

[**DOLE, August 05, 1996**]

**IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT
NO. 8187 FOR THE PRIVATE SECTOR**

Pursuant to Republic Act No. 8187 entitled, "An Act Granting Paternity Leave Of Seven (7) Days With Full Pay To All Married Male Employees In the Private and Public Sectors For the First Four (4) Deliveries Of the Legitimate Spouse With Whom He Is Cohabiting And For Other Purposes," the following Rules and Regulations are hereby issued:

SECTION 1. Definition of Terms. — As used in this Rules, the following terms shall have the meaning as indicated hereunder:

- a. "**Paternity Leave**" refers to the leave credits granted to a married male employee to allow him to earn compensation for seven (7) working days without reporting for work, provided that his spouse has delivered a child or had a miscarriage or an abortion for the purpose of lending support to his wife during her period of recovery and/or the nursing of the newly born child.
- b. "**Employee**" refers to any person who performs services for an employer and receives compensation therefor, provided an employer-employee relationship exists between them.
- c. "**Delivery**" refers to childbirth, miscarriage or abortion.
- d. "**Spouse**" refers to the lawful wife. For this purpose, lawful wife refers to a woman who is legally married to the male employee concerned.
- e. "**Cohabiting**" refers to the obligation of the husband and wife to live together.

SECTION 2. Coverage. — Every married male employee in the private sector shall be entitled to paternity leave benefits of seven (7) working days with full pay for the first four (4) deliveries by his lawful spouse under such terms and conditions as hereinafter provided.

The rules on paternity leave of employees in the public sector shall be promulgated by the Civil Service Commission.

SECTION 3. Conditions for entitlement of paternity leave benefits. — A married male employee shall be entitled to paternity benefits provided that:

- a. he is employed at the time of delivery of his child;
- b. he has notified his employer of the pregnancy of his wife and her expected date of delivery subject to the provisions of Section 4 hereof; and