



HOUSE OF REPRESENTATIVES

H. No. 8400

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AN ACT

INSTITUTIONALIZING AND EXPANDING THE NATIONAL EMPLOYMENT RECOVERY STRATEGY TO A JOBS CREATION PLAN AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “*Trabaho Para sa Pilipino Act.*”

2 **SEC. 2. Declaration of Policy.** – It is the policy of the State to afford full protection to
3 labor – local and overseas, organized and unorganized – to promote full, productive, and freely
4 chosen employment and livelihood, and ensure equal employment opportunities for all, regardless
5 of gender, race, color, religion, and political affiliation.

6
7 Accordingly, the State shall ensure an environment that encourages more employment
8 and entrepreneurship opportunities, and provide comprehensive support to existing and emerging
9 businesses particularly the micro, small and medium enterprises (MSMEs), as well as improve
10 the employability and productivity of workers.

11 **SEC. 3. Coverage.** – This Act shall apply to national, regional, and local government units
12 (LGUs), without prejudice to the right of the LGUs within the Bangsamoro Autonomous Region in
13 Muslim Mindanao, to opt to adopt their regional employment plan.

1 **SEC. 4. Jobs Creation Plan.** – A Jobs Creation Plan (JCP), integrating the 2021-2022
2 National Employment Recovery Strategy, which was the government's masterplan for recovery
3 of the labor market adversely affected by the pandemic, shall be the State's employment recovery
4 and generation masterplan and shall have the following objectives:

5
6 (i) To stimulate national and local economic growth and development through investment
7 incentives linked to the creation of more decent employment to address unemployment,
8 underemployment, and rising precarity and informality of work arrangements;

9
10 (ii) To promote the employability, competitiveness, wellness, and productivity of workers
11 through efficient and effective delivery of skills training and development programs, and
12 maximization of labor market opportunities; and

13
14 (iii) To provide support and incentives to businesses, whether existing or emerging,
15 particularly MSMEs, and ensure the security and preservation of employment.

16
17 For this purpose, the Inter-Agency Council (IAC) for Jobs and Investments under Section
18 5 of this Act shall formulate the JCP which shall have clear action components, success
19 measures, and performance indicators such as:

20
21 (a) Providing support for the establishment and growth of MSMEs, including increased
22 access to financing and capital, and other incentives to promote self-reliance and
23 employment generation;

24
25 (b) Equipping unskilled workforce, particularly youth and women, with skills training
26 and other opportunities to improve their employability skills and competitiveness;

27
28 (c) Addressing the issue on job and skills mismatch by enhancing human capital
29 through education and training;

30
31 (d) Encouraging and incentivizing employers and other private sector organizations,
32 including industry stakeholders that offer training, technology, knowledge and skills
33 transfer, upskilling and reskilling, apprenticeship, on-the-job training, and other
34 similar activities geared towards the improvement of the workforce;

35
36 (e) Formulating plans and incentives and facilitating the transition of workers from the
37 informal to the formal economy through the provision of assistance for the
38 formalization of their livelihoods such as business registration;

39
40 (f) Empowering the workforce by increasing their knowledge on workers' rights as
41 guaranteed by the Constitution and Presidential Decree No. 442, as amended,
42 otherwise known as the "Labor Code of the Philippines";

- 1 (g) Identifying priority sectors, key and emerging industries, and other areas with high
2 employment potential, for purposes of encouraging domestic investment and
3 foreign direct investment in such sectors, implementing targeted support and
4 subsidy to volatile sectors, and providing support to create value-added supply
5 chain;
6
7 (h) Expanding the implementation of active labor market policies and programs,
8 including employment facilitation and job matching services, digitalizing and
9 creating innovative means to reach more workers, and improving the efficiency of
10 delivering such services;
11
12 (i) Enhancing tripartism and social dialogue by increasing the participation and
13 representation of the youth, women, and workers in the informal economy, among
14 others, on labor issues and concerns;
15
16 (j) Developing affordable schemes to encourage and incentivize workers in the
17 informal economy by providing social security and welfare benefits;
18
19 (k) Promoting ethical and fair recruitment to protect the rights of migrant workers
20 through improved supervision of recruitment agencies, prosecution and conviction
21 of traffickers and illegal recruiters, and intensified occupational safety and health
22 inspections, among others; and
23
24 (l) Contributing to the implementation of the full-cycle and comprehensive national
25 reintegration program for documented and undocumented Overseas Filipino
26 Workers.
27

28 For this purpose, the IAC shall set standards for the development of additional active
29 components, and their corresponding success measures, and performance indicators.
30
31

32 **SEC. 5. IAC for Jobs and Investments.** – The IAC for Jobs and Investments is hereby
33 created, which shall be composed of the following:
34

- 35 (a) Secretary of the Department of Trade and Industry (DTI) as the Chairperson;
36
37 (b) Secretary of the Department of Labor and Employment (DOLE) as Co-Chairperson;
38
39 (c) Director-General of the Technical Education and Skills Development Authority
40 (TESDA) as Co-Chairperson;
41
42 (d) Secretary of the Department of Migrant Workers as member;
43
44 (e) Secretary of the Department of Budget and Management (DBM) as member;
45
46 (f) Secretary of the Department of Finance (DOF) as member;

1 (g) Director-General of the National Economic and Development Authority (NEDA) as
2 member;

3
4 (h) One (1) representative from the employers' organizations; and

5
6 (i) One (1) representative from the labor organizations.
7

8 The IAC chairperson, co-chairpersons, and members may each designate a
9 representative fully authorized to decide for and on their behalf: *Provided*, That the designated
10 representative must be the next-in-rank to the principal member.

11 The DOLE shall serve as the Secretariat of the IAC. It shall be composed of existing
12 personnel from the DOLE. The Secretariat shall provide administrative, operational, and technical
13 support to the IAC and submit corresponding reports to the Office of the President and the
14 Congress of the Philippines.
15

16 The IAC shall also coordinate with the resource persons from other government agencies
17 and instrumentalities as well as private stakeholders as may be necessary to realize the
18 objectives of this Act.
19

20
21 **SEC. 6. Powers and Functions of the IAC.** – The IAC shall have the following powers
22 and functions:
23

24 (a) Formulate medium- and long-term JCPs that shall include objectives and targets,
25 action components, success measures, and performance indicators. The JCP shall
26 undergo an annual review and evaluation of its implementation, accomplishments, and
27 recommendations to address gaps in its execution;
28

29 (b) Conduct a comprehensive analysis of the employment situation and labor market in
30 the country, review existing policies and programs affecting the workforce, including
31 those in the informal economy, and map initiatives that are undertaken with the support
32 of the private sector, non-government and international development organizations;

33 (c) Harmonize the employment, livelihood, and training projects and programs of the
34 National Government toward the preservation and creation of more jobs;

35 (d) Collaborate with LGUs in planning, devising, and implementing employment recovery
36 and job generation programs within their localities, and ensure their alignment with the
37 JCP;
38

39 (e) Create a technical working group (TWG), as established under Sec. 7 herewith, in
40 support of the development and implementation of the JCP;
41

42 (f) Tap civil society organizations, employers' organizations, labor unions and groups,
43 and other partners, where feasible, for joint programs and technical cooperation
44 initiatives to augment and expand employment generation and livelihood projects;

- 1 (g) Engage in promotional activities to expand the reach of national and local employment
2 campaigns by tapping high-traffic platforms and channels like the Philippine News
3 Agency;
4
5 (h) Craft and provide guidelines for the institutionalization of the JCP in each government
6 agency;
7
8 (i) Submit to the Office of the President, the Senate of the Philippines, and the House of
9 Representatives the following reports: (a) an annual report on the status and evaluation
10 of implementation of the JCP and IAC's recommendations on employment recovery
11 and job generation; and (b) a semestral report on the accomplishment of the IAC; and
12
13 (j) Perform such other functions that may be related to the implementation of the JCP.
14
15

16 **SEC. 7. Establishment of IAC TWG.** – To pursue a whole-of-government approach in
17 the implementation of the JCP, a TWG shall be established by the IAC. The TWG shall focus on
18 the objectives and targets as indicated in the JCP and shall work on developing employment
19 recovery and job creation in specific industries and emerging sectors, such as construction,
20 tourism, agriculture, information technology and business process management, manufacturing,
21 as well as care, platform, and green economies.
22

23 Industry sector representatives, from the labor and employer groups, shall be consulted
24 and invited to participate in the meetings of the TWG.
25

26 **SEC. 8. Active Participation of LGUs.** – LGUs shall formulate plans, programs, or
27 projects geared towards employment recovery and job generation within their localities. The IAC
28 shall, together with the Department of the Interior and Local Government craft policies and
29 guidelines, and provide support to the LGUs in the localization and alignment of their respective
30 plans with the JCP.
31

32 **SEC. 9. Implementing Rules and Regulations.** – Within ninety (90) days from the
33 effectivity of this Act, the DTI, DOLE and TESDA shall, in coordination with DBM, DOF, NEDA,
34 and other concerned agencies and private stakeholders, formulate the rules and regulations for
35 the effective implementation of this Act.
36

37 **SEC. 10. Appropriations.** – The amount necessary for the initial implementation of this
38 Act shall be charged against the current year's appropriations of the departments and agencies
39 concerned. Thereafter, the funding of which shall be included in the annual General
40 Appropriations Act.
41

42 The LGUs concerned may provide the necessary funds in their respective budgets for the
43 implementation of this Act.

1 **SEC. 11. *Separability Clause.*** – Any portion or provision of this Act that is declared
2 unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof
3 as long as such remaining portions can still subsist and be given effect in their entirety.
4

5 **SEC. 12. *Repealing Clause.*** – All laws, ordinances, rules, regulations, other issuances,
6 or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.
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8

9 **SEC. 13. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
10 the *Official Gazette* or in a newspaper of general circulation.

Approved,