

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

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 827



Introduced by **Representative Emmeline Y. Aglipay, DIWA Party-list**

EXPLANATORY NOTE

The promotion of employment is one of the key functions of government, and the Public Sector Employment Office (PESO) plays an important role in stimulating employment in the country, particularly amongst the youth. As a result, it is necessary to reevaluate the PESO governing law, in order to improve the efficiency and the financial viability of the Offices, and ensure that they perform their functions in an efficient and harmonious manner.

This bill, in the spirit of House Bill no. 4602 of the 15th Congress, seeks to make those necessary changes to Republic Act no. 8759 by defining the establishment of PESOs in cities and municipalities and ensuring their proper operation and maintenance through the LGUs. The LGUs are in the best position to tailor-fit and adjust the services being offered by the PESO to the public in order that they may be more effective in providing employment to the unemployed within their jurisdiction. All these effort must still be done in coordination with the DOLE Regional Offices and under the umbrella of supervision of the DOLE Central Office.

These amendments are necessary in order to ensure proper and more efficient delivery of services by the PESO.

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Representative, DIWA Party-list

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HOUSE BILL NO. 827

Introduced by **Representative Emmeline Y. Aglipay, DIWA Party-list**

**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 House of Representatives of the Republic 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 NGO/SUC
TO ESTABLISH, OPERATE, AND MAINTAIN, A JOB PLACEMENT
OFFICE.**

**TO HARMONIZE THE EMPLOYMENT SERVICES IN A GIVEN
TERRITORIAL JURISDICTION, THE JOB PLACEMENT OFFICES AT**

THE NGOs AND SUCs SHALL COORDINATE THEIR ACTIVITIES WITH THE NEAREST PESO.

SECTION 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 ENSURE EMPLOYMENT SERVICES ARE 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.]"

SECTION 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 registry] **HUMAN RESOUCE AND JOB REGISTRIES** [of skills and employment and business opportunities] to facilitate the provision and packaging of employment assistance to PESO clients and [the setting up of] **TO SET UP** intra- and inter-regional job clearance systemS 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 for 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

[(g)] (F) [Undertake] M[m]onitor, 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."**

SECTION 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 THE 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.

SECTION 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.

SECTION 6. Separability Clause. - If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 7. Repealing Clause. - All laws, executive orders, presidential decrees, presidential proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved.