

[PRESIDENTIAL DECREE NO. 1202]

FURTHER AMENDING REPUBLIC ACT NO. 1161 OTHERWISE KNOWN AS
SOCIAL SECURITY LAW

SEC. 7. Republic Act No. 1161 is hereby amended by adding a new section after Section 14 thereof, to read as follows :

“SEC. 14-A. *Maternity Leave Benefits.* – Any female employee covered under this Act for whom at least three monthly maternity contributions in the twelve-month period immediately preceding the semester of her childbirth, abortion, or miscarriage have been paid in accordance with section eighteen (a) hereof and who is currently employed shall be paid a daily maternity benefit equivalent to one hundred percent of her average daily salary credit for forty-five days subject to the following conditions :

- (a) That the employee shall have notified her employer of her pregnancy and the probable date of her childbirth which notice shall be transmitted to the SSS in accordance with the rules and regulations it may provide;
- (b) That payment shall be advanced by the employer in two equal installments within thirty days from the filing of the maternity leave application;
- (c) That payment of daily maternity benefits shall be a bar to the recovery of sickness benefits provided by this Act for the same compensable period of forty-five days for the same childbirth, abortion, or miscarriage;
- (d) That the maternity benefits provided under this Section shall be paid only for the first four deliveries after March 31, 1973;
- (e) That the SSS shall immediately reimburse the employer of one hundred per centum of the amount of maternity benefits advanced to the employee by the employer upon receipt of satisfactory proof of such payment and legality thereof;
- (f) That if an employee should give birth or suffer abortion or miscarriage without the required contributions having been remitted for her by her employer to the SSS, or without the latter having been previously notified by the employer of time of the pregnancy, the employer shall pay to the SSS damages equivalent to the benefits which said employee would otherwise have been entitled to, and the SSS shall in turn pay such amount to the employee concerned.

“Provided, however, That for contingencies occurring during the period from January 1, 1978 to June 30, 1978, the payment of social security contributions shall instead be required for entitlement to maternity benefits.

SEC. 10. Republic Act No. 1161 is hereby amended by Adding a new section after Section 18 thereof, to read as follows:

“SEC. 18-A. Additional Contributions for Maternity Benefits. – The employer shall remit to the SSS an additional contribution equivalent to 0.4% of the monthly salary credit of all his employees and if any contribution is not paid to the SSS as herein prescribed, he shall pay , besides the contribution, a penalty of 3% per month from the date the contribution falls due until paid.

“The contribution provided hereunder shall be collected, administered and disbursed in the same manner, conditions, requirements and safeguards as those provided for other funds collected and kept by the SSS in accordance with this Act and shall be kept separate and distinct from all such other funds of the SSS.”

DONE in the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and seventy-seven.