

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **5384**



Introduced by Representative Kenneth T. Gatchalian

EXPLANATORY NOTE

Section 3, Article XIII of the 1987 Constitution mandates the State to afford full protection to labor and promote full employment and equal opportunities for all. In line with this, Republic Act No. 11261 or the First Time Jobseekers Assistance Act was enacted in 2019 to ease the financial burden of securing pre-employment documents.

However, beyond first-time jobseekers, indigent Filipinos also face significant barriers in accessing employment due to the costs of obtaining required clearances and certifications. For those already struggling to meet basic needs, these expenses further limit their opportunities for gainful work.

The proposed Kabalikat sa Hanapbuhay Act seeks to address this gap by granting indigent jobseekers a twenty percent (20%) discount on government fees for pre-employment documents, and waiving charges for records and certificates issued by State and Local Universities and Colleges. This measure will help ensure fairer access to employment, contribute to reducing unemployment, and uplift the living standards of underprivileged Filipinos.

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



KENNETH T. GATCHALIAN

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

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

1 **SECTION 1.** *Title.* – This Act shall be known as the “*Kabalikat sa*
2 *Hanapbuhay Act*”.

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

8 Further, the State shall strive for a more equitable distribution of
9 opportunities, decent jobs, income, and wealth; a sustained increase in the amount
10 of goods and services produced by the nation for the people, and an expanding
11 productivity as the key to raising the quality of life for all, especially the
12 underprivileged. To this end, the State shall provide indigent jobseekers a twenty

1 percent (20%) discount in the payment of fees and charges or waived fees for certain
2 certificates and clearances issued by government agencies.

3 **SEC. 3. *Identification of Beneficiaries.*** – As used in this Act, an indigent
4 jobseeker refers to a person who is seeking gainful employment and has no visible
5 means of income or whose income falls below the official poverty threshold, as
6 identified by the Department of Economy, Planning, and Development (DEPDev)
7 and/or cannot afford in a sustained manner to provide their minimum basic needs of
8 food, health, education, housing and other essential amenities of life.

9 The Philippine Statistics Authority (PSA), based on the criteria set under the
10 Community-Based Monitoring System (CBMS) as established under Republic Act
11 No. 11315, otherwise known as the “Community-Based Monitoring System Act”,
12 shall validate the list of indigent households in the Listahanan of the Department of
13 Social Welfare and Development (DSWD) to identify indigent individuals. The
14 Local Social Welfare Development Officer (LSWDO) of the city/municipality or
15 any equivalent unit of the municipality where the indigent jobseeker resides is
16 authorized to issue a Certificate of Indigency based on the latest CBMS data, the
17 abovementioned criteria, and established guidelines, as proof of eligibility of
18 jobseekers in availing the privileges provided for under this Act. Such certification
19 shall be free of charge.

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

23 An indigent jobseeker whose household is enrolled under the seven-year
24 period “Pantawid Pamilyang Pilipino Program (4Ps)” shall be automatically
25 considered as indigent and eligible to avail of the privileges under this Act.

26 First time jobseekers who avail of waived government fees and charges in
27 the issuance of pre-employment documents under Republic Act No. 11261 or the
28 “First Time Jobseekers Assistance Act” are not covered by this Act.

1 **SEC. 4.** *Discount on Fees and Charges for Clearances and Certificates.* –
2 Indigent jobseekers, whether here or abroad, shall be granted a twenty percent (20%)
3 discount in the payment of fees and charges for the following clearances and
4 certificates requisite for pre-employment application:

- 5 (a) Clearance from the barangay where the jobseeker resides;
- 6 (b) Clearance from the National Bureau of Investigation (NBI);
- 7 (c) National Police Clearance from the Philippine National Police (PNP);
- 8 (d) Medical certificate for local employment from any government hospital
9 licensed by the Department of Health (DOH), and medical certificate for
10 foreign employment from any DOH-accredited medical facility for
11 overseas workers and seafarers;
- 12 (e) Certificate of marriage from the Philippine Statistics Authority (PSA);
- 13 (f) Certificate of live birth from the PSA;
- 14 (g) National Certificate and Certificate of Competency (COC) from the
15 Technical Education and Skills Development Authority (TESDA);
- 16 (h) Certificate of Civil Service Eligibility from the Civil Service Commission
17 (CSC); and
- 18 (i) Other documentary requirements issued by the government that may be
19 required by employers from indigent jobseekers, as determined and
20 approved by the Inter-Agency Coordinating and Monitoring Committee
21 established in Section 6 of this Act.

22 Indigent jobseekers may avail of the privilege of discounted fees not more
23 than once every six (6) months from each government agency.

24 **SEC. 5.** *Waiver of Fees and Charges for Pre-Employment Documents.* –
25 The fees and charges required to acquire the Transcript of Records, Transfer
26 Credentials, Authenticated Copy of Diploma, and Certificate of Good Moral
27 Character from the State Universities and Colleges, and Local Universities and

1 Colleges of the jobseeker: Provided, That the indigent jobseeker may avail of the
2 privilege of waived fees not more than once every six (6) months.

3 **SEC. 6. *Prohibited Acts and Penalties.*** – (a) Any public officer or
4 employee who refuses or fails to issue a Certificate of Indigency, or to provide the
5 benefit granted to the indigent jobseeker in violation of Sections 4 and 5 of this Act
6 shall, upon conviction, be subject to a fine of not less than Ten thousand pesos (Php
7 10,000.00) but not more than Fifty thousand pesos (Php 50,000.00). The penalty of
8 temporary disqualification to hold public office for a period of five (5) years shall
9 also be imposed.

10 (b) A jobseeker who misrepresents or falsifies any document to avail of the
11 benefits provided under this Act or abuses the privilege granted herein shall be
12 prosecuted and punished in accordance with prevailing penal laws, and shall suffer
13 perpetual disqualification from availing any of the privileges under this Act.

14 Administrative sanctions may be imposed without prejudice to prosecution
15 under this Act. Prosecution for an offense under this Act shall be without prejudice
16 to any liability for violation of any other existing laws, rules and regulations.

17 **SEC. 7. *Indigent Jobseekers Database.*** – The Public Employment Service
18 Office in coordination with the LSWDO shall establish and maintain a database
19 system containing an updated roster of all indigent jobseekers who availed of the
20 benefits under this Act.

21 The PhilJobnet platform of the Department of Labor and Employment
22 (DOLE) shall serve as the monitoring mechanism to record, monitor and report the
23 availment of the benefits granted to indigent jobseekers.

24 **SEC. 8. *Inter-Agency Coordinating and Monitoring Committee.*** – An
25 Inter-Agency Coordinating and Monitoring Committee (“the Committee”) shall be
26 established to coordinate and monitor the implementation of this Act.

27 The Committee shall be composed of the following:

- 1 (a) Secretary of Labor and Employment or their authorized representative, as
2 Chairperson;
- 3 (b) Secretary of Interior and Local Government or their authorized
4 representative, as Vice Chairperson; and
- 5 (c) The following as Members:
- 6 (i) Secretary of Migrant Workers or their authorized
7 representative;
- 8 (ii) National Statistician and Civil Registrar General of the PSA
9 or their authorized representative;
- 10 (iii) Chief of the PNP or their authorized representative;
- 11 (iv) Director of the NBI or their authorized representative;
- 12 (v) Secretary of the DOH or their authorized representative;
- 13 (vi) Chairperson of the CSC or their authorized representative;
- 14 (vii) Chairperson of the Commission on Higher Education
15 (CHED) or their authorized representative;
- 16 (viii) Director-General of TESDA or their authorized
17 representative;
- 18 (ix) Presidents of the Liga ng mga Barangay, League of
19 Municipalities of the Philippines, and League of Cities of the
20 Philippines or their authorized representatives;
- 21 (x) Lead Convenor of the National Anti-Poverty Commission
22 (NAPC) or their authorized representative;
- 23 (xi) Chairperson of the National Commission on Indigenous
24 Peoples (NCIP) or their authorized representative;
- 25 (xii) And such other agencies or stakeholders as may be
26 necessary.

27 The Committee shall have the following functions:

- 28 (a) To coordinate, monitor, and evaluate the implementation of this Act;

- 1 (b) To make recommendations for concerned agencies to ensure the
2 effective and efficient delivery of services in providing the benefits
3 for indigent jobseekers under this Act;
4 (c) To identify and approve other pre-employment certificates and
5 clearances;
6 (d) To review, evaluate, and amend accordingly the clearances and
7 certificates covered under this Act; and
8 (e) To submit an annual report to Congress on the implementation of this
9 Act.

10 **SEC. 9.** *Joint Congressional Oversight Committee.* – Upon the effectivity
11 of this Act, a Joint Congressional Oversight Committee (JCOC) is hereby
12 constituted. The JCOC shall set the overall framework to review the implementation
13 of this Act.

14 The JCOC shall be composed of fourteen (14) members with the chairpersons
15 of the Committee on Poverty Alleviation of the House of Representatives, and of
16 the Committee on Social Justice, Welfare and Rural Development of the Senate as
17 Co-Chairpersons, and six (6) members from each House, to be designated by the
18 Speaker of the House of Representatives and the Senate President respectively.

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

22 **SEC. 10.** *Implementing Rules and Regulations.* – Within six (6) months after
23 the effectivity of this Act, the DOLE shall, in consultation with the Department of
24 the Interior and Local Government, Department of Migrant Workers, PSA, PNP,
25 NBI, DOH, CSC, CHED, TESDA, Leagues of Barangay, Municipalities, and Cities,
26 NAPC and NCIP, promulgate the rules and regulations to implement this Act.

1 **SEC. 11. *Separability Clause.*** – If any provision or part of this Act is held
2 invalid or unconstitutional, the remaining parts or provisions hereof not otherwise
3 affected shall remain in full force and effect.

4 **SEC. 12. *Repealing Clause.*** – Any law, presidential decree or issuance,
5 executive order, letter of instruction, administrative order, rule or regulation contrary
6 to or inconsistent with the provisions of this Act is hereby repealed, amended or
7 modified accordingly.

8 **SEC. 13. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
9 publication in the Official Gazette or in at least two (2) newspapers of general
10 circulation.

11
 Approved,