

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5453



Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
INSTITUTIONALIZING AND STRENGTHENING THE TULONG
PANGHANAPBUHAY SA ATING DISADVANTAGED/DISPLACED WORKERS
(TUPAD) PROGRAM OF THE DEPARTMENT OF LABOR AND EMPLOYMENT
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Article II, Section 9 of the 1987 Constitution 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."

The fundamental law also mandates under Article XIII, Section 3 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.

It shall guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. They shall be entitled to security of tenure, humane conditions of work, and a living wage. They shall also participate in policy and decision-making processes affecting their rights and benefits as may be provided by law."

The Department of Labor and Employment (DOLE) is the national agency tasked to formulate policies and implement programs of the national government in promoting gainful employment opportunities and optimizing the development and utilization of the country's manpower resources.

One of DOLE's projects is the Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers (TUPAD) or emergency employment program, a community-based (municipality/barangay) package of assistance that provides

emergency employment for displaced workers, the underemployed and the unemployed poor for a minimum of ten (10) days but not to exceed thirty (30) days, depending on the nature of work.

The Department of Labor and Employment (DOLE) announced that as of early 2025, more than 6.6 million workers have received assistance under the TUPAD program.

In 2024 alone, the government allocated and disbursed ₱9.9 billion, providing short-term emergency employment to over 1.7 million Filipinos. These jobs include community-based work such as street cleaning, tree planting, and minor infrastructure projects—designed to help displaced and disadvantaged individuals regain income and dignity.

In order to aggressively create jobs, this bill seeks to institutionalize and strengthen the TUPAD Program by expanding both the coverage of qualified beneficiaries in the informal sector as well as the projects eligible for financing and support.

Through this initiative, it hoped that the need for a permanent and institutionalized social safety net for displaced workers and their families will be given the urgency and import beyond the usual provision of relief goods, which is usually short-term, provisional, and reactive.

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


Keith Micah "Atty. Mike" D.L. Tan
4th District, Quezon

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

SECTION 1. *Short Title.* - This Act shall be known as the "Enhanced TUPAD Act."

SEC. 2. *Declaration of Policy.* - The State shall promote a just and dynamic social order that shall ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services; promote decent, productive and full employment; a rising standard of living; and an improved quality of life for all.

The State shall ensure wider access to inclusive and gender responsive social protection policies and programs such as active labor market interventions promoting and facilitating transitional or temporary employment generation and human resource development, and social safety net from the effects of disasters, epidemics/outbreaks, pandemics, public health emergencies, war, armed conflict, crises, economic shocks or income loss brought by ill-health, disability, work-related injury, unemployment, work displacements, development policies or policy-related disruptions and other related contingencies.

SEC. 3. *Coverage.* - This Act shall cover all displaced, marginalized and/or vulnerable workers affected by disasters, epidemics/outbreaks, pandemics, public health emergencies, war, armed conflict, crises, economic shocks or income loss.

SEC. 4. *Definition of Terms.* - As used in this Act:

a. Accredited Co-Partner refers to the program partner, which may be a

peoples' or workers' organization, union, association, federation, cooperative, business association, church-based organization, educational institution, or private foundation, that has been accredited by the Department of Labor and Employment (DOLE) to implement TUPAD programs and projects using government or public funds. Government agencies, local government units (LGUs) including state universities and colleges (SUCs) are deemed accredited co-partners;

b. Beneficiary refers to individuals, who may be working poor, displaced, marginalized and/or vulnerable workers who are qualified to avail of assistance under the Enhanced TUPAD Program;

c. Disaster refers to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources, as defined in Republic Act No. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010";

d. Displaced workers refer to workers in the formal and informal economy or self-employed, whether overseas or local, who became unemployed, underemployed, or have lost their livelihood due to disasters, epidemics/outbreaks, pandemics, public health emergencies, war, armed conflict, crises, economic shocks, or income loss brought about by ill-health, disability, work-related accidents or injuries, business closure, retrenchment, rightsizing, redundancy, technological advances, development policies or policy-related disrupt and other analogous adverse events as may be determined by the DOLE;

e. Enhanced TUPAD Program refers to the DOLE program which provides for a safety net wage temporary employment assistance for displaced and/or vulnerable workers also known as the Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers Program, and interchangeably referred to as Enhanced TUPAD Program;

f. Marginalized workers refer to workers who have not benefitted from education, health, employment, and other opportunities by reasons of poverty, geographical inaccessibility, culture, gender, among others, and to workers who are less likely to have formal work arrangements, and are more likely to lack decent working conditions, adequate social security, and whose employment is characterized by inadequate earnings, low productivity, and difficult conditions of work that undermine their fundamental rights;

g. Massive displacement refers to large-scale displacement of workers in the formal and informal sectors brought about by disasters, epidemics/outbreaks, pandemics, public health emergencies, war, armed conflict crises, economic shocks, development policies or policy-related disruption among others, resulting

in loss of or serious effect on income and livelihoods;

h. Micro-insurance refers to a scheme that provides specific insurance and similar products and services that meet the needs of the low-income sector for risk protection and relief against distress, misfortune, and other contingent events;

i. Self-employed refers to persons who operate their own businesses or trades and do not employ paid workers in the conduct of their economic activities. This category includes workers who worked purely on commission basis and who may not have regular working hours.

j. Enhanced TUPAD Program is a safety net wage employment assistance program for displaced and/or vulnerable workers also known as the Enhanced Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers Program, and interchangeably referred to as Enhanced TUPAD Program;

k. Vulnerable workers refer to workers confronted by ex-ante risk that if currently non-poor, will fall below the poverty line, or if currently poor, will remain mired in poverty, or exposed to adverse shocks; and

l. Working poor refer to workers in the private sector whose wages are below the statutory minimum wage and individuals whose income fall below the poverty threshold as defined by the National Economic and Development Authority and/or cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing and other essential amenities of live.

SEC. 5. Temporary Wage Employment Assistance Program for Displaced and/or Vulnerable Workers or Enhanced TUPAD Program. - The Enhanced TUPAD Program is a social safety net designed to assist displaced/or vulnerable workers and their families, and get them back on their feet by providing them temporary wage employment if they fall on hard times due to disasters, epidemics, war, armed conflict, crises, economic shocks, or income loss brought about by ill-health, disability, work-related accidents or injuries, unemployment, work displacements due to business closure, retrenchment, rightsizing, redundancy, technological advances, development policies or policy-related disruptions and other analogous causes. For this purpose, the TUPAD Program being Implemented by the DOLE providing emergency employment for displaced or disadvantaged workers is hereby enhanced and institutionalized.

SEC. 6. Eligible Projects and Duration of Work. - The eligible projects that may be funded under the Enhanced TUPAD Program shall be social, economic, and agro-forestry community projects that will help the government in mitigating the impacts of outbreaks/epidemics, rebuilding the community affected by disasters/catastrophes, and promoting green works or green jobs and climate

resilient development/disaster risk reduction, including provisioning of assistance to the local government units in the delivery of essential services.

The Department shall set the period of work of approved TUPAD project depending on the nature and duration of work to be performed, but in no case shall the project duration be less than ten (10) days, nor to exceed thirty (30) days. Under exceptional circumstances, the Secretary of Labor and Employment may authorize employment projects with a maximum duration of ninety (90) days.

For authorized employment project exceeding thirty (30) to a maximum of ninety (90) days, this shall be implemented in partnership and/or complementation with national government agencies and local government agencies implementing public projects as well as private sector entities willing to engage in public projects. Said offices/program partners shall provide the required materials, tools, and equipment including office equipment, as warranted by the nature of work.

SEC. 7. Qualified Beneficiaries. - All displaced, marginalized and/or vulnerable workers are qualified beneficiaries under this Act. Critically-impacted sector for any of the causes of displacement pursuant to the pertinent sections under this Act shall be the priority sectors to be served under the program. Further, it is encouraged that at least 50% of the beneficiaries of the employment projects under the Enhanced TUPAD Program shall be women.

The Secretary of DOLE shall set standards on the profiling of Enhanced TUPAD beneficiaries per household, and the number of projects under the Program a qualified beneficiary may participate in, and such other relevant matters for the effective implementation of this Act, with a view to helping the most number of beneficiaries.

SEC. 8. Modes of Implementation of Enhanced TUPAD Program. - The Enhanced TUPAD program shall be implemented directly by the DOLE Regional/Provincial/Field Offices or through an Accredited Co-Partner (ACP). Funds may be downloaded to accredited co-partners provided that they do not have outstanding unliquidated cash advances/obligation to the Department. Otherwise, the direct administration mode of implementation of TUPAD Program will be adopted.

SEC. 9. Payment of Wages of the Beneficiaries. - The wages of the beneficiaries shall not be less than 100% of the "highest" prevailing minimum wage rate set by the Regional Tripartite Wages and Productivity Board (RTWPB) in the region where the project will be implemented.

Quick disbursing mechanism of wages such as the use of automated banking facility, money remittance provider, e-wallet and other contactless payment

transactions shall be the primary mode in paying the Enhanced TUPAD workers. Under exceptional circumstances, such as non-operation of said mechanisms due to disasters, epidemics/outbreaks, pandemics, public health emergencies, war, armed conflict and analogous instances, or when the employment project is implemented in geographically isolated areas, the Secretary of Labor and Employment, may authorize direct cash pay-out to the beneficiaries.

SEC. 10. Monitoring, Reporting and Evaluation of the TUPAD Program. - The Department shall establish a standardized monitoring, reporting and evaluation system to properly document every approved project under the Program.

The databases maintained in the DOLE Regional Offices and the centralized database management system of the Department which store, retrieve and maintain data sets necessary in the implementation of Enhanced TUPAD Program shall be continuously upgraded. Provided that, laws on privacy and confidentiality such as the Data Privacy Act of 2012 shall be complied with.

SEC. 11. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, DOLE shall, in coordination with relevant government agencies and stakeholders, issue necessary rules and regulations for the effective implementation of this Act.

SEC. 12. Separability Clause. - Any portion or provision of this Act that is declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as remaining portions can still subsist and be given effect in their entirety.

SEC. 13. Repealing Clause. - All laws, ordinances, rules, regulations, other issuances or part thereof, which are inconsistent with Act, are hereby repealed or modified accordingly. Nothing in this Act shall result in the diminution of the benefits and/or assistance given to overseas Filipinos and migrant workers as provided in other laws, ordinance, rules, regulations and issuances.

SEC. 14. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,