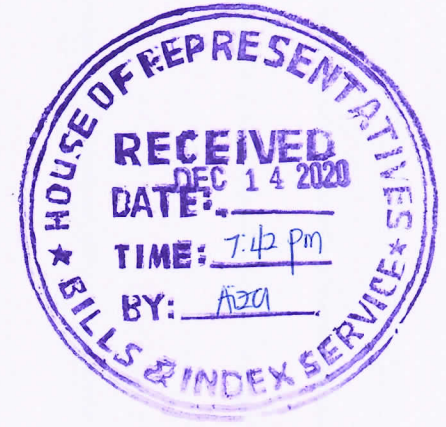




Republic of the Philippines

HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8241

Introduced by MAGSASAKA Party-List Representative
ARGEL JOSEPH T. CABATBAT

EXPLANATORY NOTE

Those who have less in life must have more in law. Laws that must protect those who continuously toil and contribute in nation-building. Our laws are replete with provisions that promote labor rights. The 1987 Constitution provides that:

Article II, Section 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

Article XIII, Section 3. 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.

It shall guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. They shall be entitled to security of tenure, humane conditions of work, and a living wage. They shall also participate in policy and decision-making processes affecting their rights and benefits as may be provided by law.

Likewise, Presidential Decree No. 442, or the Labor Code of the Philippines, provides under Article 211, Declaration of Policy:

- a) To promote and emphasize the primacy of free collective bargaining and negotiations, including voluntary arbitration, mediation and conciliation, as modes of settling labor or industrial disputes;
- b) To promote free trade unionism as an instrument for the

enhancement of democracy and the promotion of social justice and development;

- c) To foster the free and voluntary organization of a strong and united labor movement;
- d) To promote the enlightenment of workers concerning their rights and obligations as union members and as employees;
- e) To provide an adequate administrative machinery for the expeditious settlement of labor or industrial disputes;
- f) To ensure a stable but dynamic and just industrial peace; and
- g) To ensure the participation of workers in decision and policy-making processes affecting their rights, duties and welfare.

These labor laws and rights, however, does not substantially affect most working-class Filipinos since they are not aware of their rights under the law. Often, working-class Filipinos are thrown in to the labor market and accept below-minimum standards of work because of sheer ignorance. According to the Philippine Statistics Authority, 59.5% of the 50,161 establishments inspected in 2015 are violating labor standards laws. Working-class Filipinos, especially those freshly entering the labor force, are left defenseless and ignorant of their rights, and mostly unaware they are being exploited by unscrupulous employers.

This chronic problem can be easily addressed by mandatory subjects in our public and private school system. The K-to-12 curriculum has been envisioned so that the additional two (2) years of basic education can amply prepare our students to be already employable without going to college. Hence, it is imperative that our students have knowledge of their labor rights and benefits under the law to protect themselves from abuse once they face the “real life” and contribute to our nation. Such is a very simple and easy solution to a widespread disease plaguing our working-class population.

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


ARGEL JOSEPH T. CABATBAT
Magsasaka Partylist



Republic of the Philippines

HOUSE OF REPRESENTATIVES

Quezon City

EIGHTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 8241

Introduced by MAGSASAKA Party-List Representative

ARGEL JOSEPH T. CABATBAT

AN ACT

**INSTITUTIONALIZING A COMPREHENSIVE LABOR RIGHTS EDUCATION
IN THE K TO 12 AND TECHNICAL EDUCATION AND SKILLS DEVELOPMENT
CURRICULA, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “*Comprehensive Labor*
2 *Rights Education Act.*”

3 SEC. 2. *Declaration of Policy.* – The State recognizes its role in developing,
4 harmonizing, and prioritizing the Labor laws and promote a just and dynamic social
5 order that will ensure the prosperity and independence of the nation.

6 The state also recognizes the role of the youth in nation-building, and shall
7 prospectively protect their rights and promote their welfare.

8 The State also affirms labor as a primary social economic force. It shall protect
9 the rights of workers and promote their welfare.

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

13 The State shall further guarantee the rights of all workers to self-organization,
14 collective bargaining and negotiations, and peaceful concerted activities, including the
15 right to strike, entitlement to security of tenure, humane conditions of work and a living
16 wage. It shall also promote the principle of shared responsibility between workers and

employers and the preferential use of voluntary modes in settling disputes, including conciliation, and shall enforce their mutual compliance therewith to foster industrial peace.

Ultimately, the State shall promote social justice in all phases of national development, particularly development in labor sector.

SEC. 3. *Definition of Terms.* As used in this Act:

- a) *K to 12 Curriculum* – shall refer to the subjects comprising the course study in the K to 12 Program created under Republic Act No. 10533, otherwise known as Enhanced Basic Education Act of 2013;
- b) *Senior High School* – shall refer to the additional two (2) years in high school level created under Republic Act No. 10533, otherwise known as Enhanced Basic Education Act of 2013;
- c) *TESDA Curriculum* – shall refer to the basic curriculum in all technical vocational skills training program as approved by the Technical Education and Skills Development Authority (TESDA); and
- d) *Comprehensive Labor Rights Education* – shall refer to the study of all labor laws and statutes, including but not limited to labor standards, labor relations, pre- and post-employment laws, anti-sexual harassment laws, anti-gender discriminations laws, and other related laws, to provide labor rights literacy and proficiency to an individual.

SEC. 4. *Institutionalization of Comprehensive Labor Rights Education in the K-12 and Technical Education and Skills Development Curricula.* – It is hereby mandated that a comprehensive labor rights education shall be an integral part and mandatory in the curricula of the K to 12 Program of the Department of Education (DepEd) and the Technical Education and Skills Development Authority (TESDA). It shall be taught as a core subject with a minimum of three (3) hours per week time allotment.

SEC. 5. *Coverage.* – The pertinent provisions of the Constitution, along with Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines, and other laws pertaining to core labor standards and rights of laborers, both migrant and domestic, shall be taught to students in Senior High School level and the students taking technical education and skills development courses.

SEC. 6. *Medium of Instruction.* – The Mother Tongue Based Multilingual Education (MTB-MLE) method, as provided for under the K-12 Program, shall be adopted in teaching comprehensive labor rights education in the Senior High School level and in the technical education and skills development courses.

The DepEd and TESDA, in coordination with the Commission on the Filipino Language (CFL) and the Department of Labor (DOLE), and in collaboration with academic and research institutions concerned with education, shall formulate a mother

1 tongue-based multilingual framework for teaching and learning comprehensive labor
2 rights education.

3 SEC. 7. *Teaching Qualifications and Preference.* – Teachers with certification,
4 diploma, and training in the field of Human Resources, Law, and other allied disciplines
5 shall be given preference in the teaching of comprehensive labor rights education
6 subjects implemented under this Act.

7 SEC. 8. *Review and Assessment.* – The DepEd and TESDA, in consultation with the
8 DOLE, shall conduct a mandatory review and assessment every five (5) years from the
9 effectivity of this Act to ensure its proper implementation and assess student learning
10 outcomes to determine the efficacy of the program.

11 A report shall be submitted to the Committees on Basic Education and Labor of both
12 houses of Congress within thirty (30) days from the termination of the period of review
13 and assessment.

14 SEC. 9. *Implementing Agency.* – The DepEd, in coordination with TESDA, shall be the
15 lead agency in the implementation of the provisions of this Act.

16 SEC. 10. *Appropriations.* – The amount necessary for the initial implementation of
17 this Act shall be sourced from the current appropriations of the DepEd and TESDA.
18 Thereafter, the amount necessary for the continuous implementation of this Act shall be
19 included in the annual General Appropriations Act.

20 SEC. 11. *Implementing Rules and Regulations.* – Within ninety (90) days from the
21 effectivity of this Act, the DepEd and TESDA, in consultation with relevant stakeholders,
22 shall formulate and issue the necessary rules and regulations to fully implement the
23 provisions of this Act.

24 SEC. 12. *Separability Clause.* – If for any reason or reasons, any portion or provision
25 of this Act shall be held unconstitutional or invalid, the remaining provisions not
26 affected thereby shall continue to be in full force and effect.

27 SEC. 13. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules,
28 regulations, and other issuances or parts thereof which are inconsistent with the
29 provisions of this Act are hereby repealed, amended or modified accordingly.

30 SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
31 in the Official Gazette or a newspaper of general circulation.

Approved,