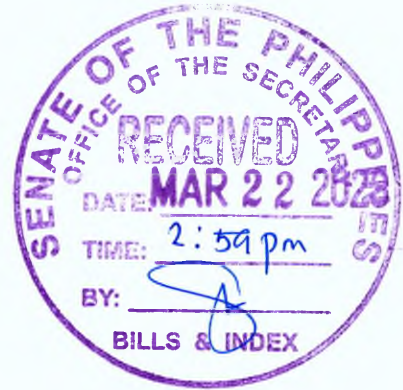


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S.B. No. 2035

(In substitution of Senate Bill Nos. 129 and 1659)

Prepared and submitted jointly by the Committee on Economic Affairs (upon recommendation of its Sub-Committee on SBNs 129 and 1659); Committees on Civil Service, Government Reorganization and Professional Regulation; and, Finance with Senators Villanueva, Marcos, and Gatchalian as authors thereof

AN ACT
ESTABLISHING THE NATIONAL EMPLOYMENT MASTER PLAN, TO BE KNOWN AS THE "TRABAHO PARA SA BAYAN PLAN," APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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*
2 *Bayan Act.*"

3 **SEC. 2. Declaration of Policies.** – It is the policy of the State to afford full
4 protection to labor, local and overseas, organized and unorganized, promote full,
5 productive and freely chosen employment and livelihood, and ensure equitable
6 employment opportunities for all, irrespective of sex, race, color, religion, political
7 opinion, ethnicity or social origin.

8 Accordingly, the State shall, in pursuit of poverty reduction through decent jobs,
9 sustainable enterprises, and economic transformation, ensure an environment that
10 encourages more employment and entrepreneurship opportunities, provide
11 comprehensive support to existing and emerging businesses, particularly to the micro,
12 small and medium enterprises (MSMEs), and improve the employability, productivity,
13 and competitiveness of Filipino workers.

14 In order to carry out the policies of this Act, the "*Trabaho Para sa Bayan Plan,*"
15 as provided herein, shall serve as the State's master plan on employment generation

1 and recovery to realize short-term and long-term goals and visions for the country. It
2 shall have the following objectives:

- 3 (a) To stimulate national and local economic growth and development through
4 various means, including, but not limited to, aligning investment and other
5 incentives provided by law to the creation of more decent employment and
6 other work opportunities to address unemployment, underemployment, youth
7 unemployment, rising precarity and informality of working arrangements,
8 reintegration of Overseas Filipino Workers (OFWs), and other challenges in the
9 labor market;
- 10 (b) To promote the employability, competitiveness, wellness, and productivity of
11 workers through efficient, effective, and timely delivery of industry-relevant
12 skills training and enhancement programs, reintegration pathways, active labor
13 market activities, and other services to allow workers to gain access to and
14 maximize opportunities in the labor market;
- 15 (c) To provide support and incentives to businesses, whether existing or emerging,
16 particularly MSMEs, including increased access to financing and capital, to
17 promote self-reliance, spur employment generation, and ensure the security
18 and protection of employment; and
- 19 (d) To incentivize employers, industry stakeholders, and other private sector
20 organizations that offer training, technology, knowledge and skills transfer,
21 upskilling and reskilling, enterprise-based training, such as apprenticeship,
22 work immersion, or on-the-job training, and other similar activities.

23 **SEC. 3. Coverage.** – This Act shall apply to national, regional, and local
24 government units (LGUs), without prejudice to the right of the Bangsamoro
25 Government and its component LGUs to adopt and implement projects and programs
26 for labor and employment, consistent with national policies, laws, rules and regulations.

27 **SEC. 4. Trabaho Para sa Bayan Plan; Action Components, Success**
28 **Measures, and Key Performance Indicators.** – The Trabaho Para sa Bayan Plan
29 (TPB Plan) shall be the State’s employment generation and recovery master plan. It
30 shall include a three (3)-year, six (6)-year, and ten (10)-year development timeline
31 for its vision, mission, goals, and milestones.

1 The Trabaho Para sa Bayan Inter-Agency Council created under Section 5 of
2 this Act shall formulate success measures, key performance indicators, and action
3 components, including:

4 (a) Providing support for the establishment, business continuity, and growth of
5 MSMEs, including start-ups, through increased access to financing, capital, and
6 other incentives, transition of informal MSMEs to formality, and other support
7 mechanisms;

8 (b) Skilling, upskilling, and reskilling the workforce, including industry-relevant
9 skills and core skills, to improve their employability and competitiveness and to
10 foster lifelong learning, taking into consideration the nuanced needs of workers
11 from marginalized or vulnerable sectors;

12 (c) Encouraging and providing incentives to employers and other private sector
13 organizations, including industry stakeholders, that offer training, technology,
14 knowledge and skills transfer, upskilling and reskilling, enterprise-based
15 training, such as apprenticeship, work immersion, or on-the-job training,
16 recognition of prior learning and experience, and other similar activities geared
17 towards the improvement of the workforce;

18 (d) Empowering the workforce on their rights and obligations under the Philippine
19 Constitution, Presidential Decree No. 442, or the Labor Code of the Philippines,
20 and other rules and regulations, including the right to self-organization,
21 freedom of association, and collective bargaining, through orientations,
22 seminars, and similar modes;

23 (e) Identifying priority sectors, key and emerging industries, and other activities
24 with high employment potential for various purposes, such as encouraging
25 domestic and foreign direct investments, implementing targeted interventions
26 and subsidies, and providing support to create value-adding supply chain;

27 (f) Expanding the implementation of active labor market policies, information, and
28 programs, including employment facilitation and reintegration support for
29 OFWs, and utilizing innovative means to improve accessibility and efficiency in
30 delivering such services;

- 1 (g) Enhancing tripartism and social dialogue among workers, employers, and the
2 government, and increasing the participation and representation of
3 marginalized and vulnerable sectors in various labor issues and concerns;
- 4 (h) Addressing youth unemployment by, among others, identifying challenges in
5 the school-to-work transition of new entrants in the labor market, including
6 challenges confronting youth not engaged in education, employment or training
7 (NEET);
- 8 (i) Provide support to, and promote the welfare of, all workers in new forms of
9 work arrangements, such as freelance work, whether in-person or through
10 online platforms or gig economy;
- 11 (j) Formulating integrated plans and incentives to encourage and facilitate the
12 transition of workers and enterprises from the informal to the formal economy
13 through enabling interventions, such as, but not limited to, business
14 registration, financial literacy programs, and enrollment in social protection
15 programs, such as the Social Security System (SSS), Philippine Health
16 Insurance Corporation (PhilHealth), and the Home Development Mutual Fund
17 (Pag-IBIG);
- 18 (k) Promoting the adoption of ethical and fair recruitment standards and practices
19 to protect the rights of migrant workers, promote decent work, and enhance
20 the global competitiveness of Filipino workers;
- 21 (l) Promoting access to and utilization of digital infrastructure in doing business
22 among MSMEs and informal economic units to overcome the digital divide; and
- 23 (m) Contributing to the implementation of the full-cycle and comprehensive national
24 reintegration program for documented and undocumented OFWs.

25 **SEC. 5. Trabaho Para sa Bayan Inter-Agency Council (TPB-IAC).** – The
26 TPB-IAC is hereby established, which shall be composed of the following:

- 27 (a) Director-General of the National Economic and Development Authority (NEDA),
28 as Chairperson;
- 29 (b) Secretary of the Department of Trade and Industry (DTI), as Co-Chairperson;
- 30 (c) Secretary of the Department of Labor and Employment (DOLE) as Co-
31 Chairperson;

- 1 (d) Director-General of the Technical Education and Skills Development Authority
- 2 (TESDA), as member;
- 3 (e) Secretary of the Department of Budget and Management (DBM), as member;
- 4 (f) Secretary of the Department of Finance (DOF), as member;
- 5 (g) Secretary of the Department of Interior and Local Government (DILG), as
- 6 member;
- 7 (h) One (1) representative from the employers' organizations;
- 8 (i) One (1) representative from the labor organizations;
- 9 (j) One (1) representative from the marginalized or vulnerable sector; and
- 10 (k) One (1) representative from the informal sector.

11 The TPB-IAC shall meet at least every quarter or as often as may be necessary.

12 The TPB-IAC chairpersons and members may designate their representatives, who

13 shall have at least the rank of Assistant Secretary or its equivalent, and who must be

14 fully authorized to decide for and on behalf of the agency represented.

15 The Secretariat of the TPB-IAC shall be composed of dedicated personnel from

16 NEDA, DTI, and DOLE, which shall provide administrative, operational, and technical

17 support to the TPB-IAC.

18 The TPB-IAC shall engage other government agencies and instrumentalities, as

19 well as representatives from the labor and employers' organizations, marginalized or

20 vulnerable sectors, and informal sectors, as may be necessary.

21 **SEC. 6. Powers and Functions of the TPB-IAC.** – The TPB-IAC shall have

22 the following powers and functions:

- 23 (a) Formulate the TPB Plan that shall include action components, success
- 24 measures, and key performance indicators as provided under this Act and such
- 25 other strategies and activities as may be necessary;
- 26 (b) Monitor, review, evaluate and update, as necessary, the TPB Plan, its
- 27 implementation and accomplishments, and identify gaps in execution, and
- 28 recommend improvements;
- 29 (c) Conduct a comprehensive analysis of the employment situation and labor
- 30 market in the country, global employment and economic trends, existing
- 31 policies and programs affecting the workforce and specific workers in particular

- 1 sectors, and map initiatives undertaken with the support of the private sector,
2 non-government organizations, or international development organizations;
- 3 (d) Review and streamline all existing policies, plans, programs, projects, and all
4 existing inter-agency councils, and provide directions for the alignment of their
5 efforts with the TPB Plan to avoid duplication of functions, ensure effective use
6 of resources, and harmonize and complement all governmental efforts;
- 7 (e) Assist LGUs in planning, devising, and implementing employment generation
8 and recovery plans and programs within their localities, and ensure their
9 alignment with the TPB Plan;
- 10 (f) Craft and provide guidelines for the institutionalization of the TPB Plan in each
11 government agency; and
- 12 (g) Perform such other functions that may be related to the implementation of the
13 TPB Plan.

14 **SEC. 7. Establishment of TPB-IAC Working Groups.** – To pursue the
15 implementation of the TPB Plan, working groups may be established by the TPB-IAC,
16 as may be necessary. The creation of working groups shall be in line with the
17 objectives and targets as may be indicated in the TPB Plan, and shall work on
18 developing and/or enhancing employment generation and recovery in specific
19 industries and emerging sectors, such as, but not limited to, health services,
20 construction, tourism, agriculture, IT and business process management, and
21 manufacturing, as well as working groups on thematic areas.

22 Each working group shall be chaired by a government agency, as may be
23 designated by the TPB-IAC. Industry sector representatives may also be represented
24 and shall participate in the working groups.

25 **SEC. 8. Government Job Provision.** – The Civil Service Commission (CSC),
26 Commission on Audit (COA), and DBM, in consultation with relevant government
27 agencies and LGUs, shall conduct an analysis and review of the existing hiring policies
28 and standards of the government, including, but not limited to, the skills and
29 competencies required, streamlining and improving the processes of recruitment and
30 selection, and identifying the appropriate manpower needs of the government.

31 **SEC. 9. Role of Other Government Agencies.** – All government agencies,
32 including LGUs, shall:

- 1 (a) Cooperate and coordinate with the TPB-IAC in the alignment and integration of the
2 TPB Plan with their policies and programs; and
3 (b) If requested, provide the necessary information to the TPB-IAC to realize the
4 objectives of this Act.

5 **SEC. 10. Reporting Requirements.** – The TPB-IAC shall submit an annual
6 report to the Office of the President, the Senate of the Philippines, and the House of
7 Representatives on the following:

- 8 (a) Timeline and status of implementation and accomplishments of each action
9 component in the TPB Plan;
10 (b) Evaluation of policies, plans, programs, and projects of relevant government
11 agencies;
12 (c) Recommendations for possible policy interventions to improve and address
13 identified labor market challenges in the TPB Plan; and
14 (d) Other information that may be relevant.

15 The reports shall be made publicly available through the respective websites of
16 the relevant government agencies.

17 **SEC. 11. Implementing Rules and Regulations.** – Within one hundred
18 eighty (180) days from the effectivity of this Act, NEDA, DTI, and DOLE, in
19 coordination with all the members of the TPB-IAC, other concerned agencies and
20 private stakeholders, shall jointly formulate the implementing rules and regulations for
21 the effective implementation of this Act.

22 **SEC. 12. Appropriations.** – The amount needed for the initial implementation
23 of this Act shall be charged against the current year's appropriations of the
24 departments/agencies concerned. Thereafter, such sums as may be necessary for the
25 continued implementation of this Act shall be included in the annual General
26 Appropriations Act.

27 **SEC. 13. Separability Clause.** – Any portion or provision of this Act that is
28 declared unconstitutional or invalid shall not have the effect of nullifying other portions
29 or provisions hereof as long as such remaining portions can still subsist and be given
30 effect in their entirety.

1 **SEC. 14. Repealing Clause.** – All laws, ordinances, rules, regulations, other
2 issuances or parts thereof, which are inconsistent with this Act, are hereby repealed
3 or modified accordingly.

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

6 *Approved,*