

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 8454



**INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO
AND JOCELYN P. TULFO**

**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

In May 2023, the World Health Organization (WHO) lifted the Public Health Emergency of International Concern for COVID-19. Although the state of calamity due to the COVID-19 pandemic has not been lifted nor extended by President Ferdinand R. Marcos Jr., it may be observed that the pandemic has been on a downward trend which allowed most countries, including the Philippines, to return to life as we knew it before COVID-19.

Since the pandemic struck, it is undeniable that all Filipinos have been affected, especially micro, small, and medium enterprises and the informal sector. According to a survey conducted by the International Organization for Migration, at least 70% of Overseas Filipino Workers who returned to the Philippines in 2020 had their employment terminated.

Although the COVID-19 crisis accelerated digitalization of the business sector, this new age must be accompanied by a holistic approach in ensuring that the labor workforce remains competitive and employable through enhanced efforts for skilling, reskilling, and upskilling.

This Representation calls for the institutionalization of the present National Employment Recovery Strategy (NERS) of the Philippines to address the social and economic issues brought about by the COVID-19 pandemic and its expansion to the National Employment Action Plan (NEAP), which will serve as the country's employment recovery and generation masterplan.

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


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1 **AN ACT INSTITUTIONALIZING AND EXPANDING THE NATIONAL**
2 **EMPLOYMENT RECOVERY STRATEGY (NERS) TO A NATIONAL EMPLOYMENT**
3 **ACTION PLAN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**
4

5 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*
6

7 **SECTION 1. Short Title.** – This Act shall be known as the “Trabaho Para Sa Lahat Ng
8 Pilipino Act”.
9

10 **SEC. 2. Declaration of Policies.** – It is the policy of the State to afford full protection to labor,
11 local and overseas, organized and unorganized, promote full, productive, and freely chosen
12 employment and livelihood, and ensure equal employment opportunities for all, irrespective of
13 sex, race, color, religion, political opinion, national extraction or social origin.
14

15 Accordingly, the State shall ensure, in pursuit of poverty reduction through decent
16 employment, an environment that encourages more employment and entrepreneurship
17 opportunities, provide comprehensive support to existing and emerging businesses,
18 particularly to the micro, small and medium enterprises (MSMEs), and improve the
19 employability and productivity of workers.
20

21 **SEC. 3. Coverage.** – This Act shall apply to national, regional, and local government units
22 (LGUs), without prejudice to the right of the LGUs within the Bangsamoro Autonomous Region
23 of Muslim Mindanao (BARMM) to opt to adopt their own regional employment plan.
24

25 **SEC. 4. National Employment Action Plan (NEAP).** –A National Employment Action Plan,
26 integrating the 2021-2022 National Employment Recovery Strategy (NERS) from the pandemic,

1 shall be the State's employment recovery and generation masterplan which shall have the
2 following objectives:

- 3
- 4 (a) To stimulate national and local economic growth and development through linked
5 investment incentives to the creation of more decent employment to address
6 unemployment, underemployment, and rising precarity and informality of work
7 arrangements;
- 8
- 9 (b) To promote the employability, competitiveness, wellness, and productivity of workers
10 through efficient and effective delivery of skills development and enhancement
11 programs, and maximization of opportunities in the labor market in a post-COVID-19
12 world; and
- 13
- 14 (c) To provide support and incentives to businesses, whether existing or emerging,
15 particularly MSMEs, and ensure the security and preservation of employment.
- 16

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

22

- 23 (a) Provision of support for the establishment and growth of MSMEs, including increased
24 access to financing and capital, and other incentives, to promote self-reliance and spur
25 employment generation;
- 26
- 27 (b) Equipping unskilled workforce, particularly youth and women, with skills training and
28 other opportunities to improve their employability and competitiveness;
- 29
- 30 (c) Encouraging and incentivizing employers and other private sector organizations,
31 including industry stakeholders, that offer training, including technology, knowledge
32 and skills transfer, upskilling and reskilling, apprenticeship, on-the-job training, and
33 other similar activities, geared towards the improvement of the workforce;
- 34

- 1 (d) Formulating plans and incentives and facilitating the transition of workers from the
2 informal to the formal economy through the provision of assistance for formalization of
3 their livelihoods, such as business registration;
4
5 (e) Empowering the workforce through orientations, seminars, and all other modes on their
6 rights as guaranteed by the 1987 Constitution, Presidential Decree No. 442, or the Labor
7 Code of the Philippines, and different rules and regulations, including the right to self-
8 organization and collective bargaining;
9
10 (f) Identifying priority sectors, key and emerging industries, and other areas with high
11 employment potential, for purposes of encouraging domestic investment and foreign
12 direct investment in such sectors, implementing targeted support and subsidy to volatile
13 sectors, and providing support to create value-added supply chain;
14
15 (g) Expanding the implementation of active labor market policies and programs, including
16 employment facilitation and job matching services, create innovative means to reach
17 more workers, and improve the efficiency of delivering such services;
18
19 (h) Enhancing tripartism and social dialogue through increasing the participation and
20 representation of youth, women, and workers in the informal economy, among others,
21 in labor issues and concerns;
22
23 (i) Developing affordable schemes to encourage and incentivize workers in the informal
24 economy to be enrolled in the Social Security System;
25
26 (j) Promoting ethical and fair recruitment to protect the rights of migrant workers through
27 improved supervision of recruitment agencies, prosecution and conviction of traffickers
28 and illegal recruiters, and intensified occupational safety and health inspections, among
29 others; and
30
31 (k) Implement the full-cycle and comprehensive national reintegration program for
32 documented and undocumented Overseas Filipino Workers.
33

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

1
2 **SEC. 5. *Inter-Agency Council for Jobs and Investments.*** – The NERS Task Force, created
3 under Executive Order No. 140, series of 2021, is hereby reconstituted as the IAC. It shall be
4 composed of the following:

- 5
6 (a) Secretary of the Department of Trade and Industry as Chairperson;
7
8 (b) Secretary of the Department of Labor and Employment as Co-Chairperson;
9
10 (c) Director-General of the Technical Education and Skills Development Authority (TESDA)
11 as Co-Chairperson;
12
13 (d) Secretary of the Department of Migrant Workers as member;
14
15 (e) Secretary of the Department of Budget and Management (DBM) as member;
16
17 (f) Secretary of the Department of Finance (DOF) as member;
18
19 (g) Director-General of the National Economic and Development Authority as member;
20
21 (h) One (1) representative from the employers organizations; and
22
23 (i) One (1) representative from the labor organizations.

24
25 The IAC chairpersons and members may designate their representatives, who must be next-
26 in-rank to the principal member and fully authorized to decide for and on their behalf.

27
28 The DOLE shall serve as the Secretariat of the IAC. It shall be composed of existing personnel
29 from the DOLE, and shall provide administrative, operational, and technical support to the IAC.

30
31 The IAC shall coordinate and obtain resource persons from other government agencies and
32 instrumentalities as well as private stakeholders as may be necessary to realize the objectives of
33 this Act.
34

1 **SEC. 6. Powers and Functions of the IAC.** – The IAC shall have the following powers and
2 functions:

- 3
- 4 (a) Formulate a medium and long-term NEAP, and make the necessary changes thereto, in
5 order to address the recovery of the labor market and the prevailing employment issues
6 therein, including providing employment objectives and targets, action components and
7 performance indicators, implementation and coordination mechanisms, and monitoring
8 and evaluation. The NEAP shall undergo an annual review and evaluation of its
9 implementation, accomplishments, and recommendations to address gaps in its
10 execution;
- 11
- 12 (b) Conduct a comprehensive analysis of the employment situation and labor market in the
13 country, review of existing policies and programs affecting the workforce in general and
14 the informal economy, youth, and women, in particular, and map initiatives undertaken
15 with the support of the private sector, non-government organizations, or international
16 development organizations;
- 17
- 18 (c) Harmonize the employment, livelihood and training projects and programs of the
19 National Government towards the preservation and creation of more jobs;
- 20
- 21 (d) Collaborate with local government units in planning, devising, and implementing
22 employment recovery and job generation programs within their localities, and ensure
23 their alignment with the NEAP;
- 24
- 25 (e) Create working groups in support of the development and implementation of the NEAP;
- 26
- 27 (f) Tap civil society organizations, employers organizations, labor unions and groups, and
28 other partners, where feasible, for joint programs and technical cooperation initiatives to
29 augment and expand employment generation and livelihood projects;
- 30
- 31 (g) Engage in promotional activities to expand the reach of national and local employment
32 campaign;
- 33
- 34 (h) Craft and provide guidelines for the institutionalization of the NEAP in each government
35 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.

SEC. 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 targets 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, information technology (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.

SEC. 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 LGUs in the localization and alignment of their respective plans with the NEAP.

SEC. 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.

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

1 **SEC. 11. *Separability Clause.*** – If any provision of this Act or a portion thereof is declared
2 unconstitutional or invalid, the remainder of this Act or any provision not affected thereby shall
3 remain in full force and effect.

4
5 **SEC. 12. *Repealing Clause.*** – All laws, ordinances, rules, regulations, other issuances or parts
6 thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

7
8 **SEC. 13. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the
9 Official Gazette or in a newspaper of general circulation.

10
11 Approved,