

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

Nineteenth Congress  
First Regular Session

HOUSE BILL NO. 6101



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**Introduced by Representative Romulo “Kid” Peña, Jr.**

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**EXPLANATORY NOTE**

This bill seeks to grant mental health wellness leave to all employees.

Section 15, Article II of the Constitution provides that *“The State shall protect and promote the right to health of the people and instill health consciousness among them.”*

The World Health Organization defines mental health as *“a state of well-being in which the individual realizes his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his or her community.”* Mental health, therefore, is more than just the presence of psychotic disorder or sickness but, more importantly, also redounds to a positive condition of one’s mental well-being.

In the Philippines, a survey conducted by the Department of Health (DOH) in 2020 indicated that at least 3.6 million Filipinos suffer from mental conditions during the pandemic. Said data also showed that there is an alarming increase in the calls received by the National Center for Mental Health (NCMH) crisis hotline. Moreover, data from the National Mental Health Program (NMHP) account at least 1,145,871 individuals with depressive disorder, 874,145 with alcohol use disorder, 520,614 with bipolar disorder, 349,058 with epilepsy, and 213,422 individuals with schizophrenia.

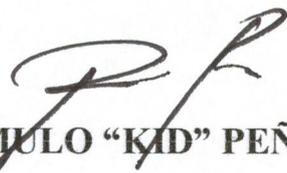
Past data from DOH also include that in 2005, among 327 government employees in Metro Manila, 32% were found to have experienced mental health problems. Among the youth, depression, anxiety and mood disorders were found to be the most common (WHO 2004). Almost one per 100 households (0.7%) has a member with mental disability (DOH-SWS 2004). As early as 2003, intentional self-harm was already found to be the 9<sup>th</sup> leading cause of death among 20 to 24-

year old Filipino adults (DOH, 2003). The incidence of suicide in males increased from 0.20 to 3.59 per 100,000 between 1984 and 2005 while rates rose from 0.12 to 1.09 per 100,000 in females (Redaniel, Dalida and Gunnell, 2011).

Seeing these alarming statistics, it is with utmost urgency that the government should address the problem of mental health. It is therefore proposed that all employees in the private and public sectors be given a 5-day mental health wellness leave. This is to give the employees the opportunity to reassess positively their mental well-being with the help of professionals.

It is proposed in this bill that the employers will offer mental health wellness activities that employees shall attend while on leave. All these with the greatest hope that these employees will realize their own abilities to cope with the normal stresses of life, can work and study productively and fruitfully and be able to make a good contribution to the community.

In view of the foregoing, approval of this bill is highly and earnestly recommended.

  
ROMULO "KID" PEÑA, JR.

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**AN ACT  
GRANTING MENTAL HEALTH WELLNESS LEAVE  
TO ALL EMPLOYEES**

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

**SEC. 4.** Any corporation, trust, firm, partnership, association, and entity 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, and entity, 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.

**SEC. 5.** 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. 6.** All laws, ordinances, rules, regulations, issuances, or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

**SEC. 7.** This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,