

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 2181

HOUSE OF REPRESENTATIVES

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INTRODUCED BY CONGRESSMAN ALFRED VARGAS

EXPLANATORY NOTE

Several provisions of the 1987 Constitution stressed the importance of nurturing the Filipino family to ensure our development as a nation:

"The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution... The natural and primary right and duty of the parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government." (Article II, Section 12)

"The State recognizes the family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development." (Article XV, Section 1)

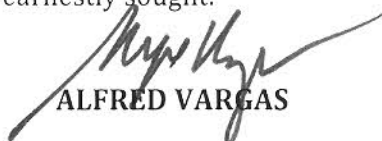
Thus, it is imperative for the State to provide Filipino parents with the necessary means to allow them to take care of their children.

Among the obstacles faced by the Filipino workforce are the problem of work-life balance and the difficulty of finding quality, reliable, and affordable child care. This is especially true for solo parents and for households where both parents are working.

Thus, this bill seeks to amend Article 157 of the Labor Code to require employers with at least 150 workers to provide daycare facilities for the children (aged five years old and below) of their employees. While it may seem costly for a business institution to provide such facilities, studies show that providing childcare services have benefited both their employees and the employers.

First, it has improved the attendance of parent-workers in the work place. According to the National Child Care Information Center, tardiness and the cutting short of work is often due to childcare problems. With a childcare facility in the workplace, employees will be less likely to use their paid leaves when their caretakers are unavailable to attend to their child. It has also improved the productivity, boost the morale, and develop the sense of loyalty of parent-workers to their employers.

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


ALFRED VARGAS

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AN ACT
REQUIRING 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 Articles 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 ORGANIZATIONS, 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, decrees, order, rules and regulations, or portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.

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

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

Approved,