

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

Twentieth Congress
First Regular Session

House Bill No. **5208**



Introduced by REP. RAYMOND ADRIAN E. SALCEDA

AN ACT
ESTABLISHING THE MAGNA CARTA FOR INTERNS BY REPLACING
CHAPTER II (ARTICLES 73 TO 77), TITLE II, BOOK II OF PRESIDENTIAL
DECREE NO. 442, OTHERWISE KNOWN AS THE "LABOR CODE OF THE
PHILIPPINES," AS AMENDED

EXPLANATORY NOTE

The current provisions of Book II, Title II, Chapter II of Presidential Decree No. 442, as amended, otherwise known as the *Labor Code of the Philippines*, were enacted in 1974 to regulate the employment of "learners" in semi-skilled industrial occupations. Fifty years later, the country's workforce and education systems have transformed. Most practical training today occurs through structured internship programs that link schools, industries, and government agencies. These programs are vital to bridging education and employment but remain governed only by administrative guidelines without the force of law.

This bill seeks to establish a *Magna Carta for Interns* by replacing Chapter II (Articles 73 to 77) of the Labor Code with a comprehensive legal framework for internships. It defines the rights and responsibilities of interns, host entities, and academic institutions; provides safeguards against abuse and unsafe conditions; and ensures that internships serve their intended educational purpose. The measure affirms the State's duty to protect interns as learners and participants in human resource development, while preventing their misuse as substitutes for regular employees.

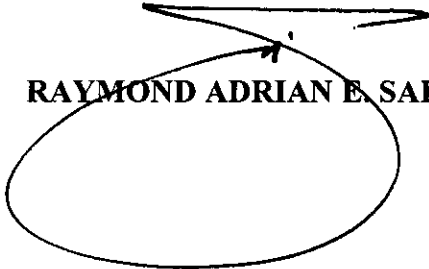
The proposed Magna Carta guarantees fundamental protections for interns, including the right to a safe and conducive learning environment, freedom from all forms of sexual harassment and discrimination, gender and pay equity, and access to accident insurance in hazardous workplaces. It codifies clear standards for internship agreements, supervision, and duration, while recognizing the intern's freedom to choose placements outside existing school partnerships. It also introduces an *Internship Experience Review* to allow interns to evaluate their learning and workplace experience, strengthening feedback and accountability.

By explicitly defining "displacement of regular employees" and aligning internship standards with the Department of Labor and Employment (DOLE), Commission on Higher Education

(CHED), Technical Education and Skills Development Authority (TESDA), and Department of Education (DepEd), the bill ensures coherence across all training and employment programs. It harmonizes existing regulations under DOLE-CHED Joint Memorandum Order No. 01, series of 2017, with statutory guarantees drawn from Republic Act No. 7877 (Anti-Sexual Harassment Act), Republic Act No. 11313 (Safe Spaces Act), and Republic Act No. 9710 (Magna Carta of Women).

Through this measure, the Philippines recognizes that learning in the workplace must uphold dignity, equality, and safety. Internships shall be avenues for professional growth—not exploitation—and shall contribute to the country's goal of developing a competent, inclusive, and future-ready workforce.

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



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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 “*Magna Carta for Interns.*”

SEC. 2. Declaration of Policy. — It is hereby declared the policy of the State to promote human resource development through meaningful internship programs that facilitate the transition from education to employment. The State shall safeguard the welfare of interns, promote equality, and ensure that internship programs are conducted under just, humane, and gender-responsive conditions consistent with the rights to education, decent work, and social justice.

SEC. 3. Replacement of Chapter II, Title II, Book II of the Labor Code. — Chapter II (Articles 73 to 77) of Title II, Book II of Presidential Decree No. 442, as amended, is hereby repealed and replaced to read as follows:

“CHAPTER II — INTERNSHIP PROGRAMS

“Art. 73. Definition of Terms. — For purposes of this Chapter, the following terms are hereby defined:

“(a) *Intern* refers to a student or recent graduate undergoing supervised practical training in a government or private establishment to acquire occupational skills and competencies relevant to their academic program or intended career;

“(b) *Host Entity* refers to any government agency, private enterprise, nonprofit organization, or institution that accepts interns for supervised practical training;

“(c) *Internship Program* refers to a structured and time-bound period of supervised learning designed to achieve specific training objectives, integrate theoretical knowledge with practical application, and enhance employability;

“(d) *Internship Agreement* refers to a written contract among the intern, the host entity, and, when applicable, the educational institution, setting forth the learning objectives, duration, conditions, and mutual obligations of the parties; and

“(e) *Displacement of Regular Employees* refers to the use of interns to perform work that would otherwise be assigned to or maintained by regular employees, resulting in termination, reduction of hours, reassignment, or delay in hiring.

“Art. 73-A. Purpose. — The internship shall:

“(1) Develop workplace competencies, ethics, and values aligned with national human capital development goals;

“(2) Strengthen partnerships among educational institutions, industries, and government agencies; and

“(3) Facilitate the transition of students and new graduates into productive employment consistent with labor standards, gender equality, and decent work principles.

“Art. 74. Conditions for Engagement. — Interns may be accepted or engaged only when the following conditions are met:

“(1) The internship conforms to the minimum standards and guidelines prescribed by the Department of Labor and Employment, in coordination with the Commission on Higher Education, the Technical Education and Skills Development Authority, or the Department of Education, as applicable;

“(2) The internship does not result in the displacement of regular employees or in unfair competition in terms of labor costs; and

“(3) The host entity provides a safe, secure, and conducive environment for learning and practical training.

“For purposes of this Article, *displacement of regular employees* shall mean the use of interns to perform work that would otherwise be assigned to or maintained by regular employees, resulting in termination, reduction of hours, reassignment, or delay in hiring. Productive work by interns shall be allowed only when incidental to learning objectives and performed under the supervision of qualified personnel.

“Art. 74-A. Duration and Hours of Training. — Internships shall not exceed six (6) months, unless a longer period is required by the academic curriculum and consistent with guidelines issued by the Department of Labor and Employment and the Commission on Higher Education. Interns shall not be required to render more than eight (8) hours per day or forty (40) hours per week, except when permitted by school policy and with the intern’s written consent.

“Art. 74-B. Freedom to Choose Internship Placement. — Interns shall have the right to apply for and undertake internships with any qualified host entity that meets Department of Labor and Employment and education-agency standards, even if such entity is not part of the institutional partnership network of their school. Educational institutions shall not unreasonably withhold approval of such placements, provided the internship conforms to prescribed learning outcomes and safety requirements.

“Art. 75. Internship Agreement. — No intern shall be engaged except under a written Internship Agreement executed by and among the intern, the host entity, and, when applicable, the academic institution. The agreement shall specify the duration of the internship; the learning objectives and expected competencies; the duties and responsibilities of each party; the number of training hours per day and per week; any allowance, stipend, or reimbursement to be provided; and the commitment of the host entity to issue a Certificate of Completion upon satisfactory performance.

“Art. 75-A. Duties of Interns. — Interns shall observe discipline, professionalism, and confidentiality in the workplace; comply with the learning plan and perform assigned tasks diligently; respect lawful orders of supervisors and mentors; uphold ethical conduct consistent with the host entity’s code of conduct and applicable laws; and refrain from acts that endanger safety or disrupt operations.

“Art. 75-B. Internship Experience Review. — Upon completion of the internship, the intern shall prepare a written review or evaluation of the internship experience, indicating the extent to which the learning objectives were achieved and the adequacy of supervision, safety, and inclusiveness of the workplace. The host entity and the educational institution shall provide a standard template for such review, which shall form part of the intern’s completion records. The Department of Labor and Employment and the appropriate education agency may require anonymized summaries of such reviews for policy monitoring and improvement.

“Art. 76. Rights and Welfare of Interns. — Interns shall be entitled to the following rights and protections: a safe, healthy, and conducive learning environment consistent with occupational safety and health standards; freedom from all forms of sexual harassment and gender-based violence in accordance with Republic Act Nos. 7877 and 11313; equal opportunity and gender equity consistent with Republic Act No. 9710 and related laws; equal pay for equal value of work or training rendered and freedom from discrimination based on sex, gender, religion, ethnicity, or disability; structured mentorship and supervision by qualified personnel; reasonable allowances or reimbursements when practicable, especially for internships exceeding one (1) month; accident insurance coverage for the entire duration of training in workplaces where occupational safety and health hazards are present; and certification of completion indicating the duration and competencies acquired.

“Art. 76-A. Duties of Host Entities. — Host entities shall provide meaningful learning experiences consistent with the Internship Agreement; assign qualified mentors or supervisors and ensure proper orientation; protect interns from harassment, discrimination, or unsafe conditions; maintain records of attendance, learning outputs, and performance evaluations; and refrain from using interns to replace regular employees or to perform purely menial or unrelated work.

“Art. 76-B. Confidentiality and Intellectual Property. — Interns shall maintain confidentiality over proprietary or privileged information accessed during the internship. Intellectual property created by interns during training shall be governed by the Internship Agreement, consistent with existing laws on intellectual property and labor.

“Art. 77. Administration and Enforcement. — The Department of Labor and Employment shall administer and monitor internship programs in coordination with the Commission on Higher Education, the Technical Education and Skills Development Authority, and the Department of Education. These agencies shall issue joint guidelines prescribing minimum standards, model agreements, and grievance mechanisms, including gender-sensitive procedures for the reporting and redress of harassment or discrimination. Violations of this Chapter or its implementing rules shall subject the host entity or institution to administrative sanctions as may be determined by the Department of Labor and Employment, without prejudice to the imposition of penalties under the general penalty clause of this Code.

“Art. 77-A. Non-Waiver of Rights. — Any agreement, stipulation, or condition in the Internship Agreement that diminishes, waives, or circumvents the rights granted to interns under this Code or other laws shall be null and void.”

SEC. 4. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment, in coordination with the Commission on Higher Education, the Technical Education and Skills Development Authority, and the Department of Education, and in consultation with the Philippine Commission on Women, shall promulgate the rules and regulations to implement this Act.

SEC. 5. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

SEC. 6. Repealing Clause. — All laws, presidential decrees, executive orders, and regulations inconsistent herewith are hereby repealed or modified accordingly.

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

Approved,