

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 47



Introduced by HON. LINABELLE RUTH R. VILLARICA
4TH DISTRICT, BULACAN

EXPLANATORY NOTE

The Public Employment Service Office (PESO), as provided for under R.A. No. 8759 must perform the task of facilitating the access of job seekers to employment opportunities. This institutional employment services arm of the government is duty-bound to stimulate employment in times of economic slowdown.

Labor data indicate that unemployment rate has improved a bit in the last five years at 7% (or 2.8 million) in 2011. The number of underemployed is estimated at 7.2 million (or 19.3%). The State can contribute to improve this picture by upgrading pertinent laws.

This bill seeks to amend the present PESO Law so as to substantially implement it by allocating funds for the establishment, operation and maintenance of the PESO office. This bill will establish a labor market information infrastructure at the grassroots for a more efficient and effective provision of employment services.

During the 15th Congress, this proposed bill was approved by the House Committee on Labor and Employment but due to time constraints, no further action was taken on it. The same bill is filed for the consideration of the 16th Congress.

Support for the enactment of this measure is earnestly sought.

REP. LINABELLE RUTH R. VILLARICA

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AN ACT DEFINING THE ROLE OF THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) AND THE LOCAL GOVERNMENT UNITS (LGUs) ON THE ESTABLISHMENT AND OPERATION OF THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO), AND THE OPERATION OF JOB PLACEMENT OFFICE IN SUCs AND NGOs, AMENDING FOR THE PURPOSE SECTIONS 3, 6, 7 AND 9 OF REPUBLIC ACT No. 8759, OTHERWISE KNOWN AS THE PUBLIC EMPLOYMENT SERVICE OFFICE ACT OF 1999

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 3 of R.A. No. 8759, otherwise known as the "Public Service Employment Office Act of 1999" is hereby amended to read as follows:

"SECTION 3. Establishment of the Public Employment Service Office.

"To carry out the above-declared policy, there shall be established in all [capital towns of] provinces, [key] cities, and [other strategic areas] MUNICIPALITIES a Public Employment Service Office, hereinafter referred to as "PESO", which shall be [community-based and] OPERATED AND maintained [largely] by local government units (LGUs). [and a number of non-governmental organizations (NGOs) and state universities and colleges (SUCs)]. The PESO shall be linked to the regional offices of the Department of Labor and Employment (DOLE) for coordination and technical supervision, and to the DOLE central office, to constitute the national PUBLIC employment service network.

UPON THE REQUEST OF THE NGO OR SUC, THE DOLE MAY ENTER INTO A MEMORANDUM OF AGREEMENT FOR THE FORMER TO ESTABLISH, OPERATE AND MAINTAIN A JOB PLACEMENT OFFICE.

TO HARMONIZE THE PROVISION OF EMPLOYMENT SERVICES IN A GIVEN TERRITORIAL JURISDICTION, THE JOB PLACEMENT OFFICE AT THE NGO AND SUC SHALL COORDINATE THEIR ACTIVITIES WITH THE NEAREST PESO.

SEC. 2. Section 6 of the same law is hereby amended to read as follows:

“SECTION 6. Other Services of the PESO.

“In addition to the functions enumerated in the preceding section, every PESO shall [also] undertake [the following] STRATEGIES, programs and activities [.] TO MAKE THE PROVISION OF EMPLOYMENT SERVICES EFFECTIVE AND EFFICIENT.”

[(a) Jobs Fairs – These shall be conducted periodically all over the country to bring together in one venue job seekers and employers for immediate matching;]

[(b) Livelihood and Self-employment Bazaars – These will give clients information on the wide array of livelihood programs they choose to avail of, particularly in the rural area;]

[(c) Special Credit Assistance for Placed Overseas Workers – This type of assistance will enable poor but qualified applicants to avail of opportunities for overseas employment;]

[(d) Special Program for Employment of Students and Out-of-School Youth (SPESOS) – This program shall endeavor to provide employment to deserving students and out-of-school youths coming from poor families during summer and/or Christmas vacations as provided for under R.A. No. 7323 and its implementing rules, to enable them to pursue their education;]

[(e) Work Appreciation Program (WAP) – This program aims to develop the values of work appreciation and ethics by exposing the young to actual work situations;]

[(f) Workers Hiring for Infrastructure Projects (WHIP) – This program is in pursuance of R.A. No. 6685 which requires construction companies, including the Department of Public Works and Highways contractor for government-funded infrastructure projects, to hire thirty percent (30%) of skilled and fifty percent (50%) of unskilled labor requirements from the areas where the project is constructed/located; and]

[(g) Other programs/activities developed by DOLE to enhance provision of employment assistance to PESO clients, particularly for special groups of disadvantaged workers such as persons with disabilities (PWDs) and displaced workers.]”

SEC. 3. Section 7 of the same law is hereby amended to read as follows:

“SECTION 7. Role of DOLE [.] and LGU[s], NGOs, CBOs and SUCs].

[Upon the request of the LGUs, NGOs, CBOs, SUCs which do not have existing PESOs, the establishment, operation and maintenance of PESOs shall be undertaken by the DOLE. The DOLE shall enter into memoranda of agreements with the concerned LGUs, NGOs, CBOs, SUCs for the establishment, operation and maintenance of PESOs in their respective areas of jurisdiction and the

institutionalization of existing PESOs.] THE DOLE AND THE LGUs SHALL JOINTLY ESTABLISH THE PESO.

It shall be the responsibility of the DOLE to:

(a) PROVIDE TECHNICAL SUPERVISION, COORDINATION AND CAPACITY-BUILDING TO THE PESO;

(b) Establish and maintain a computerized [national manpower] HUMAN RESOUCCE AND JOB registr[y]IES [of skills and employment and business opportunities] to facilitate the provision and packaging of employment assistance to PESO cliernts and [the] TO set[ting-]up [of] intra- and inter-regional job clearance system as part of the overall employment service network;

[(b) Provide office space, equipment and/or supplies, as well as necessary personnel complement to manage, operate and maintain the PESO;]

[(c) Designate in consultation with the LGU, NGO, CBO or SUC concerned, a qualified [project manager and/or key personnel who shall be responsible fo the operation and management of the PESO;]

[(d)c) Provide technical assistance and allied support services to the PESO[;], INCLUDING, BUT NOT LIMITED TO, TRAINING OF PESO PERSONNEL IN THE VARIOUS ASPECTS OF EMPLOYMENT FACILITATION FUNCTIONS;

[(e)d) [Train PESO personnel in the various aspects of employment facilitation functions] SET STANDARDS FOR THE ESTABLISHMENT AND OPERATION OF THE PESO OFFICE, AND QUALIFICATION STANDARDS FOR THE PESO PERSONNEL;

[(f)e) Extend [/facilitate such] other packageS of employment services [to the provisions of employment assistance] to [clients of] the LGU, NGO, or SUC concerned, including the conduct of job fairs, CAREER ADVISE, ETC.. [and other activities]; and

[(h)f) [Undertake] Monitor, assess, and evaluate the PERFORMANCE OF THE PESO NETWORK, INCLUDING THE JOB PLACEMENT OFFICES AT THE SUC AND NGO [the PESO program implementation].

[For their part the LGUs, NGOs, CBOs or SUCs shall extend the following assistance and services as may be necessary in the promotion of employment within their respective areas of jurisdiction.] FOR THEIR PART, PERSONS WHO ARE SEEKING EMPLOYMENT, PARTICULARLY THE UNEMPLOYED, SHALL REGISTER AT THE PESO FOR EMPLOYMENT FACILITATION ASSISTANCE. THE ESTABLISHMENTS, ON THE OTHER HAND, SHALL SUBMIT THEIR JOB VACANCIES AS WELL AS APPLICANTS HIRED TO THE PESO TO ENSURE THE AVAILABILITY OF ACCURATE INFORMATION ON SUPPLY AND DEMAND FOR SKILLS IN THE LABOR MARKET.

IT SHALL BE THE RESPONSIBILITY OF THE CONCERNED LGU
TO:

(A) OPERATE AND MAINTAIN THE PESO;

(B) ENSURE COMPLIANCE WITH THE OPERATIONAL STANDARD SET
BY THE DOLE;

(C) EXTEND SUCH ASSISTANCE AND SERVICES AS MAY BE
NECESSARY IN THE PROMOTION OF EMPLOYMENT WITHIN THE
AREA OF JURISDICTION; AND

(D) SUBMIT TO THE DOLE PERIODIC
PERFORMANCE/ACCOMPLISHMENT REPORTS.”

SEC. 4. Section 9 of the same law shall be amended to read as follows:

SECTION 9. *Funding.* [The amount necessary for the initial implementation of this Act shall be charged against the existing appropriation of the DOLE and its operating agencies. Thereafter, the amount needed for the full implementation of this Act shall be included in the budget of the DOLE in the succeeding General Appropriations Act.]

THE ANNUAL BUDGETARY REQUIREMENT OF ITS PESO SHALL BE INCLUDED IN THE ANNUAL BUDGETARY APPROPRIATION OF THE LGU. THE SUC AND NGO SHALL PROVIDE THE RESOURCES FOR THE OPERATION OF THEIR JOB PLACEMENT OFFICES.

FUNDS FOR THE PROVISION OF TECHNICAL ASSISTANCE, TRAINING AND SUPERVISION OF THE PESO SHALL BE INCLUDED IN THE BUDGET OF THE DOLE IN THE GENERAL APPROPRIATIONS ACT.

SEC. 5. *Implementing Rules and Regulations.* - The Secretary of Labor and Employment shall issue the necessary rules and regulations for the effective implementation of this Act within ninety (90) days after its effectivity.

SEC. 6. *Repealing Clause.* - All laws, decrees, executive orders, proclamations, rules and regulations or any part thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed or modified accordingly.

SEC. 7. *Separability Clause.* - If for any reason, any section or provision of this Act or any part thereof, or the application of such section, provision or portion is declared invalid or unconstitutional, the remainder thereof shall not be affected by such declaration.

SEC. 8. *Effectivity.* - This Act shall take effect after fifteen (15) days from the date of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,