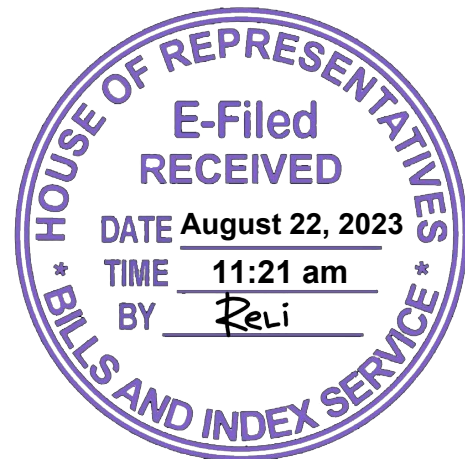


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
2nd Regular Session

House Bill No. **8941**



**Introduced by Representatives ERWIN T. TULFO
EDVIC G. YAP, JOCELYN P. TULFO, ERIC YAP,
and RALPH WENDEL P. TULFO**

EXPLANATORY NOTE

Despite a number of legislations providing employment, education, health, and accessibility support, among others, to the Persons with Disabilities (PWDs), PWDs are still at a disadvantage in several facets of the society. A significant population of the PWDs experience disproportionately high poverty rates as they have additional expenditures related to their disability which depend on their functional difficulties, health conditions, and support needs and other expenses related to the lack of accessibility and inclusiveness in their communities.

While the primary goal of the state is to enable the country's disabled persons to overcome the social barriers through comprehensive, inclusive, and adequate support, it also becomes of tantamount importance to provide them with equal protection in terms of growth and development opportunities such as employment. Part of the ongoing campaign for the Magna Carta of Persons with Disabilities is the assurance that sets of opportunities are not neglected to them, in addition to the fight against discrimination in their respective workplaces.

While Republic Act No. 10524 is the recent amendment to RA 7277, which guarantees the positions of qualified PWDs in government agencies, offices, and corporations, this bill seeks to expand the said mandate by making it compulsory for private entities with more than one hundred (100) employees to allot at least one (1%) of their total positions to the qualified PWDs, and in consonance, highly encouraging the said practice to the private corporations with less than one hundred (100) employees. The same proposed measure also grants tax incentives to those private corporations that will comply to the said practice of employment hiring.

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



ERWIN T. TULFO



EDVIC G. YAP



JOCELYN P. TULFO



ERIC YAP



RALPH WENDEL P. TULFO

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AN ACT

EXPANDING THE POSITIONS RESERVED FOR QUALIFIED PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS "AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT, AND SELF-RELIANCE OF DISABLED PERSON AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES", PROVIDING INCENTIVES THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Section 5 of Republic Act No. 7277, otherwise known as "An Act Providing for the Rehabilitation, Self-Development, and Self-Reliance of Disabled Person and their Integration into the Mainstream of Society and for Other Purposes", is hereby amended to read as follows:

" SECTION 5. Equal Opportunity for Employment – No disabled persons shall be denied access to opportunities for suitable employment. A qualified disabled employee shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as a qualified able- bodied person.

[Five percent (5%) of all casual, emergency and contractual positions in the Department of Social Welfare and Development; Health; Education, Culture and Sports; and other government agencies, offices or corporations engaged in social development shall be reserved for disabled persons.]"

AT LEAST ONE PERCENT (1%) OF ALL THE POSITIONS IN THE GOVERNMENT AGENCIES, OFFICES OR CORPORATIONS SHALL BE RESERVED FOR QUALIFIED PERSONS WITH DISABILITY.

PRIVATE CORPORATIONS WITH MORE THAN ONE HUNDRED (100) EMPLOYEES SHALL RESERVE AT LEAST ONE PERCENT (1%) OF ALL POSITIONS FOR QUALIFIED PERSONS WITH DISABILITY.

PRIVATE CORPORATIONS WITH LESS THAN ONE HUNDRED (100) EMPLOYEES ARE HIGHLY ENCOURAGED TO RESERVE POSITION(S) FOR QUALIFIED PERSONS WITH DISABILITY.

SEC. 2. *Qualified Persons with Disabilities.* – In addition to the qualifications set forth by the employer for the reserved positions for the qualified PWDs, the qualified PWDs shall also be able to provide legitimate proof of disability apart from the PWD Identification Card (ID) issued by the Department of Social Welfare and Development.

SEC. 3. *Incentive to Private Corporations.* – Private corporations who employed the required threshold of qualified PWDs shall be entitled to tax credits to be deducted from their gross income in accordance with the National Internal Revenue Code, as amended and rules of the Bureau of Internal Revenue. For this purpose, the Department of Trade and Industry shall evaluate the compliance of the private corporations in the required practice of employment hiring.

SEC. 4. *Implementing Rules and Regulations.* – The Bureau of Internal Revenue in coordination with the Department of Trade and Industry shall promulgate the rules and regulations for the effective enforcement of the provisions of this Act.

SEC. 5. *Separability Clause.* – In case any provision or any part thereof is declared unconstitutional, the other provisions not so declared and affected shall remain in force and effect.

SEC. 6. *Repealing Clause.* - All decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby deemed repealed, or modified accordingly.

Sec. 7. *Effectivity Clause* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,