

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

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10804



INTRODUCED BY REP. PATRICK MICHAEL “PM” D. VARGAS

AN ACT
INSTITUTING THE FORMER PRISONER’S EMPLOYMENT PROGRAM
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Society is judged not only by how well it takes care of its outstanding citizens but by how it treats its prisoners, according to philosopher Fyodor Dostoevsky. When offenders are released from prison, they are assumed to have undergone the necessary rehabilitation to once again be integrated into society.

However, offenders face a variety of challenges after they are released from prison - stigma from having been incarcerated and discrimination, often in employment due to deprivation in terms of education. Most of these challenges hinder their ability to become law-abiding citizens. When they fail to become law-abiding citizens because of these barriers, institutions need to take an active role in greater reforms and second chances.

As such, prisons and correctional institutions ought to prepare offenders for social reintegration before release. That is the philosophy of a criminal justice system that aims to be more rehabilitative than punitive. This kind of perspective is geared towards comprehensive crime prevention, whereas the system must include effective measures to prevent the cycle of failed adaptation by repeat offenders.

This bill seeks to provide support to ex-offenders and ensure that they establish productive and crime-free lives in the community through the creation of the Office of Employment Opportunities for Former Prisoners under the Department of Justice. The proposed office is directed to draft and implement provisions and policies for the training and employment of former prisoners.

Furthermore, this bill seeks to provide incentives to private establishments that will hire former prisoners.

To create a better community for everyone, the immediate passage of this bill is earnestly sought.

A handwritten signature in blue ink, appearing to be 'PM' followed by a stylized 'D' and 'V'.

REP. PATRICK MICHAEL "PM" D. VARGAS

Fifth District, Quezon City

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

SECTION 1. Title. – This Act shall be known as the “*Former Prisoners’ Employment Act.*”

SECTION 2. Declaration of Policy. – It is the policy of the State to afford full protection to labor and promote full employment and equality of employment opportunities for all. Furthermore, the State recognizes the need to help former prisoners to continue their reformation and help them reintegrate into society after they have been released from prison.

SECTION 3. Definition of Terms. – For purposes of this Act, the following terms shall have the meaning as indicated hereunder:

- a. “Business establishments” refer to private companies that employ former prisoners.
- b. “Office” refers to the Office of Employment Opportunities for Former Prisoners, under the Department of Justice.
- c. “Former prisoner” refers to those convicted by final judgment and who have been released on probation, parole, pardon, or after having served their sentences.

SECTION 4. *Office of Employment Opportunities for Former Prisoners.* – The Office of Employment Opportunities for Former Prisoners under the Department of Justice, hereinafter referred to as the Office, is hereby created with the task of drafting provisions for the training and employment of former prisoners.

SECTION 5. *Structural and Personnel Organization.* – The Office shall be headed by the Chairperson and assisted by a Vice Chairperson, who shall both be appointed by the President, upon the recommendation of the Secretary of the Department of Justice.

Appointees to the positions of Chairperson and Vice Chairperson must be holders of a doctoral/master's degree in business or public administration and/or lawyers with at least one (1) year of experience in penology management.

The Office shall have a Technical Service Arm to assist it in carrying out its duties and functions.

SECTION 6. *Tax Credit.* – Business establishments that will employ former prisoners upon the effectivity of this Act shall be entitled to an additional deduction from their gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former prisoners, subject to Section 4 of the National Internal Revenue Code.

SECTION 7. *Implementing Rules and Regulations.* – The Secretary of the Department of Justice and the Secretary of the Department of Labor and Employment shall, within thirty (30) days from the effectivity of this Act, issue such rules and regulations necessary for the proper implementation of the provisions of this law.

SECTION 8. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter. An initial amount of One Hundred Million Pesos (P100,000,000.00) shall be allocated for this year of its implementation.

SECTION 9. *Repealing Clause.* – Any law, presidential decree, issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 10. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its complete publication in any national newspaper of general circulation or in the Official Gazette.

Approved,