



DILGinsider

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Father-talk: Paternity Leave

Married DILG male employees who want to take care of their wives and newborns should not delay the filing of their paternity leave, as the latest civil service rule provides the exact period within which the said leave privilege may be availed of.

Civil Service Commission (CSC) Memorandum Circular No. 1 series of 2016 specifies that the seven-day paternity leave can only be availed not later than 60 days after the child's date of delivery.

The said circular amends the Omnibus Rules on leave which specified the conditions for the grant of paternity leave, except for the specific period of leave availment.

The rule now reads: *"Paternity leave of seven days shall be non-cumulative and strictly non-convertible to cash. The same may be enjoyed either in a continuous or in an intermittent manner by the employee on the days immediately, before, during, and after the childbirth or miscarriage of his legitimate spouse. Said leave shall be availed of not later than 60 days after the date of the child's delivery."*

According to the CSC, the subject circular was issued to harmonize the policy on availing of paternity leave in the public sector with that of the private sector, which specifies the same period of availment.

Republic Act No. 8187, also known as the Paternity Leave Act of 1996, grants paternity leave of seven days with full pay to all married male employees in the private and public sectors to enable the married male employee to effectively lend support and assistance to his wife in her period of recovery and in the nursing of their newly born child.

Under the said law, these are the conditions for the grant of paternity leave:

- The new father must be legally married to the mother of the newborn child
- He is an employee at the time of birth or miscarriage
- He is cohabiting with his wife at the time she gives birth or suffers a miscarriage
- He has applied for paternity leave within reasonable time from the expected date of delivery of his pregnant wife or within such period as provided by company rules or by collective bargaining agreement
- His wife has given birth or suffered a miscarriage

In order to avail of the paternity leave, concerned employees have to notify the employer within reasonable time about the wife's pregnancy and expected date of delivery. But in the case of miscarriage or abortion, prior notification is not required.

The Rules also provide that employed fathers can avail of this benefit only up to four deliveries so subsequent childbirths are not anymore covered.

Daryl Jaramilla & Ma. Evelyn Castino-Quilas - PACS

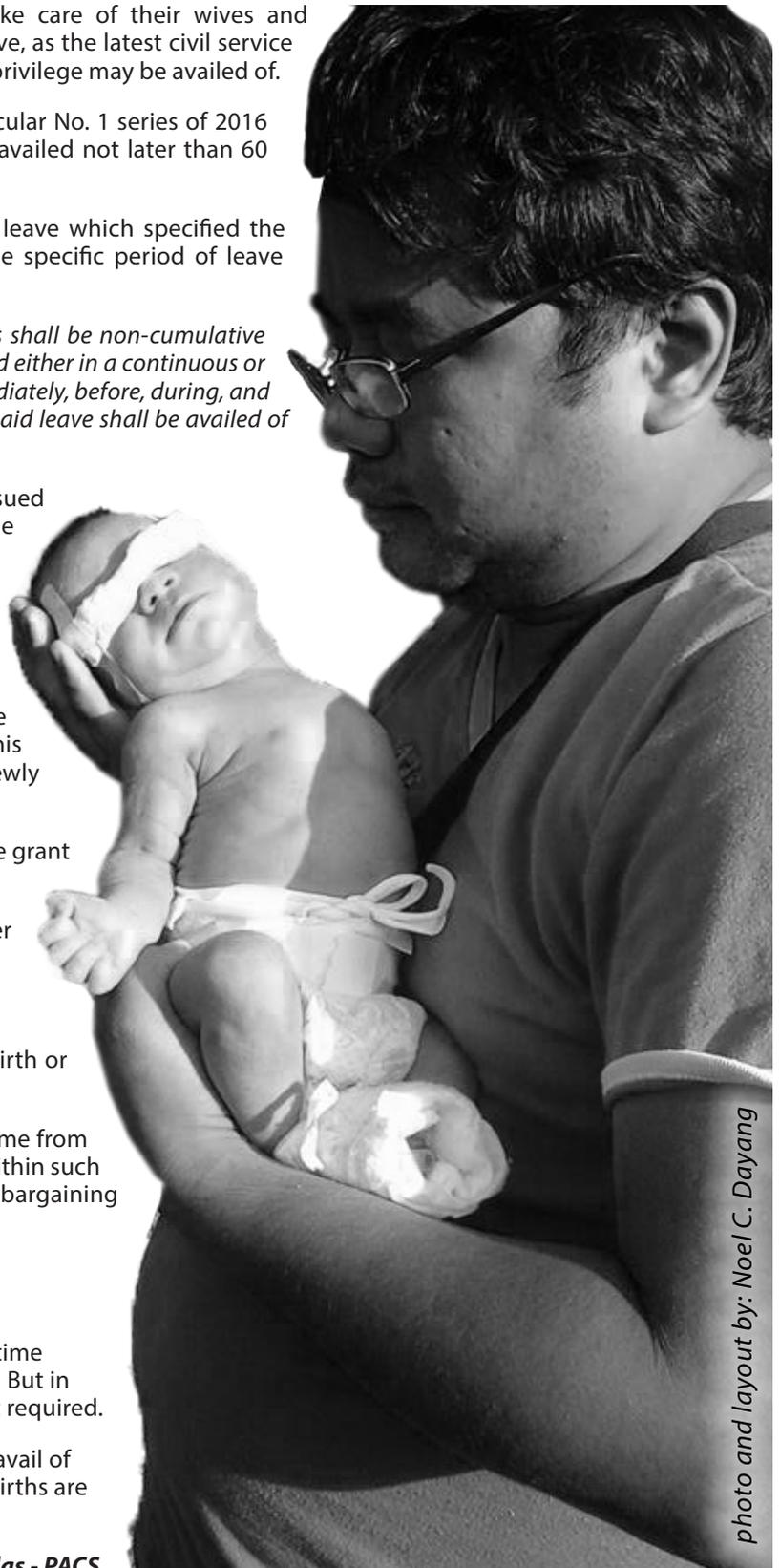


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We, the DILG Central Office, commit to formulate sound policies and provide effective technical and administrative services to promote excellence in local governance, strengthen local government capacities, and enhance the service delivery of our Regional and Field Offices.