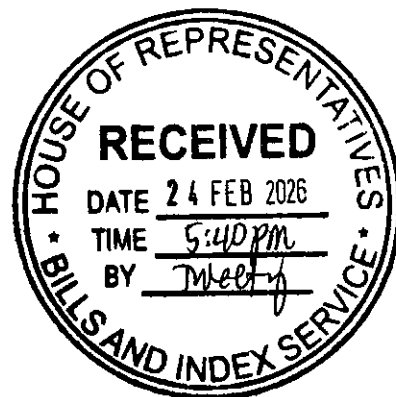


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8072



Introduced by **Representative Jaime R. Fresnedi**

EXPLANATORY NOTE

This bill seeks to institutionalize interns' rights and promote productive and meaningful internship practices in the country.

Internship is intended to be an integral part of the learning process, through which students are exposed to the real-world application of the theoretical and conceptual knowledge they acquire in school. It provides students with the opportunity not only to demonstrate their capabilities beyond the academic setting, but also to develop and present themselves as effective members of the labor force.

However, in practice, this process has often fallen short of its purpose. Interns are sometimes exploited as sources of unpaid labor or relegated to purely menial tasks—undermining the educational and skills-building objectives of internship programs. Such treatment compromises the goals of experiential learning and results in graduates who are less prepared for professional employment than they should be.

Ideally, internships should be mutually beneficial. Students gain practical knowledge and skills, while institutions and companies cultivate potential future employees. One manifestation of this ideal is the absorption of interns into the organizations in which they trained after graduation. Moreover, recognizing internship service as qualifying work experience would help ease the burden on graduates who face experience requirements when seeking employment.

This measure would help bridge the gap between education and employment and address the challenges of rising unemployment and limited access to job opportunities. Unfortunately, this remains the exception rather than the norm. This bill seeks to institutionalize the internship process in the country in order to safeguard interns' rights, ensure meaningful learning outcomes, and protect the interests of all stakeholders.

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



JAIIME R. FRESNEDI
Representative
Lone District, Muntinlupa City

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

TWENTIETH CONGRESS
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HOUSE BILL NO. 8072

Introduced by **Rep. Jaime R. Fresnedi**

AN ACT
PROVIDING FOR A NATIONAL FRAMEWORK FOR INTERNS' RIGHTS AND WELFARE

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 referred to as the "*Interns' Rights and Welfare Act*".

SEC. 2. *Declaration of Policy.* – The State recognizes its vital responsibility to enable the youth to fulfill its vital role and responsibility in nation building. It is the government principle of this Act that the youth be accorded opportunities for growth and employment. Towards this end, the government shall:

- (a) Ensure that internship programs provide quality training and education through hands-on work for interns;
- (b) Consistently monitor the National Government Agencies (NGAs)/implementing bodies, higher education institutions (HEIs), and host training establishments (HTEs) in guiding the interns and assessing their performance during the internship, with strong grievance mechanisms to protect the integrity of each institution and promote transparency among all;
- (c) Recognize interns as part of the labor force and therefore entitled to fair treatment and just compensation in their chosen workplace;
- (d) Recognize their allotted hours of service not only as academic credit, but also as qualifying work experience, provided the duties are relevant to the position applied for;
- (e) Strengthen the rights of interns to prevent abuse; and

- (f) Ensure the safety and welfare of interns throughout their internship.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall be defined as follows:

- (a) *Internship* refers to a period of supervised, structured learning experience in a professional setting designed to give students or recent graduates practice experience and skills in a specific field as part of a degree or post-degree program.
- (b) *Intern* refers to a student or graduate undergoing an internship at a host training establishment (HTE) as partial fulfillment of their academic requirements as prescribed by their respective higher education institutions (HEIs), certified training institutions (CTIs), or as a requisite for board examinations.
- (c) *Internship Contract* refers to a formal agreement concurred by all the parties which shall be accompanied with the agreed upon internship plan.
- (d) *Internship Plan* refers to the outlined goals and objectives, knowledge, skills and competencies that the intern should acquire in each training area. This will include a schedule of activities and assignments along with a clear set of duties to be fulfilled by the intern, and this internship plan shall be formulated and approved by the HEI, CTI, and HTE concerned.
- (e) *Higher Education Institution (HEI)* refers to public and private schools and universities that require students to undergo internships as part of their official curriculum.
- (f) *Certified Training Institutions (CTI)* refers to certificate issuing and TESDA-accredited training institutions that require students to undergo internships as part of their official curriculum.
- (g) *Host Training Establishment (HTE)* refers to a duly authorized and registered entity, institution, or establishment in the Philippines by the Security Exchange Commission (SEC) or the Department of Trade and Industry (DTI) with established systems of training for interns.

SEC. 4. *Rights of Interns.* Interns shall enjoy, on an equal and non-discriminatory basis, all rights guaranteed by the Constitution as well as those recognized under the Executive Order (EO) No. 139, s. 1993, CHED Memorandum Order (CMO) no. 104, s. 2017, and all other relevant international and regional human rights conventions and declarations.

SEC. 5. *Guidelines for Student Internship Programs.* Internship programs shall comply with the following guidelines:

- (a) Internship duties shall be limited only to official functions;
- (b) Interns shall be compensated for hours of service rendered;
- (c) HTEs, HEIs, and CTIs shall assume joint responsibility for the safety and security of interns for the duration of their internship;
- (d) HEIs and CTIs shall not charge interns with school fees that is beyond the administrative cost corresponding with units of the internship subject;
- (e) HTEs may not collect any payment from their interns, except for fees that are directly related to conducted training sessions and affiliation fees for health-allied internship programs, which shall not exceed 1% of the fee charged by the HEI or CTI for the internship;
- (f) All fees shall be collected by the HEI or CTI, including those levied by the HTE;
- (g) HTEs, HEIs, and CTIs shall create an *internship contract* that will be an official and binding document stating the duties and responsibilities of all parties, the duties prescribed in the internship plans, and the agreed upon remuneration agreements between the HTE and the intern;
- (h) HTEs, HEIs, and CTIs shall jointly develop *internship plans* to ensure that the internship program will provide the desired learnings and outcomes from the internship contract.
- (i) Interns may not be constrained by HEIs and CTIs to apply to a particular HTE. interns shall be allowed to undertake an internship in any office, establishment, or training institution if the said establishments comply with the requirements for HTEs;
- (j) Interns cannot be obliged to report to their HTEs after the prescribed number of internship hours are completed;
- (k) In cases where the internship contract is terminated for reasons not the fault of the intern, the hours of services rendered by the intern based on the daily time record shall be credited as hours completed for the internship program; and
- (l) HTEs, HEIs, and CTIs shall jointly ensure that all protective measures such as, but not limited to, insurance, vaccinations, and protective equipment, are supplied to interns as required by their duties.

SEC. 5. *Government Internship Program.* – All government agencies and instrumentalities, including government-owned-and-controlled corporations are hereby obliged to create a government internship program (GIP) for their respective offices, guided by an HTE-supervised internship plan.

SEC. 6. *Reputable Host Training Establishments.* – Reputable HTEs, in collaboration with the participating HEI, shall develop and approve an industry- or employer-based technical training program that interns will complete under actual workplace settings.

SEC. 7. *Compensation.* – HTEs shall provide interns with compensation for hours of service rendered. The compensation for interns in GIP shall be equivalent to seventy-five percent (75%) of Salary Grade 1, Step 1, of the prevailing schedule of salaries for government employees. Compensation for interns in the private sector shall not be less than seventy-five percent (75%) of the prevailing minimum wage for the region.

SEC. 8. *Recognition as Work Experience.* – The hours of service rendered under internship programs shall be recognized as real work experience by all companies when the intern applies for employment, if relevant to the job applied for.

SEC. 9. *Grievance Mechanism.* A grievance committee shall be constituted by the HTEs, CTIs, and HEIs involved for violations of the internship contract by any of the parties involved. Decisions of the grievance committee may be appealed to the Interagency Internship Rights Committee.

SEC. 10. *Interagency Internship Rights Committee.* – An Interagency Internship Rights Committee, hereinafter referred to as the Committee, is hereby established, to consist of the following:

- (a) A Commissioner of the Commission on Higher Education as (CHED) Chair;
- (b) A Deputy Director-General of the Technical Education and Skills Development Authority (TESDA) as Vice-Chair;
- (c) An Undersecretary from the Department of Labor and Employment (DOLE);
- (d) An Undersecretary from the Department of Trade and Industry (DTI);
- (e) A Commissioner from the Civil Service Commission (CSC);
- (f) A representative of the private sector, to be appointed by the President on the recommendation of a major chamber of commerce; and

- (g) A representative of the student sector, to be appointed by the President on the recommendation of a major organization of university or college student councils.

The CHED shall act as the Secretariat of the Committee.

SEC. 11. *Duties and Functions of the Committee.* – The Committee shall have the following duties and functions:

- (a) Formulate policies on the implementation of this Act;
- (b) Monitor the compliance of HTEs, HEIs and CTIs with the provisions of this Act;
- (c) Review internship programs and develop regulations for the achievement of the goals and objectives of this Act; and
- (d) Serve as the board of appeal for decisions of grievance committees established by this Act.

SEC. 12. *Penalties.* – Any violation of the internship contract shall result in the following:

- (a) HEIs and CTIs – Written reprimand, with downgrading of government recognition for repeated offenses, with the filing of administrative and criminal cases as appropriate.
- (b) HTE – Written reprimand and blacklisting of HTE for repeated violations, with the filing of administrative and criminal cases as appropriate.
- (c) Intern – Sanctions in accordance with the rules and regulations of the HTEs, HEIs, and CTIs concerned.

SEC. 13. *Implementing Rules and Regulations.* – The CHED, in consultation with other relevant stakeholders, shall promulgate the rules and regulations for the proper implementation of this Act within ninety (90) days from the effectivity of this Act.

SEC. 14. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the departments and agencies concerned. Thereafter, such amount shall be included in the annual General Appropriations Act.

SEC. 15. *Separability Clause.* – If any provision of this Act shall be deemed unconstitutional or invalid, the other provisions not affected there shall remain in force and effect.

SEC. 16. *Repealing Clause.* – All Acts, Presidential Decrees, Executive Orders and Administrative Orders, Rules and Regulations, and other such issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,