5. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,