

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 6810

Introduced by HON. GUS S. TAMBUNTING

**AN ACT INSTITUTIONALIZING AND EXPANDING THE NATIONAL
EMPLOYMENT RECOVERY STRATEGY (NERS) TO A NATIONAL
EMPLOYMENT ACTION PLAN, APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Sec. 9, Art. II of the 1987 Constitution states that "The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

The unemployment rate for the Philippines is 4.2 percent. This means 2.18 million Filipinos have no job. The underemployment rate in the Philippines is 14.4 percent. This means 7.16 million Filipinos are looking for more work.¹

This bill aims to promote the employability, competitiveness, wellness, and productivity of workers through efficient and effective delivery of skills development and enhancement programs, and maximization of opportunities in the labor market in a post-Covid-19 world.

This proposed measure also aims to provide support to businesses and ensure the security of employment.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. GUS S. TAMBUNTING
2nd District, Parañaque City

¹ <https://www.manilatimes.net/2023/01/07/news/unemployment-rate-lowest-in-18-years/1873036>

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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 “Trabaho Para sa Lahat ng Pilipino Act.”

SECTION 2. Declaration of Policies. – It is the policy of the State to afford full protection to labor, local and overseas, organized and unorganized, promote full, productive, and freely chosen employment and livelihood, and ensure equal employment opportunities for all, irrespective of sex, race, color, religion, political opinion, national extraction or social origin. Accordingly, the State shall ensure, in pursuit of poverty reduction through decent employment, an environment that encourages more employment and entrepreneurship opportunities, and provides comprehensive support to existing and emerging businesses, particularly to the micro, small and medium enterprises (MSMEs), and improve the employability, and productivity of workers.

SECTION 3. Coverage. – This Act shall apply to national, regional, and local government units (LGUs), without prejudice to the right of the LGUs within the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM) to opt to adopt their regional employment plan.

SECTION 4. National Employment Action Plan (NEAP). – National Employment Action Plan, integrating the 2021-2022 National Employment Recovery Strategy (NERS) from the pandemic, shall be the State’s employment recovery and generation masterplan which shall have the following objectives:

(a) To stimulate national and local economic growth and development through linked investment incentives to the creation of more decent employment to address unemployment, underemployment, and rising precarity and informality of work arrangements;

(b) To promote the employability, competitiveness, wellness, and productivity of workers through efficient and effective delivery of skills development and enhancement programs,

and maximization of opportunities in the labor market in a post-Covid-19 world; and

(c) To provide support and incentives to businesses, whether existing or emerging, particularly micro, small and medium enterprises (MSMEs), and ensure the security and preservation of employment.

For this purpose, the Inter-Agency Council for Jobs and Investments (IAC) under Section 4 of this Act shall formulate the NEAP, which shall integrate and implement the NERS within one (1) year upon the lifting of the declaration of the state of calamity. The NEAP shall have clear action components, success measures, and performance indicators, including, but not limited to:

(a) Provision of support for the establishment and growth of MSMEs, including increased access to financing and capital, and other incentives, to promote self-reliance and spur employment generation;

(b) Equipping unskilled workforce, particularly youth and women, with skills training and other opportunities to improve their employability and competitiveness;

(c) Encouraging and incentivizing employers and other private sector organizations, including industry stakeholders, that offer training, including technology, knowledge and skills transfer, upskilling and reskilling, apprenticeship, on-the-job training, and other similar activities, geared towards the improvement of the workforce;

(d) Formulating plans and incentives and facilitating the transition of workers from the informal to the formal economy through the provision of assistance for the formalization of their livelihoods, such as business registration;

(e) Empowering the workforce through orientations, seminars, and all other modes on their rights as guaranteed by the 1987 Constitution, Presidential Decree No. 442, or the Labor Code of the Philippines, and different rules and regulations, including the right to self-organization and collective bargaining;

(f) Identifying priority sectors, key and emerging industries, and other areas with high employment potential, for purposes of encouraging domestic investment and foreign direct investment in such sectors, implementing targeted support and subsidy to volatile sectors, and providing support to create value-added supply chain;

(g) Expanding the implementation of active labor market policies and programs, including employment facilitation and job matching services, creating innovative means to reach more workers, and improving the efficiency of delivering such services;

(h) Enhancing tripartism and social dialogue through increasing the participation and representation of youth, women, and workers in the informal economy, among others, in labor issues and concerns;

(i) Developing affordable schemes to encourage and incentivize workers in the informal economy to be enrolled in the Social Security System;

(j) Promoting ethical and fair recruitment to protect the rights of migrant workers through improved supervision of recruitment agencies, prosecution and conviction of traffickers and illegal recruiters, and intensified occupational safety and health inspections, among others; and

(k) Implement the full-cycle and comprehensive national reintegration program for documented and undocumented Overseas Filipino Workers.

For this purpose, the IAC shall describe and set standards for the development of additional active components, and their corresponding success measures, and performance indicators.

SECTION 5. Inter-Agency Council for Jobs and Investments (IAC). – The NERS Task Force, created under Executive Order No. 140, series of 2021, is hereby reconstituted as the Inter-Agency Council for Jobs and Investments. It shall be composed of the following:

(a) Secretary of the Department of Trade and Industry as Chairperson;

(b) Secretary of the Department of Labor and Employment, as Co-Chairperson;

(c) Director-General of the Technical Education and Skills Development Authority (TESDA), as Co-Chairperson;

(d) Secretary of the Department of Migrant Workers, as a member;

(e) Secretary of the Department of Budget and Management (DBM), as member;

(f) Secretary of the Department of Finance (DOF), as a member;

(g) Director-General of the National Economic and Development Authority, as a member;

(h) One (1) representative from the employers' organizations; and

(i) One (1) representative from the labor organizations.

The IAC chairpersons and members may designate their representatives, who must be next-in-rank to the principal member and fully authorized to decide for and on their behalf. The DOLE shall serve as the Secretariat of the IAC. It shall be composed of existing personnel from the DOLE, and shall provide administrative, operational, and technical support to the IAC. The IAC shall coordinate and obtain resource persons from other government agencies

and instrumentalities as well as private stakeholders as may be necessary to realize the objectives of this Act.

SECTION 6. Powers and Functions of the IAC. – The IAC shall have the following powers and functions:

- (a) Formulate a medium and long-term NEAP, and make the necessary changes thereto, to address the recovery of the labor market and the prevailing employment issues therein, including providing employment objectives and targets, action components and performance indicators, implementation and coordination mechanisms, and monitoring and evaluation. The NEAP shall undergo an annual review and evaluation of its implementation, accomplishments, and recommendations to address gaps in its execution;
- (b) Conduct a comprehensive analysis of the employment situation and labor market in the country, review existing policies and programs affecting the workforce in general and the informal economy, youth, and women, in particular, and map initiatives are undertaken with the support of the private sector, non-government organizations, or international development organizations;
- (c) Harmonize the employment, livelihood, and training projects and programs of the National Government toward the preservation and creation of more jobs;
- (d) Collaborate with local government units in planning, devising, and implementing employment recovery and job generation programs within their localities, and ensure their alignment with the NEAP;
- (e) Create working groups in support of the development and implementation of the NEAP;
- (f) Tap civil society organizations, employers organizations, labor unions and groups, and other partners, where feasible, for joint programs and technical cooperation initiatives to augment and expand employment generation and livelihood projects;
- (g) Engage in promotional activities to expand the reach of national and local employment campaigns;
- (h) Craft and provide guidelines for the institutionalization of the NEAP in each government agency;
- (i) Submit to the Office of the President, the Senate of the Philippines, and the House of Representatives a report on the review and evaluation of the implementation of the NEAP; and
- (j) Perform such other functions that may be related to the implementation of the NEAP.

SECTION 7. Establishment of IAC Working Groups. – To pursue a whole-of-government approach in the implementation of the NEAP, working groups may be established by the IAC, as may be necessary. The creation of working groups shall be in line with the objectives and target as may be indicated in the NEAP and shall work on developing employment recovery and job creation in specific industries and emerging sectors, such as, but not limited to, construction, tourism, agriculture, IT and business process management, and manufacturing.

Industry sector representatives, including representatives from the labor and employers' groups, shall be consulted and shall participate in the working groups.

SECTION 8. Active Participation of Local Government Units. –LGUs shall formulate plans, programs, or projects geared towards employment recovery and job generation within their localities. The IAC, together with the DILG, shall craft policies and guidelines, and provide support to local government units in the localization and alignment of their respective plans with the NEAP.

SECTION 9. Report to Congress. – The IAC shall submit an annual report to Congress on the status of implementation, accomplishments, and recommendations in employment recovery and job generation.

SECTION 10. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the DTI, DOLE, and TESDA, in coordination with DBM, DOF, NEDA, and other concerned agencies and private stakeholders, shall formulate the implementing rules and regulations for the effective implementation of this Act.

SECTION 11. Separability Clause. – Any portion or provision of this Act that is declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions can still subsist and be given effect in their entirety.

SECTION 12. Repealing Clause. – All laws, ordinances, rules, regulations, other issuances, or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 13. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,