

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **2472**



INTRODUCED BY REP. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

The Constitution, Article XIII, Section 3 provides:

"The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all."

Unemployment and underemployment are perennial problems of the Philippine government. This undoubtedly places the mature and older workers at a disadvantage. Those who are previously employed may suddenly find themselves jobless, while those who have never been employed might have less chances of being hired because of increased competition.

This bill seeks to establish programs to prepare mature or older workers for participation in the labor force by increasing occupational and educational skills resulting in improved long-term employability, increased employment and earnings.

In view of the foregoing, passage of this bill is earnestly sought.

MARCELINO "MARCY" R. TEODORO
Representative
1st District, City of Marikina

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**AN ACT TO ESTABLISH A JOB TRAINING PROGRAM
FOR MATURE AND OLDER WORKERS**

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

SECTION 1. Short Title. – This Act shall be known as the "Mature and Older Workers Act."

SEC. 2. Declaration of Policy. – It is the policy of the State to afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.

SEC. 3. Definition of Terms. – As used in this Act unless the context indicates otherwise, the following definition of terms shall be adopted:

- A. "Basic Skills Deficient" means, with respect to an individual, that the individual has English reading or computing skills at or below the 8th grade level on a generally accepted standardized test or a comparable scope on a criterion referenced test;
- B. "Care Management" means the provision in the delivery of a service of a client-centered approach designed to –
 - 1. Prepare and coordinate a comprehensive employment plan, such as a service strategy, for a participant to ensure access to a necessary training and support service; and
 - 2. Provide job and career counseling during program participation and offer job placement;
- C. "Educational Agency" means -
 - 1. A public local school authority having administrative control of elementary, middle, or secondary school or providing adult education;
 - 2. A public or private institution that provides alternative middle or high school education;
 - 3. A public education institution or agency having administrative control of secondary or post-secondary vocational education programs; or
 - 4. A post-secondary institution;
- D. "Mature or Older Worker" means an individual who is over forty (40) years of age or older;
- E. "Participant" means an individual who has been determined to be eligible to participate in the program;

- F. "School Dropout" means an individual who has not completed schooling but has been determined to be eligible to participate in the program; and
- G. "Termination" means the separation of a participant who is no longer receiving services.

SEC. 4. Eligibility for Services. - An individual shall be eligible to participate in the program assisted under this part of such individual is forty (40) years of age or older and is included in one or more of the following categories:

- A. Individuals whose income is not in excess of the poverty line;
- B. Individuals who are eligible for housing assistance; or
- C. Individuals who are included in 2 or more of the following categories:
 - 1. Individuals who are unemployed 15 of the past 26 weeks;
 - 2. Individuals who are unemployed 30 of the past 52 weeks;
 - 3. Individuals who are working 20 or fewer hours a week;
 - 4. Individuals who are displaced homemakers;
 - 5. Individuals who are homeless;
 - 6. Individuals who have finished less than 10 years of school;
 - 7. Individuals who are deficient in basic skills;
 - 8. Individuals who have been notified that the jobs of such individuals will be terminated within the next 60 days; or
 - 9. Individuals who live alone.

SEC. 5. Program Design. -

- A. *Program Requirements.* - Each program assisted under this part shall include –
 - 1. An objective assessment, using the case management technique of the skill levels and service needs of each participant including such factors as basic skills, occupational skills, prior work experience, employability, interests, aptitudes, including interests and aptitudes for non-traditional employment, and supportive service needs, except that a new assessment of a participant is not required if the program determines that a recent assessment of the participant conducted under another education or training program, is an appropriate assessment.
 - 2. Development of service strategists that shall identify the employment goal (including, in appropriate circumstances, non-traditional employment), the appropriate achievement objectives, and the appropriate sequence of services for participants, taking into account the assessments conducted under subparagraph (1), except that a new service strategy is not required if the program determines a recent service strategy developed for the participant under another education or training program in an appropriate service strategy;
 - 3. A review of the progress of each participant in meeting the objectives of the service strategy; and
 - 4. Basic skills training and occupational skills training if the assessment and the service strategy indicate such training are appropriate.
- B. *Additional Requirements.* -
 - 1. *Minimum Income Participants and Applicants.* - Each service delivery area participating in a program assisted under this part shall insure that each participant or applicant shall be provided information on the full array of the applicable or appropriate services that are available through the service delivery area or other service providers, including providers

receiving funds under this Act; and referral to other appropriate training and educational programs that have the capacity to serve the participant or applicant either on a sequential or concurrent basis.

2. *Applicants Not Meeting Enrollment Requirements.* - Each service provider shall ensure that an eligible applicant who does not meet the enrollment requirements of the particular program of the provider shall be referred to the service delivery area for further assessment, as necessary, and referrals to appropriate programs to meet the basic skills and training needs of the applicant. The service delivery area shall ensure that appropriate referrals are made and shall maintain records on the referrals and the reasons for which applicants are referred.
3. *Authorized Services.* - One or more of the following training or supportive services shall be made available to each participant under this part:
 - a. Outreach and recruitment;
 - b. Intake and assessment;
 - c. Job search assistance;
 - d. Classroom and occupational skill training;
 - e. On-the-job training;
 - f. Work experience;
 - g. Basic remedial and education and literacy training;
 - h. Supplemental services, including day care for dependent children and adults;
 - i. Occupational placement assistance.

C. *Service Providers.* - In the selection of service providers, the Department of Labor and Employment shall give preference to agencies and organizations with demonstrated experience in conducting older and mature worker programs. The Department of Labor and Employment shall develop the job training program under this Act. It may seek the assistance of older government agencies such as the Department of Education and the help of private educational agencies. It shall also formulate the necessary implementing rules and regulations that will ensure the efficient and effective implementation of this Act.

SEC. 6. Report. - The Secretary shall submit to the President of the Philippines and to both the Houses of Congress, not later than the opening of the regular session each year, an annual report on the status of the implementation of this Act. The annual report shall include an analysis, for each province and on a nationwide basis, of the number of participants serviced under this Act, and the type of services under this Act received by participants.

SEC. 7. Separability Clause. - Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SEC. 8. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,