

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6071



Introduced by Lone District of Agusan del Norte Representative
HON. DALE B. CORVERA

AN ACT
CREATING THE DEPARTMENT OF TECHNICAL EDUCATION,
TRAINING AND CERTIFICATION, DEFINING ITS POWERS AND
FUNCTIONS, AMENDING REPUBLIC ACT NO. 7796, OTHERWISE
KNOWN AS THE “TESDA ACT OF 1994”, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippines, with its growing economy, faces a significant challenge in bridging the skills gap in its workforce. Technical-vocational education and training (TVET) play a crucial role in developing a skilled labor force capable of meeting the demands of modern industries. However, the country has long faced inefficiencies in the management and delivery of TVET programs. These challenges stem from fragmented governance, outdated curricula, underfunding, and mismatched industry needs, among others.

The Philippine technical education system is divided among various government agencies, which results in inconsistent policies, misallocation of resources, and lack of coordination. TESDA oversees skills development, while DepEd handles secondary-level vocational programs. Higher education institutions (HEIs) also offer technical courses under the Commission on Higher Education (CHED). This fragmented structure complicates the implementation of nationwide reforms and makes it difficult to monitor and evaluate the quality of training programs.

Likewise, the skills taught in many TVET programs do not always meet the evolving demands of industries. While TESDA has attempted to bridge this gap, there is still a lag in updating curricula and aligning programs with technological advancements and market needs.

Many TVET institutions lack modern equipment, and instructors often receive inadequate training. These deficiencies hinder the development of a skilled workforce capable of competing in global markets.

There are geographic and socioeconomic barriers that limit access to quality technical education. Many regions, particularly in rural areas, lack sufficient training centers and resources to support the growing demand for skilled workers.

The establishment of a Department of Technical Education and Training (DTET) will centralize the management of technical education and training across various levels. This new department will be tasked with the integration of TVET programs under one cohesive strategy, improving coordination among government agencies, educational institutions, and industries. The DTET will streamline decision-making processes, ensuring that policies and programs are coordinated and aligned with national economic priorities. This unified governance will help resolve issues of duplication and inefficiency, leading to a more coherent and effective TVET system.

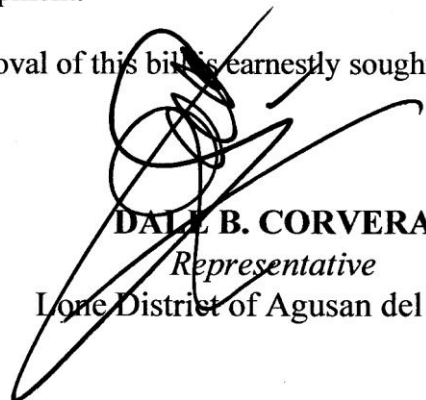
The DTET will be empowered to work closely with industries and employers to identify current and future skill requirements. By fostering partnerships with private sector organizations, the DTET can ensure that TVET curricula are continuously updated to meet the demands of emerging industries such as digital technologies, renewable energy, and healthcare. Studies, such as those by the Asian Development Bank (ADB), have stressed the need for curricula reforms that align education with labor market needs to reduce the skills mismatch.

The creation of a dedicated department will allow for better prioritization and allocation of resources toward upgrading infrastructure, purchasing modern equipment, and improving the professional development of trainers and instructors. This will ensure that TVET institutions are equipped to deliver high-quality education. Additionally, the DTET can advocate for more sustainable and long-term funding for technical education programs, ensuring their continuity and expansion.

With a single department overseeing all aspects of TVET, the DTET will be able to implement nationwide strategies to expand access to training, especially in underserved regions. Through initiatives like mobile training units, partnerships with local government units (LGUs), and the expansion of online and blended learning, the DTET can ensure that technical education opportunities are available to all Filipinos, regardless of their geographic or socioeconomic background.

The creation of the Department of Technical Education and Training in the Philippines is a vital step toward improving the country's technical education system. By centralizing governance, aligning curricula with industry needs, improving resource allocation, and expanding access, the DTET will help produce a highly skilled and employable workforce capable of driving economic growth and meeting the demands of an evolving labor market. Through this proposed legislation, the Philippines can build a robust technical education system that supports both individual and national development.

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



DALE B. CORVERA
Representative
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Title. - This Act shall be known as the “Department of Technical Education and Training Act” or the “DTET Act.”

SEC. 2. Declaration of Policy. - It is a declared the policy of the State to provide relevant, accessible, high quality, and efficient technical education and skills development in support of the development of high-quality Filipino manpower responsive to and in accordance with Philippine development goals and priorities.

The State shall encourage active participation of both public and private tech-voc institutions and enterprises, being direct participants in and immediate beneficiaries of a trained and skilled workforce, in providing technical education and skills development opportunities.

SEC. 3. Statement of Goals and Objectives. - It is the goal and objective of this Act to:

- a. Promote and strengthen the quality of technical education and skills development programs to attain international competitiveness;
- b. Focus technical education and skills development on meeting the changing demands for quality manpower;
- c. Encourage critical and creative thinking by disseminating the scientific and technical knowledge base of manpower development programs;

- d. Strongly support the implementation of the Philippine Qualification Framework (E.O. 83, s. 2012), the Ladderized Education Program (R.A. No. 10647), and the Dual Technical Training System (R.A. No. 7686);
- e. Maximize returns to the country's investment in technical education and training through an efficient graduates' employment facilitation program within the framework of the national employment service network system;
- f. Help in poverty alleviation efforts by providing the marginalized and vulnerable segments of the country's population access to income generating Technical Education and Training opportunities;
- g. Recognize and encourage the complementary roles of public and private institutions in technical education and skills development and training system; and
- h. Inculcate desirable values through the development of moral character with emphasis on work ethic, self-discipline, self-reliance and nationalism.

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

(a) "Skill" shall mean the acquired and practiced ability to carry out a task or job;

(b) "Skills Development" shall mean the process through which learners and workers are systematically provided with learning opportunities to acquire or upgrade, or both, their ability, knowledge and behavior pattern required as qualifications for a job or range of jobs in a given occupational area;

(c) "Technical Education" shall refer to the education process designed at post-secondary and lower tertiary levels, officially recognized as non-degree programs aimed at preparing technicians, para-professionals and other categories of middle level workers by providing them with a broad range of general education, theoretical, scientific and technological studies, and related job skills training;

(d) "Trade" shall mean any group of interrelated jobs or any occupation which is traditionally or officially recognized as craft or artisan in nature requiring specific qualifications that can be acquired through work experience and/or training;

(e) "Middle-Level Manpower" refers to those

(1) who have acquired practical skills and knowledge through formal or non-formal education and training equivalent to at least a secondary education but preferably a post-secondary education with a corresponding degree or diploma; or

(2) skilled workers who have become highly competent in their trade or craft as attested by industry;

(f) "Private Enterprises" refers to an economic system under which property of all kinds can be privately owned and in which individuals, alone or in association with another, can embark on a business activity. This includes industrial, agricultural, or agro-industrial

establishments engaged in the production, manufacturing, processing, repacking or assembly of goods including service-oriented enterprises;

(g) “Trainers” shall mean persons who direct the practice of skills towards immediate improvement in some task;

(h) “Training” is teaching or developing oneself or others, any skills and that relate to specific useful competencies;

(i) “Trainers/trainers” shall mean persons who provide training to trainees aimed at developing the latter's capacities for imparting attitudes, knowledge, skills and behavior patterns, required for specific jobs, tasks, occupations or group of related occupations;

(j) “Trainees” shall mean persons who are participants in a vocational, administrative or technical training program for the purpose of acquiring and developing job-related skills;

(k) “Apprenticeship” training within employment with compulsory related theoretical instructions involving a contract between an apprentice and an employer on an approved apprenticeable occupation;

(l) “Apprentice” is a person undergoing training for an approved apprenticeable occupation during an established period assured by an apprenticeship agreement;

(m) “Apprenticeship Agreement” is a contract wherein a prospective employer binds himself to train the apprentice who in turn accepts the terms of training for a recognized apprenticeable occupation emphasizing the rights, duties and responsibilities of each party;

(n) “Apprenticeable Occupation” is an occupation officially endorsed by a tripartite body and approved for apprenticeship by the authority;

(o) “Learners” refer to persons hired as trainees in semi-skills and other industrial occupations which are non-apprenticeable. Learnership programs must be approved by the Department;

(p) “User-Led” or “Market-Driven Strategy” refers to a strategy which promotes strengthened linkages between educational/training institutions and industry to ensure that appropriate skills and knowledge are provided by the educational system;

(q) “Dual System/Training” refers to a delivery system of quality technical and vocational education which requires training to be carried out alternately in two venues: In school and in the production plant. In school training provides the trainee the theoretical foundation, basic training, guidance and human formation, while in-plant training develops his skills and proficiency in actual work conditions as it continues to inculcate personal discipline and work values;

(r) “Levy Grant System” refers to a legal contribution from participating employers who would be beneficiaries of the program (often as a percentage of the payroll) which is subsequently turned over or rebated to enterprises offering employee training programs;

(s) “Leading Technology Centers” refer to centers that provide high quality and efficient technical education, training and certification in support of the development of high-quality Filipino manpower responsive to and in accordance with Philippine development goals and priorities;

(t) “Philippine Qualifications Framework (PQF)” is a national policy which describes the levels of educational qualifications and sets the standards for qualifications outcomes. It is a quality assured national system for the development, recognition and award of qualifications based on standards of knowledge, skills, and values acquired in different ways and methods by learners and workers of a certain country

(u) “Ladderized Education” refers to the harmonization of all education and training mechanisms that allow students and workers to progress between technical-vocational programs and higher education programs, or vice-versa. It opens opportunities for career and educational advancement to students and workers. It creates a seamless and borderless education and training system that will allow transfers in terms of flexible entry and exit between technical-vocational and higher education programs in the post-secondary school system,

SEC. 5. *Creation of a Department of Technical Education and Training.* - There is hereby created a Department of Technical Education and Training (DTET), hereinafter referred to as the Department, which shall replace and absorb the Technical Education and Skills Development Authority (TESDA) created under Republic Act No. 7796, as amended.

SEC. 6. *Jurisdiction of the Department.* – The Department shall be the primary policy formulation, planning, coordinating, implementing, regulating and administrative entity of the Government for technical education, training and certification agenda.

SEC. 7. *Powers and Functions of the Board.* - The Board shall primarily be responsible for formulating, continuing, coordinated and fully integrated technical education and skills development policies, plans and programs taking into consideration the following:

(a) the State policy declared herein of giving new direction and thrusts to efforts in developing the quality of Filipino human resource through technical education and skills development;

(b) the implementation of the above-mentioned policy requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of Philippine society;

(c) equal participation of representatives of industry groups, trade associations, employers, workers and government shall be made the rule in order to ensure that urgent needs and recommendations are readily addressed; and

(d) improved linkages between industry, labor and government shall be given priority in the formulation of any national-level plan.

The Board, shall have the following powers:

(1) promulgate policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act, in consultation with industry groups, trade associations, employers, workers;

(2) conduct in-depth studies on all policy areas and options that will promote technical education, training, and certification, in consultation with relevant stakeholders;

(3) organize and constitute various standing committees, subsidiary groups, or technical working groups for efficient integration, coordination and monitoring technical education and skills development programs at the national, regional, and local levels;

(4) enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations;

(5) restructure the entire sub-sector consisting of all institutions and programs involved in the promotion and development of middle-level manpower through upgrading, merger and/or phase-out following a user-led strategy;

(6) approve training standards and assessment packages as established and conducted by private industries;

(7) establish and administer a system of accreditation of both public and private institutions;

(8) establish, develop and support institutions' trainers' training and/or programs;

(9) lend support and encourage increasing utilization of the dual training system as provided for by Republic Act No. 7686;

(10) exact reasonable fees and charges for such training and assessment conducted and retain such earnings for its own use, subject to guidelines promulgated by the Department and existing laws, rules, and regulations;

(11) allocate resources for the programs and projects it shall undertake pursuant to approved National Technical Education and Skills Development Plan;

(12) determine and approve systematic funding schemes such as the Levy and Grant scheme for technical education and skills development purposes;

(13) create, when deemed necessary, an Advisory Committee which shall provide expert and technical advice to the Secretary to be chosen from the academe and the private sector: *Provided*, That in case the Advisory Committee is created, the Department is hereby authorized to set aside a portion of its appropriation for its operation;

(14) promulgate rules and regulations for the implementation of its policies and related laws; and

(15) perform such other duties and functions necessary to carry out the provisions of this Act or to achieve its goals and objectives to the fullest.

SEC. 8. *Power to Review and Recommend Action.* - The Department shall review and recommend action to concerned authorities on proposed technical assistance programs and grants-in-aid for technical education or training, or both, including those which may be entered into between the Government of the Philippines and other nations, including international and foreign organizations, both here and abroad.

SEC. 9. *Secretary of Technical Education, Training and Certification.* – The Department shall be headed by the Secretary of Technical Education, Training and Certification, hereinafter referred to as the Secretary, who shall be appointed by the President of the Republic of the Philippines, subject to confirmation by the Commission on Appointments.

The Secretary shall preferably have a solid background in technical and vocational education, training, labor and employment, or skills industry

SEC. 10. *Powers and Functions of the Secretary.* – The Secretary shall exercise the following powers and functions

(a) Provide executive direction and supervision over the entire operations of the Department and its attached agencies;

(b) Establish and promulgate policies, standards, rules, and regulations for the effective and efficient operation of the Department, in accordance with the programs of the government;

(c) Exercise control and supervision over all functions and activities of the Department and its officers and personnel

(d) Appoint officers and employees of the Department, except those whose appointments are vested in the President, in accordance with civil service law, rules, and regulations;

(e) Exercise disciplinary authority over officers and employees of the Department in accordance with law, and investigate such officers and employees, or designate a committee or officer to conduct an investigation;

(f) Coordinate with LGUs, other government agencies, and public and private interest groups, including non-government organizations (NGOs) and People's Organizations (POs) on the policies, programs, projects, and activities of the Department, as may be necessary;

(g) Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to technical education and training; and

(h) Perform such other functions and duties as may be assigned by the Board:

SEC. 11. *The Undersecretaries.* - The Secretary shall be assisted by at least six (6) Undersecretaries who shall be appointed by the President upon recommendation of the Secretary.

The Undersecretaries shall have operational control and supervision over the bureaus, divisions, offices, and units assigned to their respective functional areas.

SEC. 12. *The Assistant Secretaries and Directors.* – The Department shall have such number of Assistant Secretaries and Directors as may be necessary for the effective and efficient implementation and performance of its mandate, powers, and functions.

SEC. 13. *Qualifications.* – No person shall be appointed Secretary, Undersecretary, or Assistant Secretary of the Department unless he or she is a resident of the Philippines, of good moral character, of proven integrity, and with a good track record in technical and vocational education, training, labor and employment, or skills industry.

SEC. 14. *Bureaus, Services, and Personnel.* - The Department in addition to the offices of the Secretary, Undersecretaries and Assistant Secretaries shall be composed of the following Bureaus/Services to be headed by an Executive Director to be appointed by the President upon the recommendation of the Secretary. The Executive Directors shall have the rank and emoluments of a Director IV.

(a) *Planning Bureau*

(1) Designs and establishes planning processes and methodologies which will particularly enhance the efficiency of resource allocation decisions within the technical education and skills development sector;

(2) Leads the preparation and periodic updating of the National Technical Education and Training Plan;

(3) Conducts researches, studies and develop information systems for effective and efficient planning and policymaking;

(4) Develops and implements programs and projects aimed at building up planning capabilities of various institutions within the sector;

(5) Prepares and issues Labor Market Intelligence Reports on a regular basis;

(6) Conducts Impact Evaluation Studies (IES) of Technical Education and Training programs; and

(7) Performs such other powers and functions as may be authorized by the Department.

(b) *Industry Partnerships Bureau.*

(1) Establishes and maintains effective and efficient institutional arrangements with industry partners and stakeholders to provide direct participation in the various functions of the Department and access to technical education and training programs and services;

(2) Develops and implements placement schemes designed for the effective utilization of TET graduates either through wage and self-employment using partnership and linkages with various employers and industries within the framework of the national employment service network;

(3) Develops and implements incentive schemes and packages to encourage the participation of employers and workers in technical education and training;

(4) Establishes and maintains linkages with industry groups, employers, workers, academe, civil society organizations, NGOs, NGAs, LGUs, Peoples organizations, basic sectors and national and international networks and organizations related to technical education and training; and

(5) Performs such other powers and functions as may be authorized.

(c) *Qualification Standards Bureau.*

(1) Conducts research and development on various occupational areas in order to recommend policies, rules, and regulations for effective and efficient competency standardization, assessment and certification system in the country;

(2) Establishes and implements a system of accrediting experts from private enterprises, group of worker' associations and public institutions for the development/updating of competency standards and curriculum exemplars;

(3) Develops and establishes a national system of competency standardization and development for technical education and training, in coordination with relevant stakeholders;

(4) Facilitates the development, validation and evaluation of competency standards in identified appropriate venues from the network of public and private technical education and training providers;

(5) Regularly conducts international benchmarking and compares standards with other economies, countries or regions;

(6) Performs such other duties and functions as may be authorized.

(d) *Accreditation,, Certification and Assessment Bureau.*

(1) Develops, maintains and manages the national accreditation, certification and assessment program, systems and procedures;

(2) Establishes and maintains the implementation of a quality-assured system of accrediting trainers, assessors, and assessment centers in partnership with industries, training centers/institutions;

(3) Establishes and maintains a system of registering, accrediting TET programs/providers in the schools, centers, enterprises and communities;

(4) Regularly conducts compliance review and rating system of TET programs implemented by various TVIs;

(5) Maintains records of pertinent accreditation, certification and assessment records as well as a registry of Certified Workers, Trainers, and Accredited Competency Assessors and Accredited Competency Assessment Centers;

(6) Conducts researches and studies to ensure quality delivery and implementation of accreditation, certification and assessment and program registration;

(7) Develops mechanisms to continuously ensure integrity of the accreditation, certification and assessment and program registration; and

(8) Performs such other duties and functions as may be authorized.

(e) *Management, Financial and Administrative Service*

(1) Provides overall policies, systems, programs and guidelines in the areas of human resource management and development, procurement management, building and facilities maintenance, records management, and cash management;

(2) Provides overall policies, systems, programs and guidelines on the management and utilization of the Department's financial resources

(3) Establishes a monitoring and reporting system on administrative services, procurement and fiscal matters; and

(4) Performs such other powers and functions as may be authorized.

(f) *Legal and Liaison Service.*

(1) Provides legal opinions on legal matters involving the Department;

(2) Represents the Department in Congress committee hearings, technical working groups or meetings;

(3) Handles legal cases involving acts officials and personnel of the Department in the exercise of their official functions;

(4) Issues legal clearances for stakeholders transacting with the Department;

(5) Performs such other powers and functions as may be authorized.

SEC. 15. *Regional Offices.* - The Regional Offices shall be headed by Regional Directors with the rank and emolument of Director IV to be appointed by the President. The Regional Offices shall be under the direct control of the Secretary and shall have the following functions:

(a) Directs the implementation of technical education and training programs, projects and related activities in the region;

(b) Develops and recommend technical education and training programs for local level implementation within set policies;

(c) Disseminates information on the key policies, programs and activities of the Department in the region;

(d) Gathers relevant information and regularly submits status reports pertaining to technical education and training inputs to the Planning Bureau; and

(e) Performs such other duties and functions as may be authorized.

SEC. 16. *Provincial Offices.* – The Provincial Offices shall be headed by Provincial Directors who shall have the rank and emoluments of a Director III. The Provincial Offices shall have the following functions:

(1) Serves as Secretariat to the Provincial technical education and training committees;

(2) Provides technical assistance to local government units for effective supervision, coordination, integration and monitoring of technical education and training programs within their localities;

(3) Reviews and recommends priority technical education and training programs for implementation within their localities; and

(4) Performs such other duties and functions as may be authorized.

SEC. 17. *Schools and Centers.* – All schools and centers under the direct supervision of the TESDA shall be transferred to the Department. These institutions shall have the following functions:

- (a) Provide demonstration of leading training technology or regular technical education and training programs relevant to the needs of the economy as well as specific groups considered as marginalized and/or vulnerable in accordance with the national technical education, training, and certification agenda;
- (b) Conducts applied research and development programs and provides extension services;
- (c) Initiates resource and income-generation programs; and
- (d) Performs such other functions as may be authorized.

SEC. 18. *Compliance with the Salary Standardization Law.* - The compensation and emoluments of the officials and employees of the Department shall be in accordance with the salary standardization law and other applicable laws under the national compensation and classification plan.

SEC. 19. *Consultants and Technical Assistance, Publication and Research.* - In pursuing its objectives, the Department is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, and private organizations for research work and publication in the field of technical education and training. It shall avail itself of the services of other agencies of the Government as may be required.

SEC. 20. *Formulation of a Comprehensive Development Plan.* – The Department shall formulate a comprehensive development plan based on a national employment plan and prevailing industry needs, which shall be updated annually.

SEC. 21. *Technical Education and Training Committees.* - The Department shall establish Technical Education and Training Committees at the regional and local levels to coordinate and monitor the delivery of all training activities by the public and private sectors. These committees shall likewise serve as the Technical Education and Training Committees of the Regional and local development councils. The compositions of the Technical Education and Training Committees shall be determined by the Secretary.

SEC. 22. *Apprenticeship Program.* - The Department shall promote apprenticeship as a major mode of training rather than an employment arrangement and shall ensure the welfare of apprentices.

SEC. 23. *Establishment and Administration of National Trade Skills Standards.* - There shall be national training standards to be established by Department-accredited industry committees. The Department shall develop and implement a certification and accreditation program in which private industry groups and trade associations are accredited to conduct approved assessment packages, and the local government units to promote such assessment in their respective areas in accordance with the guidelines to be set by the Department.

The Secretary of Labor and Employment shall determine the occupational trades for mandatory certification.

All certificates relating to the national trade skills testing and certification system shall be issued by the Department through its Regional and Provincial Offices.

SEC. 24. *Administration of Training Programs.* - The Department shall design and administer training programs and schemes that will develop the capabilities of public and private institutions to provide quality and cost-effective technical education and training and related opportunities. Such training programs and schemes shall include teacher's trainors' training, skills training for entrepreneur development and technology development, cost-effective training in occupational trades and related fields of employment and value development as an integral component of all skills training programs.

SEC. 25. *Assistance to Employers and Organizations.* -The Department shall assist any employer or organization engaged in technical education and training schemes designed to attain its objectives under rules and regulations which the Department shall establish for this purpose.

SEC. 26. *Coordination of All Technical Education and Training Schemes.* - To integrate the national skills development efforts, all technical education and skills training schemes as provided for in this Act shall be coordinated with the Department particularly those pertaining to the setting of trade skills standards. For this purpose, existing technical education and training programs in the Government and in the private sector, especially those wholly or partially financed with government funds, shall be reported to the Department which shall assess and evaluate such programs to ensure their efficiency and effectiveness.

SEC. 27. *Accreditation and Regulation of Technical Education and Training Programs.* – All technical education and training programs shall be duly accredited by the Department before it is offered to the public by any public or private entity or non-government organization.

SEC. 28. *Industry Boards.* - The Department shall establish effective and efficient institutional arrangements with industry boards and such other bodies or associations to provide direct participation of employers and workers in the design and implementation of skills development schemes, trade skills standardization and certification and such other functions in the fulfillment of the Department's objectives.

SEC. 29. *Incentives Schemes.* - The Department shall develop and administer appropriate incentive schemes to encourage government and private industries and institutions to provide high-quality technical education and training opportunities.

SEC. 30. *Inclusive Training Opportunities.* - The Department shall design and implement an effective and efficient delivery system for quality technical education and training opportunities particularly in disadvantaged sectors, with new tools of wealth creation and with the capability to take on higher value-added gainful activities and to share equitably in productivity gains.

SEC. 31. *Skills Olympics.* - To promote quality skills development in the country and with the view of participating in international skills competitions, the Department shall, with

the active participation of private industries, organize and conduct annual National Skills Olympics. The Department shall promulgate the necessary rules and guidelines for the effective and efficient conduct of Annual National Skills Olympics and for the country's participation in international skills olympics.

SEC. 32. *Scholarship Grants.* - The Department shall adopt a system of allocation and funding of scholarship grants which shall be responsive to the technical education and training needs of the different regions in the country.

SEC. 33. *Transfer of TESDA Secretariat.* – The TESDA Secretariat created under RA 7996 shall comprise the manpower of the Department: Provided, That no employee shall be terminated by virtue of this transfer.

The laws and rules on government reorganization as provided under Republic Act No. 6656, otherwise known as the Reorganization Law, shall govern the transfer and reorganization process of the Department.

SEC. 34. *Structure and Staffing Pattern.* – Subject to the approval of the DBM, the Department shall determine its organizational structure, staffing pattern, qualification standards, and placement of personnel in the Department, its division units, services, and offices. Officers and employees of the department shall be appointed in accordance with the civil service law, rules, and regulations.

SEC. 35. *Separation and Retirement from Service.* – Employees who are separated from service within six (6) months from the effectivity of this Act as a result of the abolition/reorganization under the provisions of this Act shall receive separation benefits to which they may be entitled under Executive Order no. 366, s. 2024: Provided, That those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws and issuances.

SEC. 36. *Transition Period.* – The personnel of the TESDA shall, in a holdover capacity, continue to perform their respective duties and responsibilities and receive their corresponding salaries and benefits until such time when the organizational structure and staffing pattern of the Department shall have been approved: Provided, That the preparation and approval of the said new organizational structure and staffing pattern shall, as far as practicable, respect and ensure the security of tenure and seniority rights affected government employees. Those personnel whose positions are not included in the new staffing pattern or who are not reappointed or who choose to be separated as a result of the reorganization shall be paid their separation or retirement benefits under existing laws.

SEC. 37. *Appropriation.* - The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's appropriation of TESDA, Thereafter, the amount needed for the operation and maintenance of the Department shall be included in the General Appropriations Act.

SEC. 38. *Implementing Rules and Regulations.* - The Department, in coordination with relevant government agencies, shall issue the rules and regulations for the effective implementation of this Act, within a period of ninety (90) days.

SEC. 39. *Separability Clause.* – If, for any reason, any section, clause or term of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SEC. 40. *Repealing Clause.* – All laws, presidential decrees, issuances, executive orders, letters of instruction, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 41. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,