

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7895



Introduced by **HON. JOY MYRA S. TAMBUNTING**

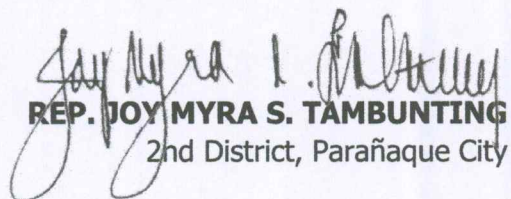
EXPLANATORY NOTE

In the recent years, the country has made huge strides in affirming the importance of a person's mental health and the rights of Filipinos to access mental health services. In 2018, the legislative has passed Republic Act No. 11036 or the Mental Health Act which aimed to develop and establish a comprehensive, integrated effective and efficient national mental health care system responsive to the psychiatric, neurologic, and psychosocial needs of the Filipino people.

Earlier this year, the Department of Labor and Employment also issued the "Guidelines for the Implementation of Mental Health Workplace Policies and Programs for the Private Sector" which aimed to safeguard the worker and assist them in issues concerning their mental health.

Whilst these efforts are commendable, this Representation believes that more could be done in the spirit of raising mental health awareness and ensuring the mental wellness of Filipino workers. This proposed measure aims to (1) grant all employees, both from the private and public sectors, a mental health wellness leave of five days with full pay; (2) integrating mental health awareness to the curriculum of all schools; and (3) mandate educational institutions to employ an authorized mental health practitioner to oversee programs on mental health.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7895

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
GRANTING MENTAL HEALTH WELLNESS LEAVE TO ALL EMPLOYEES AND
INTEGRATING MENTAL HEALTH AWARENESS IN THE CURRICULUM OF ALL
SCHOOLS

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

SECTION 1. This Act shall be known as the "Mental Health Leave and Awareness Act."

SEC. 2. Notwithstanding any law, rules and regulations to the contrary, all employees of the private and public sectors are entitled to a mental health wellness leave of five (5) days with full pay.

For purposes of this Act, mental health wellness leave refers to the benefit granted to employees of the private and public sectors, allowing the said employees not to report for work for five (5) days but continue to earn compensation therefor, on the condition that the employees will participate in mental health wellness activities offered by their respective employers.

SEC. 3. A mental health awareness subject shall be integrated in the curriculum of all schools and educational institutions, whether private or public.

SEC. 4. All public and private schools and educational institutions shall employ at least one (1) in-house certified guidance counselor or allied professional who is trained as an authorized mental health practitioner who shall oversee and provide mental health awareness lectures, programs, activities and counseling services to students.

SEC. 5. Within thirty (30) days from the effectivity of this Act, the Secretary of Labor and Employment, the Chairperson of the Civil Service Commission, the Secretary of Education, the Chairperson on Higher Education and Secretary of Health shall issue the necessary rules and regulations for the effective implementation of the provisions of this Act.

SEC. 6. Any corporation, trust, firm, partnership, association, entity and school found violating Sections 2, 3 and 4 of this Act or the rules and regulations promulgated thereunder shall be punished by a fine not exceeding One hundred thousand pesos (P100 ,000.00).

If the violation is committed by a corporation, trust or firm, partnership, association, entity and school, the penalty of imprisonment of not less than thirty (30) days nor more than six (6) months in addition to the fine mentioned in the preceding paragraph shall be imposed on the entity's responsible officers, such as, the president, vice-president, chief executive officer, general manager, managing director or partner directly responsible therefor, and principal.

SEC. 7. Nothing in this Act shall be construed to reduce any existing benefits of any form granted under existing laws, decrees, executive orders, or collective bargaining agreement or policy between the employer and employee.

SEC. 8. All laws, ordinances, rules, regulations, issuances, or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 9. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,