

[PRESIDENTIAL DECREE 148]

AMENDING FURTHER CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED
SIX HUNDRED SEVENTY-NINE, AS AMENDED, COMMONLY KNOWN
AS THE WOMAN AND CHILD LABOR LAW

WHEREAS, under Section 9, Article II of the New Constitution, the State shall among other policies, afford protection to labor, promote full employment and equality in employment, ensure equal work opportunities regardless of sex, race, or creed, and regulate the relations between workers and employers;

WHEREAS, there is an urgent need to translate these policies into meaningful reality consistent with the demands of national development particularly in so far as the employment of women and minors is concerned;

WHEREAS, to effect those objectives, it is necessary to amend further Republic Act No. 679, commonly known as the Woman and Child Labor Law;

Sec. 3. Section 3 of the same Act is repealed and in lieu thereof, a new Section is inserted to read as follows:

“Sec. 3. *Additional coverage.* -- Any woman who is permitted or suffered to work, with or without compensation in any nightclubs, cocktail lounges, bars, massage clinics, or in any similar places, shall be considered as employees of such establishments for purposes of this and other existing labor and social legislations.”

Sec. 4. Section 7 of the same Act is further amended by amending paragraph (b) to read as follows:

“(b) No woman, regardless of age, shall be allowed to work, with or without compensation, in any industrial undertaking or branch thereof between ten o’clock at night and six o’clock in the morning of the following day, except for activities which may be allowed by the Secretary of Labor through implementing rules and regulations.”

Sec. 5. Section 8 of the same Act is further amended to read as follows:

Sec. 8. Maternity Leave Benefits. –

- (a) Every employer shall grant to any pregnant woman employee who has rendered an aggregate service of at least six months for the last twelve months, maternity leave of at least two weeks prior to the expected date of delivery and another four weeks after normal delivery or abortion, with full pay based on her regular or average weekly wages. The employer may require from any woman employee applying for maternity leave the production of a medical certificate stating that delivery will probably take place within two weeks.
- (b) The maternity leave shall be extended without pay on account of illness medically certified to arise out of the pregnancy, delivery, abortion, or miscarriage, which renders the woman unfit for work, unless she has earned unused leave credits from which such extended leave may be charged.
- (c) The maternity leave provided in the preceding paragraph shall be paid by the employer only for the first four deliveries by a woman employee after the effectivity of this Decree.
- (d) The Secretary of Labor may by regulation require an employer to establish a nursery in his workplace for the benefit of his women employees.
- (e) Establishments which are required by law to maintain a clinic or infirmary shall provide free family planning services to their employees which shall include, but not limited to, the application or use of contraceptive and/or intra-uterine devices.
- (f) In coordination with the other agencies of the Government engaged in the promotion of family planning, the Department of Labor shall develop and prescribe incentive bonus schemes to encourage family planning among the married workers in any establishment or enterprise.”

Sec. 6. Section 9 of the same Act is further amended by amending paragraph (b) and by adding thereto paragraph (c) to read as follows:

- “(b) It shall be the duty of every employer to give his employees not less than sixty minutes time-off for their regular meals, unless otherwise prescribed by the Secretary of Labor.”
- “(c) The Secretary of Labor shall also establish standards that will insure the health and safety of women employees.”

Sec. 7. Section 10 of the same Act is hereby repealed.

Sec. 8. Section 12 of the same Act as amended, is further amended by amending paragraph (c) to read as follows:

“(c) It shall be unlawful for an employer to require as a condition of employment or continuation of employment that a woman employee shall not get married, or to stipulate expressly or tacitly that upon getting married a woman employee shall be deemed resigned or separated, or to actually dismiss; discharge, discriminate or otherwise prejudice a woman employee merely by reason of her marriage.”

Done in the City of Manila, this 13th day of March, nineteen hundred and seventy-three.