

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



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SENATE
S. No. **1754**

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article XIII, Section 3 provides:

The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.

Unemployment and underemployment are perennial problems of the Philippine government. This undoubtedly places the mature and older workers at a disadvantage. Those who are previously employed may suddenly find themselves jobless, while those who have never been employed might have less chances of being hired because of increased competition.

This bill seeks to establish programs to prepare mature or older workers for participation in the labor force by increasing occupational and educational skills resulting in improved long-term employability, increased employment and earnings.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
AP

* This bill was originally filed during the Thirteenth Congress, First Regular Session.



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SENATE
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1 AN ACT
2 ESTABLISHING A JOB TRAINING PROGRAM FOR MATURE WORKERS

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

3 SECTION 1. *Short Title.* - This Act shall be known as the "Mature Workers Act."

4 SECTION 2. *Declaration of Policy.* - It is a policy of the State to afford full protection to
5 labor, local and overseas, organized and unorganized, and promote full employment and equality
6 of employment opportunities for all.

7
8 SECTION 3. *Definition of Terms.* -As used in this Act, the term:

9 (A) "Basic Skills Deficient" means, with respect to an individual, that the individual has
10 English reading or computing skills at or below the 8th grade level on a generally accepted
11 standardized test or a comparable scope on a criterion referenced test;

12 (B) "Care Management" means the provision in the delivery of a service of a client
13 centered approach designed to-

14 (1) Prepare and coordinate a comprehensive employment plan, such as a service
15 strategy, for a participant to ensure access to a necessary training and support service; and

16 (2) Provide job and career counseling during program participation and offer job
17 placement;

18 (C) "Educational Agency" means

19 (1) A public local school authority having administrative control of elementary,
20 middle, or secondary school or providing adult education;

1 (2) A public or private institution that provides alternative middle or high school
2 education;

3 (3) A public education institution or agency having administrative control of
4 secondary or post-secondary vocational education programs; or

5 (4) A post-secondary institution;

6 (D) "Mature Worker" means an individual who is over forty (40) years of age or older;

7 (E) "Participant" means an individual who has been determined to be eligible to
8 participate in the program;

9 (G) "School Dropout" means an individual who has been determined to be eligible to
10 participate in the program; and

11 (F) "Termination" means the separation of a participant who is no longer receiving
12 services.

13 SECTION 4. *Eligibility for Services.* -An individual shall be eligible to participate in the
14 program assisted under this part of such individual is forty (40) years of age or older and is
15 included in one or more of the following categories:

16 (A) Individuals whose income is not in excess of the poverty line;

17 (B) Individuals who are eligible for housing assistance; or

18 (C) Individuals who are included in 2 or more of the following categories:

19 (1) Individuals who are unemployed 15 of the past 26 weeks;

20 (2) Individuals who are unemployed 30 of the past 52 weeks;

21 (3) Individuals who are working 20 or fewer hours a week;

22 (4) Individuals who are displaced homemakers;

23 (5) Individuals who are homeless;

24 (6) Individuals who have finished less than 10 years of school;

25 (7) Individuals who are deficient in basic skills;

26 (8) Individuals who have been notified that the jobs of such individuals will be
27 terminated within the next 60 days; or

28 (9) Individuals who live alone.

1 SECTION 5. *Program Design.* -

2 (A) *Program Requirements.* - Each program assisted under this part shall include -

3 (1) An objective assessment, using the case management technique of the skill
4 levels and service needs of each participant including such factors as basic skills,
5 occupational skills, prior work experience, employability, interests, aptitudes, including
6 interests and aptitudes for non-traditional employment, and supportive service needs,
7 except that a new assessment of a participant is not required if the program determines
8 that a recent assessment of the participant conducted under another education or training
9 program, is an appropriate assessment.

10 (2) Development of service strategists that shall identify the employment goal
11 (including, in appropriate circumstances, non-traditional employment), the appropriate
12 achievement objectives, and the appropriate sequence of services for participants, taking
13 into account the assessments conducted under subparagraph (1), except that a new service
14 strategy is not required if the program determines a recent service strategy developed for
15 the participant under another education or training program in an appropriate service
16 strategy;

17 (3) A review of the progress of each participant in meeting the objectives of the
18 service strategy; and

19 (4) Basic skills training and occupational skills training if the assessment and the
20 service strategy indicate such training are appropriate.

21 (B) *Additional Requirements.* -

22 (1) *Minimum Income Participants and Applicants.* - Each service delivery area
23 participating in a program assisted under this part shall insure that each participant or
24 applicant shall be provided information on the full array of the applicable or appropriate
25 services that are available through the service delivery area or other service providers,
26 including providers receiving funds under this Act; and referral to other appropriate
27 training and educational programs that have the capacity to serve the participant or
28 applicant either on a sequential or concurrent basis.

1 (2) *Applicants Not Meeting Enrollment Requirements.* - Each service provider
2 shall ensure that an eligible applicant who does not meet the enrollment requirements of
3 the particular program of the provider shall be referred to the service delivery area for
4 further assessment, as necessary, and referrals to appropriate programs to meet the basic
5 skills and training needs of the applicant. The service delivery area shall ensure that
6 appropriate referrals are made and shall maintain records on the referrals and the reasons
7 for which applicants are referred.

8 (3) *Authorized Services.* - One or more of the following training or supportive
9 services shall be made available to each participant under this part:

- 10 (a) Outreach and recruitment;
- 11 (b) Intake and assessment;
- 12 (c) Job search assistance;
- 13 (d) Classroom and occupational skill training;
- 14 (e) On-the-job training;
- 15 (f) Work experience;
- 16 (g) Basic remedial and education and literacy training;
- 17 (h) Supplemental services, including day care for dependent children and
18 adults;
- 19 (i) Occupational placement assistance.

20 (C) *Service Providers.* - In the selection of service providers, the Department of Labor
21 and Employment shall give preference to agencies and organizations with demonstrated in
22 conducting older and mature worker programs. The Department of Labor and Employment shall
23 develop the job training program under this Act. It may seek the assistance of other government
24 agencies such as the Department of Education and the help of private educational agencies. It
25 shall also formulate the necessary implementing rules and regulations that will ensure the
26 efficient and effective implementation of this Act.

1 SECTION 6. *Report.* - The Secretary of Labor and Employment shall submit to the
2 President of the Philippines and to both the Houses of Congress, not later than the opening of the
3 regular session each year, an annual report on the status of the implementation of this Act. The
4 annual report shall include an analysis, for each province and on a nationwide basis, of the
5 number of participants serviced under this Act, and the type of services under this Act received
6 by participants.

7 SECTION 7. *Separability Clause.* - If any provision or part hereof is held invalid or
8 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
9 valid and subsisting.

10 SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
12 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

13 SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
14 publication in at least two (2) newspapers of general circulation.

Approved,