

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**SEVENTEENTH CONGRESS
First Regular Session**

House Bill No. 4596



INTRODUCED BY REPRESENTATIVE ARTHUR C. YAP

EXPLANATORY NOTE

With a declared policy to provide relevant, accessible, high quality and efficient technical education and skills development Republic Act No. 7796 was ordained in August 1994. The Technical Educations and Skills Development Authority was thus born.

The creation of TESDA was a result of the then Congressional Commission on Education, which in 1991 undertook a national review of the state of Philippine education and manpower development. The then National Manpower and Youth Council (NMYC) and Apprenticeship Program of the Bureau of Local Employment (BLE) under the Department of Labor and Employment (DOLE) and the Bureau of Technical and Vocational Education (BTVE) under the then Department of Education, Culture and Sports (DECS) were fused to form TESDA.

Today, 22 years after its inception TESDA has become synonymous to the authority in technical vocational education and training (TVET). It has laid out clear directions, with formulated plans and policies for the sector. It has pioneered a job matching system and created training programs that can be specifically utilized and applied for available jobs in the market.

It has developed competency assessment and certification of workers continuously done in the pursuit of professionalizing skilled workers. It offers several training modalities, which may be school-based, center-based, enterprise-based and community-based. It has several administered schools, training centers, enterprise-based training through apprenticeship and community-based training in cooperation with LGUs and other governmental partners.

This bill seeks to create the Department of Technical Education and Skills Development. The TESDA shall be subsumed under the said new Department. This new Department shall be the primary policy formulation, planning, coordinating, implementing, regulating and administrative entity of

the government for technical education and skills development policies, plans and programs. It shall now be headed by a Secretary with 3 Undersecretaries and 3 Assistant Secretaries. There will be regional offices headed by Regional Directors. The existing TESDA secretariat would be enlarged and empowered more.

With this proposal, the TESDA will be strengthened as an institution. It would have a better capacity to fulfill its mandate for the Filipino workforce, the world's primary manpower source, a truly world class worker.

In view of the foregoing, the immediate consideration and passage of the bill is earnestly sought.



ARTHUR C. YAP
Representative



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AN ACT
ESTABLISHING THE DEPARTMENT OF TECHNICAL
EDUCATION AND SKILLS DEVELOPMENT (DOTESD),
DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR, AMENDING
REPUBLIC ACT NO. 7796, OTHERWISE KNOWN AS
THE TESDA ACT OF 1994, AND FOR OTHER
PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the
2 "Department of Technical Education and Skills Development Act of 2016."

3 **SECTION 2. *Declaration of Policies*** – It is the continued objective
4 of this Act to further promote quality technical education and skills
5 development programs to attain international competitiveness; meet the
6 changing demands for quality middle-level manpower; disseminate scientific
7 and technical knowledge base of middle-level manpower development
8 programs; recognize and encourage the complementary roles of public and
9 private institutions in technical education and skills development and training
10 systems; and inculcate desirable values through the development of moral

1 character with emphasis on work ethic, self-discipline, self- reliance and
2 nationalism.

3 **SECTION 3. *Creation of a Department of Technical Education and***
4 ***Skills Development.*** - There is hereby created a Department of Technical
5 Education and Skills Development (DOTESD), hereinafter referred to as the
6 Department, which shall, replace the Technical Education and Skills
7 Development Authority (TESDA) created under Republic Act No. 7796, as
8 amended, and implement the policies of this Act.

9 **SECTION 4. *Mandate.*** - The Department shall be the primary policy
10 formulation, planning, coordinating, implementing, regulating and
11 administrative entity of the Government for technical education and skills
12 development policies, plans and programs.

13 **SECTION 5. *Powers and Functions of the Department.*** – Other than
14 the powers and function of the TESDA Board under Section 8 of R. A. 7796,
15 the Department shall have the following powers and responsibilities, which
16 shall be exercised by its offices:

- 17 a) Formulate and recommend national policies and guidelines and conduct
18 in-depth studies on all policy areas and options that will promote
19 technical education and skills development, in consultation with the
20 relevant stake holders;
- 21 b) Assess, review, harmonize and coordinate all technical education and
22 skills development policies and programs to ensure overall consistency
23 and implementation of the national policies;
- 24 c) Promote, advance and implement general and specific government
25 objectives for technical education and skills development;

1 d) Promulgate rules and regulations for the implementation of its policies
2 and related laws;

3 o) Administer, accept, hold and utilize property, both personal and real,
4 subject to existing laws, for the purpose of assisting or expediting the
5 work of the Department, and,

6 p) To perform such other functions as maybe needed to achieve its goals
7 and objectives to the fullest and as may be provided by this Act.

8 **SECTION 6. *Composition.*** - Department shall be headed by a
9 Secretary. The Department proper shall be composed of the Office of the
10 Secretary, the Offices of Undersecretaries, and Assistant Secretaries and
11 Regional and Assistant Regional Directors.

12 The TESDA Board created under Sections 6 and 7 of R. A. 7796 is
13 hereby abolished.

14 **SECTION 7. *Secretary of Technical Education and Skills***
15 ***Development.*** – The Secretary shall be appointed by the President of the
16 Republic of the Philippines with confirmation of the Commission on
17 Appointments. The Secretary shall have the following functions:

18 a) Provide executive direction and supervision over the entire operations
19 of the Department and its attached agencies;

20 b) Establish policies and standards for the effective, efficient and
21 economical operation of the Department, in accordance with the
22 programs of the government;

23 c) Review and approve request for financial and manpower resources of
24 all operating offices of the Department;

- 1 d) Designate and appoint officers and employees of the Department,
2 excluding the Undersecretaries and Assistant Secretaries, in
3 accordance with the Civil Service laws, rules and regulations;
- 4 e) Coordinate with other government agencies and public and private
5 interest groups, including non-government organizations (NGOs) and
6 people's organizations (POs) on Department policies and initiatives;
- 7 f) Undertake consultations with other members of the Cabinet and
8 officers of the government relating to technical education and skills
9 development concerns;
- 10 g) Advise the President on the promulgation of executive and
11 administrative orders and regulatory and legislative proposals on
12 matters pertaining to technical education and skills development
13 development;
- 14 h) Advise the President of the activities, programs, plans and all
15 information necessary or relevant to technical education and skills
16 development development;
- 17 i) Coordinate all policies and programs relating to technical education
18 and skills development;
- 19 j) Formulate such rules and regulations and exercise such other powers
20 as may be required to implement the objectives of this Act; and,
- 21 k) Perform such other tasks as may be provided by law or assigned by the
22 President from time to time.

23 **SECTION 8. Undersecretaries.** - The Secretary shall be assisted by
24 three (3) Undersecretaries who shall be appointed by the President upon
25 recommendation of the Secretary: *Provided, That one (1) of the*

1 undersecretaries shall be a career officer coming from the ranks of existing
2 government labor agencies. The undersecretaries shall aid the Secretary in the
3 performance of his/her operational duties, and shall perform such other
4 functions as may be directed by the Secretary, Provided further that, two
5 Undersecretaries shall assume the functions of the former TESDA Deputy
6 Director Generals for Vocational and Technical Education and Training and
7 for Policies and Planning.

8 **SECTION 9. *Assistant Secretaries.*** - The Secretary shall be assisted
9 by three (3) assistant secretaries who shall be career officers appointed by the
10 President upon the recommendation of the Secretary.

11 **SECTION 10. *Qualifications.*** - No person shall be appointed
12 Secretary, Undersecretary or Assistant Secretary of the Department unless he
13 is a citizen and resident of the Philippines of good moral character and of
14 proven integrity.

15 **SECTION 11. *Regional Offices.*** - The Department shall be authorized
16 to establish, operate, and maintain a Regional Office in each of the
17 administrative regions of the country as the need arises. The regional office
18 shall be headed by a Regional Director, who may be assisted by one (1)
19 Assistant Regional Director. The regional offices shall have, within their
20 respective administrative regions, the following functions:

21 a) Implement laws, policies, plans, programs, projects, rules and
22 regulations of the Department;

23 b) Provide technical expertise and know-how and information to
24 technical education and skills development and efficient services;

- 1 c) Coordinate with regional offices of other departments, offices, and
2 agencies and local government units for the consolidation and
3 integration of technical education and skills development programs;
4 and,
5 d) Perform such other functions as may be provided by law or assigned
6 by the Secretary.

7 **SECTION 12. *Transfer of TESDA Secretariat.*** - The TESDA
8 Secretariat created under Section of R. A. 7996 shall comprise the manpower
9 of the Department, Provided That, no employee shall be terminated by virtue
10 of this transfer.

11 The laws and rules on government reorganization as provided for in
12 Republic Act No. 6656, otherwise known as the Reorganization Law, shall
13 govern the transfer and reorganization process of the Department.

14 **SECTION 13. *Sectoral and Industry Task Forces*** - The Department
15 may create sectoral and industry task forces, technical working groups,
16 advisory bodies or committees for the furtherance of its objectives. Additional
17 private sector representatives, such as from the labor sector, academe and
18 private industries directly involved in the development of technical education
19 and skills developments, as well as other National Government Agencies
20 (NGAs), LGUs, and GOCCs, may be appointed to these working groups.

21 **SECTION 14. *Structure and Staffing Pattern*** - The Department shall
22 determine its organization structure and create new divisions or units as it may
23 deem necessary, and shall appoint officers and employees of the Department
24 in accordance with the Civil Service law, rules, and regulations.

1 **SECTION 15. *Appropriation*** - The appropriation allotted for the
2 TESDA shall be transferred to the Department: *Provided*, That the amount
3 needed for the initial implementation of the this Act shall be taken from the
4 current fiscal year's appropriation of the transferred agencies to the
5 Department of Overseas Filipino Workers. Thereafter, the amount needed for
6 the operation and maintenance of the Department shall be included in the
7 General Appropriations Act: *Provided*, That for the next fiscal year, following
8 the approval of this Act, the appropriation for the Department shall not be
9 lower than five billion pesos.

10 **SECTION 16. *Separability Clause*** - If any part or provision of this
11 Act is held unconstitutional or invalid, the other parts or provisions hereof
12 which are not affected thereby shall continue to be in full force and effect.

13 **SECTION 17. *Repealing Clause*** - All laws, orders, rules or
14 regulations which, are inconsistent with or contrary to the provisions of this
15 Act are hereby amended or repealed accordingly.

16 **SECTION 18. *Effectivity*** - This Act shall take effect fifteen (15) days
17 after its publication in at least two (2) national newspapers of general
18 circulation.

APPROVED.