

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. **10348**



Introduced by Representative CAMILLE A. VILLAR

**AN ACT PROVIDING DISCOUNTED OR WAIVED FEES AND CHARGES TO
INDIGENT JOB SEEKERS IN THE ISSUANCE OF CERTAIN PRE-EMPLOYMENT
DOCUMENTS ISSUED BY GOVERNMENT AGENCIES**

EXPLANATORY NOTE

The Constitution provides that 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. They shall be entitled to security of tenure, humane conditions of work, and a living wage.¹

The Constitution also provides 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.² Likewise, the State shall promote social justice in all phases of national development.³

In promoting social justice, the State takes steps and measures to promote fairness and equity across many aspects of society. In doing so, the government is responsible for opening the doors of access and opportunity for everyone, particularly those in greatest need.

In the employment process, after securing a job, the next hurdle for every applicant is the completion of numerous pre-employment documents. However, securing documents is not always easy and affordable especially to indigent applicants whose current resources, if any, is barely sufficient to address their daily basic needs.

This bill seeks to provide assistance to indigent job seekers by easing their financial burden in complying with all the required pre-employment clearances,

¹ Article XIII, Section 3, 1987 Constitution of the Republic of the Philippines

² Article II, Section 9, 1987 Constitution of the Republic of the Philippines

³ Article II, Section 10, 1987 Constitution of the Republic of the Philippines

certifications and other documentary requirements. It is the hope of this measure to address this concern and help indigent applicants.

Thus, the approval of this bill is earnestly sought.

Camille A. Villar
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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 “*Kabalikat sa Hanapbuhay Act of 2024*”.

SECTION 2. Declaration of Policy. – It is the policy of the State to promote a just and dynamic social order that will support the prosperity and independence of the nation and free the people from poverty, through policies that provide adequate social services, and promote full employment, a rising standard of living, and an improved quality of life for all.

Further, the State shall strive for the equitable distribution of opportunities, decent jobs, income, and wealth as this is the key to raising the quality of life for all, especially the underprivileged.

SECTION 3. Identification and Certification of Beneficiaries. – As used in this Act, an indigent job seeker refers to a person who is seeking gainful employment and has no visible means of income or whose income falls below the official poverty threshold set by the Government or cannot afford in a sustained manner to provide their minimum basic needs of food health, education, housing, and other essential necessities of life.

The Philippine Statistics Authority (PSA), based on the criteria set under the Community-Based Monitoring System (CBMS) as established under Republic Act No. 11315, otherwise known as the “Community-Based Monitoring System Act”, shall validate the list of indigent households in the *Listahanan*, also known as the National Household Targeting System for Poverty Reduction (NHTS-PR), of the Department of Social Welfare and Development (DSWD) to identify indigent individuals.

An indigent job seeker whose households is enrolled under the "Pantawid Pamilyang Pilipino Program (4Ps)" shall be automatically considered as "indigent" and eligible to avail of the privileges under this Act.

For purposes of identifying indigent job seekers, any other unified targeting system duly agreed upon by the Inter-Agency Coordinating and Monitoring Committee may be used in the future.

First time job seekers who avail of waived government fees and charges in the issuance of pre-employment documents under Republic Act No. 11261, otherwise known as the "First Time Jobseekers Assistance Act" are not covered by this Act.

The Local Social Welfare Development Officer (LSWDO) of the city or municipality or any equivalent unit of the city or municipality where the indigent job seeker resides is authorized to issue a Certificate of Indigency based on the latest CBMS data and established criteria or guidelines, as proof of eligibility of job seekers in availing the privileges provided for under this Act. Such certification shall be free of charge.

SECTION 4. *Fifty Percent (50%) Discount on Fees and Charges for Clearances and Certificates.* – Indigent job seekers, whether here or abroad, shall be granted fifty percent (50%) discount in the payment of fees and charges for the following clearances and certificates required for pre-employment application:

- a) Clearance from the barangay where the job seekers reside;
- b) Clearance from the National Bureau of Investigation (NBI);
- c) National Police Clearance from the Philippine National Police (PNP);
- d) Medical certificate for local employment from any government hospital licensed by the Department of Health (DOH), and medical certificate for foreign employment from any DOH-accredited medical facility for overseas workers and seafarers;
- e) Certificate of Marriage from the Philippine Statistics Authority (PSA);
- f) Certificate of Live Birth from the PSA;
- g) National Certificate and Certificate of Competency (COC) from the Technical Education and Skills Development Authority (TESDA);
- h) Certificate of Civil Service Eligibility from the Civil Service Commission (CSC); and
- i) Other documentary requirements issued by the government that may be required by employers from indigent job seekers, as determined and approved by the Inter-Agency Coordination and Monitoring Committee established in Section 6 of this Act.

SECTION 5. *Waiver of Fees and Charges for Pre-Employment Documents.* – The fees and charges required to acquire the following pre-employment documents and cards shall be waived:

- a) Tax identification from the Bureau of Internal Revenue; and
- b) Transcript of records, transfer credentials, authenticated copy of diploma, and certificate of good moral character from the state universities and colleges, and local universities and colleges of the job seeker.

The indigent job seeker may avail of the privileges of waived or discounted fees under this Act only once every six (6) months from each government agency.

SECTION 6. *Prohibited Acts and Penalties.* – (a) Any public officer or employee who refuses or fails to issue a Certificate of Indigency, or to provide the benefit granted to the indigent job seeker in violation of Sections 4 and 5 of this Act shall, upon conviction, be subject to a fine of not less than Five Thousand Pesos (PhP5,000) but not more than Twenty Thousand Pesos (PhP20,000). The penalty of temporary disqualification to hold public office for a period of five (5) years shall also be imposed.

(b) A jobseeker who misrepresents or falsifies any document to avail of benefits provided under this Act or abuses the privilege granted herein shall be prosecuted and punished in accordance with the pertinent provisions of Republic Act No. 3815, as amended, otherwise known as the "Revised Penal Code". Such jobseeker shall also suffer perpetual disqualification in availing the privileges under this Act.

Administrative sanctions shall also be imposed without prejudice to prosecution as provided for in this Act. Prosecution for an offense set forth in this Act shall be without prejudice to any liability for violation of any other existing laws, including civil service laws, rules, and regulations.

SECTION 7. *Indigent Job Seekers Database.* – The Public Employment Service Office in coordination with the LSWDO shall establish and maintain a database system containing an updated roster of all indigent job seekers who availed of the benefits under this Act.

SECTION 8. *Non-Authority to Charge fees.* – Government agencies that do not charge fees in relation to the discharge of their functions cannot use this law to impose fees if no such authority is granted under their respective charter or other relevant laws.

SECTION 9. *Interagency Coordinating and Monitoring Committee.* – An Interagency Coordinating and Monitoring Committee, hereinafter referred to as the Committee, shall be established to coordinate and monitor the implementation of this Act.

The Committee shall be composed of the Secretary of the Labor and Employment or the authorized representative, as Chairperson; Secretary of Interior and Local Government or the authorized representative, as Vice Chairperson; and the following as Members:

- a) The Secretary of Migrant Workers or the authorized representative;
- b) The National Statistician and Civil Registrar General of the PSA or the authorized representative;
- c) The Chief of the PNP or the authorized representative;
- d) The Director of the NBI or the authorized representative;
- e) The Secretary of DOH or the authorized representative;

- f) The Chairperson of the Commission on Civil Service (CSC) or the authorized representative;
- g) The Chairperson of the Commission on Higher Education (CHED) or the authorized representative;
- h) The Director-General of TESDA or the authorized representative;
- i) The Presidents of the Liga ng mga Barangay, League of Municipalities of the Philippines, and League of Cities of the Philippines or their authorized representative;
- j) The Lead Convenor of the National Anti-Poverty Commission (NAPC) or the authorized representative; and
- k) The Chairperson of the National Commission on Indigenous Peoples (NCIP) or the authorized representative.

The Committee shall have the following functions:

- a) To coordinate, monitor, and evaluate the implementation of this Act;
- b) To make recommendations for concerned agencies to ensure the effective and efficient delivery of services in providing the benefits for indigent job seekers under this Act;
- c) To identify and approve other pre-employment certificates and clearances;
- d) To review, evaluate, and amend accordingly the clearances and certificates covered under this Act; and
- e) To submit an annual report to Congress on the implementation of this Act.

SECTION 10. *Joint Congressional Oversight Committee.* – Upon the effectivity of this Act, a Joint Congressional Oversight Committee is hereby constituted. The JCOC shall set the overall framework to review the implementation of this Act. It shall likewise recommend necessary remedial legislation.

The JCOC shall be composed of six (6) members with the chairpersons of the Committee on Poverty Alleviation of the House of Representatives, and of the Committee on Social Justice, Welfare and Rural Development of the Senate as Co-Chairpersons, and two (2) members from each House, to be designated by the Speaker of the House of Representatives, and the Senate President, respectively.

The Secretariat of the JCOC shall be drawn from the existing personnel of the Committee on Poverty Alleviation of the House of Representatives, and the Committee on Social Justice, Welfare and Rural Development of the Senate.

SECTION 11. *Implementing Rules and Regulations.* - The DOLE, in coordination with the other pertinent government agencies, shall promulgate rules and regulations necessary for the implementation of this Act within six (6) months from its effectivity.

SECTION 12. *Non-impairment Clause.* – Nothing in this Act shall be construed as to diminish, impair, or repeal rights recognized, granted, or made available to disadvantaged, marginalized, or specific sectors under existing laws.

SECTION 13. *Separability Clause.* – Should any provision or part of this Act be declared unconstitutional or invalid, the other provisions and parts thereof, insofar as they are separable from the invalid ones, shall remain in full force and effect.

SECTION 14. *Repealing Clause.* – All laws, presidential decrees, executive orders, memoranda, circulars, and other issuances, or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

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

Approved,