

SENATE  
S. NO. 322

REGISTERED  
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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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**EXPLANATORY NOTE**

The vital role of women in society and economy has long been recognized in our country. The Philippine Constitution under Art. II, Sec. 14 states that the State shall recognize the role of women in nation-building and shall ensure the fundamental equality before the law of men and women. Also, Art. XIII, Sec. 14 of our 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.

Just recently, UNICEF cited the Philippines' Mortality Rate wherein thirty two (32) Filipino children (per 1,000 live births) die before the age of five and the Philippines ranked 86<sup>th</sup> among 190 countries with the highest under-five mortality rate. The report also cited several recommendations that would help reduce our country's mortality rate among which is access to exclusive breastfeeding for a long period of time<sup>1</sup>. WHO even recognizes breastfeeding as an ideal way of providing young infants with the nutrients they need for healthy growth and development<sup>2</sup>.

This recognizes maternity as a vital social function played by women and protects the rights of working women and their infants to proper health care by increasing the maternity leave of working women from sixty (60) days or eight (8) weeks to one hundred twenty (120) days or sixteen (16) weeks thereby allowing mothers to breastfeed their child for at least four (4) months.

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

  
ANTONIO "SONNY" F. TRILLANES IV  
Senator

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<sup>1</sup> Data retrieved from <http://asianjournal.wordpress.com/2008/03/17/unicef-cites-rp-mortality-rate/> on May 22, 2008.

<sup>2</sup> Data retrieved from <http://www.who.int/topics/breastfeeding/en/> on May 22, 2008.

SENATE

S. NO. 322

RECEIVED



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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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AN ACT  
INCREASING MATERNITY LEAVE BENEFITS FROM SIXTY (60) DAYS TO  
ONE HUNDRED TWENTY (120) DAYS OR FOUR MONTHS, AMENDING FOR  
THE PURPOSE, P.D. 442, AS AMENDED BY R.A. 7322

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

1           **SECTION 1.** Article 133 of Presidential Decree (P.D.) 442, as amended by R.A.  
2 7322, is hereby amended to read as follows:

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4           **"ART. 133. *Maternity Leave Benefits.***

5 (a) Every employer shall grant to any pregnant woman employee, who has rendered  
6 an aggregate service of at least six (6) months for the last twelve (12) months, maternity  
7 leave of at least two (2) weeks prior to the expected date of delivery and another [four  
8 (4)] **FOURTEEN WEEKS** after normal OR CAESARIAN DELIVERY, with full pay  
9 based on her regular or average weekly wages."

10  
11           **SEC. 2.** All laws, decrees, order, rules and regulations, and other issuances or  
12 parts thereof, inconsistent with this Act are hereby repealed or amended accordingly.

13  
14           **SEC. 3.** This Act shall take effect fifteen (15) days following its publication in the  
15 Official Gazette or in any two newspapers of general circulation.

Approved,