


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



'22 JUL -4 A8 :29

SENATE
S. No. 6

RECEIVED BY: 

Introduced by Senator Loren B. Legarda

**AN ACT
CREATING THE DEPARTMENT OF TECHNICAL EDUCATION TRAINING
AND CERTIFICATION, PROVIDING FOR ITS POWERS, STRUCTURE AND
FOR OTHER PURPOSES**

EXPLANATORY NOTE

As the agency responsible for training and capacitating the country's workers, the Technical Education and Skills Education (TESDA) was established to encourage the full participation of and for the mobilization of the industry, labor, local government units and technical-vocational institutions in the skills development of the country's human resources.

The COVID-19 pandemic brought the world to an unprecedented level of societal disruption. Many industries were immediately impacted by this: with the loss of markets came the loss of jobs. Prior to the pandemic, Asia Pacific had some of the highest economic growth rates in the world; but still afflicted with high levels of worker hardship, with 300 million workers living with their families in poverty and some 58 million in extreme poverty in 2019.¹

Through the Employment Recovery Agenda of the National Employment Recovery Strategy (NERS) 2021-2022 Task Force, TESDA took part and facilitated trainings and introduced approaches to restart economic activities, restore business

¹ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_795453.pdf

and consumer confidence, upgrade and retool the workforce, and facilitate labor market access. It has assisted 2.08 million individuals and benefitted 129,000 establishments, with 780,119 jobs generated.²

In order to comply with the growing demand of labor resources, TESDA is developing strategies on Technical Vocational Education and Training (TVET) for global competitiveness and social equity. However, these strategies may not be attained if TESDA's organizational structure, its own manpower and ability to produce higher quality of learning and training materials are still among the primary hindrances that prevent the progress of TESDA.

This bill seeks to create a Department of Technical Education Training and Certification, which will take the place and absorb the current TESDA. It is high time to empower TESDA and enable the agency to fulfill its mandate as the leading partner in the development of the Filipino workforce.

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



LOREN LEGARDA

² <https://www.dole.gov.ph/news/statement-on-the-october-2021-labor-force-survey/>



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

1 Section 1. *Title.* – This Act shall be known as the "*Technical Education, Training*
2 *and Certification Act of 2022* "

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 provide relevant, accessible, high quality and efficient technical education, training
5 and certification in support of the development of high-quality Filipino manpower
6 responsive to and in accordance with Philippine development goals and priorities.

7 The State shall encourage active participation of various concerned sectors,
8 public as well as private tech-voc institutions particularly private enterprises, being
9 direct participants in and immediate beneficiaries of a technically educated and
10 trained workforce, in providing technical education services and training
11 opportunities.

12 Sec. 3. *Statement of Goals and Objectives.* – It is the goal and objective of this Act
13 to:

- 14 a. Promote and strengthen the quality of technical education and training
15 programs to attain global competitiveness;

- 1 b. Focus on technical education and training and certification on meeting the
2 changing demands for quality manpower, particularly in support of the
3 industrialization thrust of the country;
- 4 c. Encourage critical and creative thinking by disseminating the scientific and
5 technical knowledge base of manpower development programs;
- 6 d. Recognize and encourage the complementary roles of public and private
7 institutions in technical education and skills development and training
8 systems;
- 9 e. Inculcate desirable values through the development of moral character with
10 emphasis on work ethic, self-discipline, self-reliance and nationalism.
- 11 f. Strongly support the implementation of the Philippine Qualification
12 Framework (E.O. 83), the Ladderized Education Program (R.A.10647) and
13 the Dual Technical Training System (R.A. 7686).
- 14 g. Maximize returns to the country's investment in technical education and
15 training through an efficient graduates' employment facilitation program
16 within the framework of the national employment service network system;
- 17 h. Help in the poverty alleviation efforts by providing the marginalized and
18 vulnerable segments of the country's population access to income-
19 generating Technical Education and Training opportunities;

20 *Sec. 4. Definition of Terms. - As used in this Act:*

- 21 a. *Skill* shall mean the acquired and practiced ability to carry out a task or
22 job;
- 23 b. *Skills Development* shall mean the process through which learners and
24 workers are systematically provided with learning opportunities to
25 acquire or upgrade, or both, their ability, knowledge, and behavior
26 pattern required as qualifications for a job or range of jobs in a given
27 occupational area;
- 28 c. *Technical Education* shall refer to the education process designed at upper
29 secondary and lower tertiary levels, aligned with the levels of the
30 Philippine Qualification Framework, with the pathways to higher
31 education through the credit transfer system based on learning
32 outcomes aimed at preparing technicians, technologists,

1 paraprofessionals and other categories of workers and/or entrepreneurs
2 by providing them with a broad range of general education, theoretical,
3 scientific and technological studies, and related job skills training;

4 d. *Trade* shall mean any group of interrelated jobs or any occupation which
5 is traditionally or officially recognized as craft or artisan in nature
6 requiring specific qualifications that can be acquired through work
7 experience and/or training;

8 e. *Middle-Level Manpower* refers to those:

9 1. who have acquired practical skills and knowledge through formal or
10 non-formal education and training equivalent to at least a secondary
11 education but preferably at post-secondary education with a
12 corresponding degree of diploma; or

13 2. skilled workers who have become highly competent in their trade or
14 craft as attested by industry;

15 f. *Private Enterprises* refers to an economic system under which property
16 of all kinds can be privately owned and in which individuals, alone or
17 in association with another, can embark on a business activity. This
18 includes industrial, agricultural, or agro-industrial establishments
19 engaged in the production, manufacturing, processing, repacking or
20 assembly of goods including service-oriented enterprises;

21 g. *Training* is teaching or developing oneself or others, any skills and
22 knowledge that relate to specific useful competencies;

23 h. *Trainors/trainers* shall mean persons who provide training to trainees
24 aimed at developing the latter's capacities for imparting attitudes,
25 knowledge, skills and behavior patterns required for specific jobs, tasks,
26 occupations or group of related occupations.

27 i. *Trainees* shall mean persons who are participants in a vocational,
28 administrative or technical training program for the purpose of
29 acquiring and developing job-related skills;

30 j. *Apprenticeship* is training within employment with compulsory related
31 theoretical instruction involving a contract between an apprentice and
32 an employer on an approved apprenticeable occupation;

- 1 k. *Apprentice* is a person undergoing training for an approved
2 apprenticeable occupation during an apprenticeship agreement;
- 3 l. *Apprenticeship Agreement* is a contract wherein a prospective employer
4 binds himself to train the apprentice who in turn accepts the terms of
5 training for a recognized apprenticeable occupation emphasizing the
6 rights, duties and responsibilities of each party;
- 7 m. *Apprenticeable Occupation* is an occupation officially endorsed by a
8 tripartite body and approved for apprenticeable by the Authority;
- 9 n. *Learners* refers to persons hired as trainees in semi-skilled and other
10 industrial occupations, which are non-apprenticeable. Learnership
11 programs must be approved by the Authority;
- 12 o. *User-Led or Market-Driven Strategy* refers to a strategy which promotes
13 strengthened linkages between educational/training institutions and
14 industry to ensure that appropriate skills and knowledge are provided
15 by the educational system;
- 16 p. *Dual System/Training* refers to a delivery system of quality technical and
17 vocational education which requires training to be carried out
18 alternately in two venues: in-school and in the production plant. In-
19 school training provides the trainee the theoretical foundation, basic
20 training, guidance and human formation, while in-plant training
21 develops his skills and proficiency in actual work conditions as it
22 continues to inculcate personal discipline and work values;
- 23 q. *Levy Grant System* refers to a legal contribution from participating
24 employers who would be beneficiaries of the program (often as a
25 percentage of the payroll), which is subsequently turned over or rebated
26 to enterprises offering employee-training programs.
- 27 r. *Leading Technology Centers* refers to public, private or jointly operated
28 centers by government and private entities where advanced or latest
29 training technologies are used for technical education and training in
30 priority qualification areas;
- 31 s. *Philippine Qualifications Framework* is a national policy describing the
32 levels of educational qualifications and sets the standards for

1 qualification outcomes. It is a quality assured national system for the
2 development, recognition and award of qualifications based on
3 standards of knowledge, skills and values acquired in different ways
4 and methods by learners and workers of a certain country. It is likewise
5 competency-based and labor market driven assessment- based
6 qualification recognition.

- 7 t. *Ladderization* is a new system of education in the Philippines that allows
8 learners to progress between Technical Vocational Education and
9 Training (TVET) and College, and vice-versa. Ladderized
10 Education opens opportunities for career and educational advancement
11 to students and workers.

12 *Sec. 5. Creation of Department of Technical Education Training and Certification. -*

13 To implement the policy declared in this Act, there is hereby created a Department of
14 Technical Education and Training (DepTeTC), herein referred to as the Department
15 which shall replace and absorb the TECHNICAL EDUCATION AND SKILLS
16 DEVELOPMENT AUTHORITY (TESDA).

17 *Sec. 6. Mandate. -* The Department shall be the primary policy, planning,
18 coordinating, implementing and administrative entity of the Executive Branch of the
19 government that will plan develop and promote the technical education, training and
20 certification agenda.

21 *Sec. 7. Powers and Functions. -* The Department shall exercise the following
22 powers and functions:

23 1. The Department shall primarily be responsible for formulating,
24 continuing, coordinated and fully integrated technical education,
25 training and certification policies, plans and programs taking into
26 consideration the following:

- 27 a. The State policy declared herein of giving new direction and thrusts
28 to efforts in developing the quality of Filipino human resource
29 through technical education and skills development;
- 30 b. The implementation of the above-mentioned policy requires the
31 coordination and operation of policies, plans, and programs of
32 different concerned sectors of Philippine society;

- 1 c. Equal participation of representatives of industry groups, trade
2 associations, employers, workers and government shall be made the
3 rule in order to ensure that urgent needs and recommendations are
4 readily addressed; and
- 5 d. Improved linkages between industry, labor and government and the
6 communities shall be given priority in the formulation of any
7 national-level plan and TETC delivery;
- 8 e. The successful implementation of programs shall not only fill in the
9 needs of the economy for middle level manpower but likewise lead
10 to poverty alleviation;

11 The Department, shall have the following powers:

- 12 1. Promulgate, after due consultation with industry groups, trade
13 associations, employers, workers, policies, plans, programs and
14 guidelines as may be necessary for the effective implementation of
15 this Act;
- 16 2. Organize and constitute various standing committees, subsidiary
17 groups, or technical working groups for efficient integration,
18 coordination and monitoring technical education and skills
19 development programs at the national, regional, and local levels;
- 20 3. Enter into, make, execute, perform and carryout domestic and
21 foreign contracts subject to existing laws, rules and regulations.
- 22 4. Restructure the entire sub-sector consisting of all institutions and
23 programs involved in the promotion and development of middle-
24 level manpower through upgrading, merger and/or phase-out
25 following a user-led strategy;
- 26 5. Approve training standards and assessment packages as established
27 and conducted by private industries;
- 28 6. Establish and administer a system of accreditation of both public and
29 private institutions;
- 30 7. Establish, develop and support institutions' trainers' training and/or
31 programs;

- 1 8. Exact reasonable fees and charges for such tests and trainings
2 conducted and retain such earnings for its own use, subject to
3 guidelines promulgated by the Department;
- 4 9. Allocate resources for the programs and subjects it shall undertake
5 pursuant to approved National Technical Education and Training
6 Plan;
- 7 10. Determine and approve systematic funding schemes such as the
8 Levy and Grant scheme for technical education and training
9 purposes;
- 10 11. Create, when deemed necessary, an Advisory Committee which
11 shall provide expert and technical advice to the Secretary to be
12 chosen from the academe and the private sector: *Provided*, That in
13 case the Advisory Committee is created, the Department is hereby
14 authorized to set aside a portion of its appropriation for its operation;
15 and
- 16 12. Perform such other duties and functions necessary to carry out the
17 provisions of this Act consistent with the purposes of the creation of
18 DepTeTC.

19 *Sec. 8. Power to Review and Recommend Action.* - The Department shall review
20 and recommend action to concerned authorities on proposed technical assistance
21 programs and grants-in-aid for technical education or Training, or both, including
22 those which may be entered into between the Government of the Philippines and
23 other nations, including international and foreign organizations, both here and
24 abroad.

25 *Sec. 9. Composition.* - The Department shall be headed by a Secretary composed of
26 the Office of the Secretary, the Offices of the Undersecretaries and the Assistant
27 Secretaries.

28 *Sec. 10. Secretary of Technical Education, Training and Certification.* - The Secretary
29 shall be appointed by the President, subject to the confirmation of the Commission on
30 Appointments. The Secretary shall have the following functions:

- 31 1. Provide executive direction and supervision over the entire operations of the
32 Department and its attached agencies;

- 1 2. Establish policies standards for the effective and efficient delivery of the
2 Department services, in line with the program of government;
- 3 3. Review and approve requests for financial and manpower resources of All
4 operating units of the Department;
- 5 4. Designate and appoint officers and employees of the Department, excluding
6 the Undersecretaries, Assistant Secretaries, and Regional Directors, in
7 accordance with the civil service laws, rules and regulations;
- 8 5. Exercise disciplinary powers over officers and employees of the Department in
9 accordance with law, including their investigation and the designation of a
10 committee or officer to conduct such investigation:
- 11 6. Prepare and submit to the President through the Department of Budget and
12 Management (DBM) an estimate of the necessary expenditures of the
13 Department during the next fiscal year, on the basis of the reports and estimates
14 submitted by bureaus and offices under him/her;
- 15 7. Advise the President on the promulgation of executive and administrative
16 orders and formulation of regulatory and legislative proposals on matters
17 pertaining to Technical Education, Training and Certification development.
- 18 8. Formulate such rules and regulations and exercise such other powers as may
19 be required to implement the objectives of this Act: and
- 20 9. Perform such other tasks as may be provided by law or assigned by the
21 President.

22 Sec. 11. *Undersecretaries.* - The Secretary shall be assisted by four (4)
23 Undersecretaries, who shall be appointed by the President upon the recommendation
24 of the Secretary.

25 Sec. 12. *Assistant Secretaries.* - The Secretary shall be assisted by four (4) Assistant
26 Secretaries who shall be appointed by the President upon the recommendation of the
27 Secretary.

28 Sec. 13. *Bureaus and Services and Personnel.* - The Department in addition to the
29 offices of the Secretary, Undersecretaries and Assistant Secretaries shall be
30 composed of the following Bureaus/Services to be headed by an Executive Director
31 to be appointed by the President upon the recommendation of the Secretary. The
32 Executive Directors shall have the rank and emoluments of a Director IV.

1 Planning Bureau (P.B.)

- 2 1. Designs and establishes planning processes and methodologies which will
3 particularly enhance the efficiency of resource allocation decisions within
4 the technical education and training sector;
- 5 2. Orchestrates the formulation of the National Technical Education and
6 Training Plan/Sectoral Plan/Regional/Provincial and maintains annual
7 periodic review and updating of the plans;
- 8 3. Orchestrates legislative liaising and coordination;
- 9 4. Maintains existing and establishes new frameworks to optimize the roles of
10 the sub-national TET Committees;
- 11 5. Conducts fora, researches, studies and develops labor and education and
12 training market information and knowledge management systems for
13 effective and efficient planning and policy making within the sector;
- 14 6. Prepares and issues Labor Market Intelligence Reports (LMIR) on a regular
15 basis;
- 16 7. Conducts Impact Evaluation Studies (IES) of Technical Education Training
17 and Certification programs;
- 18 8. Initiates and mobilizes external TETC financing from local and international
19 bodies in support of the broad investments and development programs
20 under the NTETP and the corporate plan;
- 21 9. Designs and develops special projects for foreign assistance;

22 Partnerships and Employment Facilitation Bureau (PEFB)

- 23 1. Establishes and maintains effective and efficient institutional arrangements
24 with partners and stakeholders to provide direct participation in the
25 various functions of the Department and access to TETC programs and
26 services;
- 27 2. Develops and implements placement schemes designed for the effective
28 utilization of TET graduates either through wage and self-employment
29 using partnership and linkages with various employers and industries
30 within the framework of the national employment service network;
- 31 3. Provides technical assistance and training support to the network of
32 DepTETC employment facilitation centers all over the Country;

- 1 4. Establishes and maintains linkages with industry groups, employers,
2 workers, academe, civil society organizations/NGOs, NGAs, LGUs, basic
3 sectors and national and international networks and organizations related
4 to TE and T;
- 5 5. Conducts studies on Public-Private Partnerships (PPP) and similar
6 arrangements in aid of policy making;
- 7 6. Engages partners/stakeholders in the identification and prioritization of
8 the skills needs of the basic sectors for skills training and employment
9 opportunities;
- 10 7. Develops and administer systems and procedures in the monitoring and
11 evaluation of programs related to partnerships, linkages and placement
12 services;
- 13 8. Performs such other functions as may be authorized.

14 Incentives and Scholarship Bureau

- 15 1. Develops and implements incentive schemes and packages to encourage
16 the participation of employers and workers in technical education and
17 training in industry;
- 18 2. Develops and implements scholarship and grant packages designed to
19 provide access to the Department's clientele particularly the unemployed,
20 underemployed, the working poor and the marginalized;
- 21 3. Develops and administer systems and procedures in the monitoring and
22 evaluation of programs related to incentive and scholarship administration;
- 23 4. Performs such other functions as may be authorized.

24 National Institute for Technical Education and Training (NITET)

- 25 1. Recommends policies and guidelines for the maintenance and
26 enhancement of the efficiency and effectiveness in the management and
27 operations of the TETC delivery in schools, centers, enterprises and
28 communities within acceptable standards set;
- 29 2. Serves as the technology research and development arm of the government
30 in the field of TET;

- 1 3. Develops, orchestrates the implementation of continuing development
2 programs for trainers, teachers and instructors, partners/stakeholders in
3 the TET sector;
- 4 4. Develops and orchestrates the implementation of a national career guidance
5 program and system;
- 6 5. Conducts studies and researches, formulates policies and guidelines for the
7 optimum/sustainable utilization of existing specialized training
8 centers/institutions (e.g. KorPhil, TTCTCE, TWC, LSI and other centers of
9 technical excellence;
- 10 6. Identifies appropriate venues, from the network of public and private TET
11 providers, as laboratory and pilot-testing/incubation sites in the
12 development of training regulation, competency standards, assessment
13 tools, curricula, learning materials, mock-ups and simulators;
- 14 7. Promote and conduct an annual national skills competition and handles the
15 participation of the country in international skills tilts;
- 16 8. Performs such other functions as may be authorized.

17 Qualification and Standards Bureau (QSB)

- 18 1. Conducts research and development on various occupational areas in order
19 to recommend policies, rules and regulations for effective and efficient
20 competency standardization, assessment and certification system in the
21 country;
- 22 2. Establishes and implements a system of accrediting experts from private
23 enterprises, group of workers' associations and public institutions for the
24 development/ updating of competency standards, curriculum exemplars;
- 25 3. In collaboration with industry bodies, develops and establishes a national
26 system of competency standardization and development for TET in the
27 country;
- 28 4. Facilitates the development, validation and evaluation of competency
29 standards in identified appropriate venues from the network of public and
30 private TET providers;
- 31 5. Maintains the Philippine TVET Qualifications Framework (PTQF) as part of
32 the Philippine Qualifications Framework (PQF);

- 1 6. Responsible for international benchmarking and comparability of
- 2 standards with other economies/countries; and,
- 3 7. Performs such other powers and functions as may be authorized.

4 Accreditation and Certification Bureau (ACB)

- 5 1. Develops, maintains and manages the national assessment and certification
- 6 program, systems and procedures;
- 7 2. Establishes and maintains the implementation of a quality-assured system
- 8 of accrediting trainers, assessors and assessment centers in partnership with
- 9 industries, training centers/institutions;
- 10 3. Establishes and maintains a system of registering, accrediting TET
- 11 programs/providers in the schools, centers, enterprises and communities;
- 12 4. Undertakes compliance review and rating system of TESDA programs
- 13 implemented by various TVIs;
- 14 5. Keeps custody of pertinent assessment and certification records and
- 15 maintains a registry of Certified Workers, Trainers, and Accredited
- 16 Competency Assessors and Accredited Competency Assessment Centers;
- 17 6. Maintains a compendium of registered TESDA programs;
- 18 7. Conduct researches/studies to ensure quality delivery and implementation
- 19 of assessment and certification and program registration;
- 20 8. Develops mechanisms to continuously ensure integrity of the assessment
- 21 and certification and program registration; and
- 22 9. Performs such other functions as may be authorized.

23 Administrative Service (AS)

- 24 1. Provides overall policies, systems, programs and guidelines in the area of
- 25 human resource management and development, procurement
- 26 management , legal management, building and facilities maintenance,
- 27 records management and cash management;
- 28 2. Establishes a monitoring and reporting system on administrative services;
- 29 3. Orchestrates the implementation, review and redevelopment of HRD Plan
- 30 in support of the Corporate Plan and the NTTDP;
- 31 4. Leads in the establishment and implementation of integrated HR systems;
- 32 5. Provides administrative, general and legal services; and

1 6. Performs such other functions as may be authorized.

2 Financial and Management Service (FMS)

3 1. Orchestrates and supports the implementation of the agency quality
4 management systems (QMS);

5 2. Provides overall policies, systems, programs and guidelines on the
6 management and utilization of Department's financial resources;

7 3. Establishes a monitoring and reporting system on the management and
8 utilization of Department's financial resources; and

9 4. Performs such other functions as maybe authorized.

10 Internal Control and Quality Management Service

11 1. Develops and implements internal performance and process standards to
12 ensure personnel and organizational efficiency and effectiveness;

13 2. Monitors and ensure the maintenance of the ISO status of the Department
14 and/or its sub divisions;

15 3. Performs other functions as maybe authorized;

16 Sec. 14. *Regional Offices.* - The Regional Offices shall be headed by Regional
17 Directors with the rank and emoluments of Director IV to be appointed by the
18 President. The Regional Offices shall be under the direct control of the Secretary and
19 shall have the following functions:

20 1. Direct implementation of TETC programs, projects and related activities in the
21 region;

22 2. Develop and recommend TETC programs for local level implementation
23 within set policies;

24 3. Deploy policies to stakeholders;

25 4. Manage TETC resources in the region;

26 5. Plan and implement policy inputs; and

27 6. Perform other functions as may be authorized.

28 Sec. 15. *The Provincial/ District Offices.* - The Provincial/ District Offices shall be
29 headed by Provincial/ District Directors, who shall have the rank and emoluments of
30 a Director III.

31 The Provincial Offices shall have the following functions:

32 1. Serves as secretariat to the Provincial TET Committees;

- 1 2. Provides technical assistance to the local government units (LGUs) for effective
2 supervision, coordination, integration of all TET programs within their
3 localities;
- 4 3. Reviews and recommends priority TET programs within their localities; and
- 5 4. Performs such other functions as may be authorized.

6 Sec. 16. *Schools and Centers.* - The Technical Education and Training delivery of
7 the Department composed of leading technology centers, demonstration as well as
8 regular Institutions shall have the following functions:

- 9 1. Provide demonstration of leading training technology or regular TET
10 programs relevant to the needs of the economy as well as specific groups
11 considered as marginalized and/or vulnerable in accordance with the national
12 TETC agenda.
- 13 2. Conducts applied research and development programs and provides extension
14 services in coordination with ROs/POs;
- 15 3. Conducts outreach programs in coordination with ROs/POs;
- 16 4. Initiates resource and income-generation programs; and
- 17 5. Performs such other functions as may be authorized.

18 Sec. 17. *Compliance with the Salary Standardization Law.* - The compensation and
19 emoluments of the officials and employees of the Department shall be in accordance
20 with the salary standardization law and other applicable laws under the national
21 compensation and classification plan.

22 Sec. 18. *Consultants and Technical Assistance, Publication and Research.* - In pursuing
23 its objectives, the Department is hereby authorized to set aside a portion of its
24 appropriation for the hiring of services of qualified consultants, and private
25 organizations for research work and publication in the field of technical education and
26 skills development. It shall avail itself of the services of other agencies of the
27 Government as may be required.

28 Sec. 19. *Formulation of a Comprehensive Development Plan for Middle-Level*
29 *Manpower.* - The Authority shall formulate a comprehensive development plan for
30 middle-level manpower based on a national employment plan or policies for the
31 optimum allocation, development and utilization of skilled workers for employment
32 entrepreneurship and technology development for economic and social growth. This

1 plan shall be updated periodically and submitted to the President of the Philippines
2 for approval. Thereafter, it shall be the plan for the technical education, Training and
3 Certification for the entire country within the framework of the National
4 Development Plan. The Department shall direct through its Offices to call on public
5 agencies, the private sector and the academe to assist in this effort. The comprehensive
6 plan shall provide for a reformed industry-based training program including
7 apprenticeship, dual training system and other similar schemes intended to:

- 8 1. Promote maximum protection and welfare of the worker-trainee;
- 9 2. Improve the quality and relevance and social accountability of technical
10 education and Training;
- 11 3. Accelerate the employment-generation effort of the government; and
- 12 4. Expand the range of opportunities for upward social mobility of the school-
13 going population beyond the traditional higher levels of formal education.

14 All government and non-government agencies receiving financial and
15 technical assistance from the government shall be required to formulate
16 their respective annual agency technical education and skills development
17 plan in line with the national technical education and training plan. The
18 budget to support such plans shall be subject to review and endorsement
19 by the Department to the Department of Budget and Management. The
20 Department shall evaluate the efficiency and effectiveness of agencies skills
21 development program and schemes to make them conform with the
22 quantitative and qualitative objectives of the national technical education
23 and skills development plan.

24 *Sec. 20. Technical Education and Training Committees.* - The Department shall
25 establish Technical Education and Training Committees at the regional and local
26 levels to coordinate and monitor the delivery of all training activities by the public
27 and private sectors. These committees shall likewise serve as the Technical Education
28 and Training Development Committees of the Regional and Local Development
29 Councils. The compositions of the Technical Education and Training Committees shall
30 be determined by the Secretary of the DepTeTC.

1 *Sec. 21. Apprenticeship Program.* - The Department shall promote apprenticeship
2 as a major mode of training rather than an employment arrangement and shall see to
3 it that it is not subject to abuse by unscrupulous entities;

4 *Sec. 22. Technical Education and Training Centers.* - The Department shall
5 establish and/or cause the establishment of a network of national, regional and local
6 skills training centers for the purpose of promoting skills development. This network
7 shall include leading training technology centers, skills training centers in vocational
8 and technical schools, technical institutes, polytechnic colleges, and all other duly
9 accredited public and private dual system educational institutions. The technical
10 education and Training centers shall be administered and operated under such rules
11 and regulations as may be established by the Department in accordance with the
12 National Technical Education and Training Plan.

13 *Sec. 23. Establishment and Administration of National Training Standards.* - There
14 shall be national training standards to be established by Department-accredited
15 industry committees. The Department shall develop and implement a certification
16 and accreditation program in which private industry groups
17 and trade associations are accredited to conduct approved assessment packages, and
18 the local government units to promote such assessment in their respective areas in
19 accordance with the guidelines to be set by the Department. The Secretary shall
20 determine the occupational trades for mandatory certification. All certificates relating
21 to the national training standards and certification system shall be issued by the
22 Department through its Regional and Provincial Offices. In consonance with the
23 Philippine Qualification Framework (PQF), the Department shall closely collaborate
24 with the Professional Regulation Commission (PRC) as regards to the assessment of
25 technicians, master craftsman and technologists.

26 *Sec. 25. Administration of Training Programs.* - The Authority shall design and
27 administer training programs and schemes the will develop the capabilities of public
28 and private institutions to provide quality and cost-effective technical education and
29 skills development and related opportunities. Such training programs and schemes
30 shall include teacher's trainors' training, skills training for entrepreneur development
31 and technology development, cost-effective training in occupational trades and

1 related fields of employment, and value development as an integral component of
2 all skills training programs.

3 *Sec. 26. Assistance to Employers and Organizations.* - The Authority shall assist
4 any employer or organization engaged in skills training schemes designed to attain
5 its objectives under rules and regulations which the Authority shall establish for this
6 purpose.

7 *Sec. 27. Accreditation and Regulation of Technical Education and Training Programs.*
8 - All technical education and training programs shall be duly accredited by the
9 Department before it is offered to the public by any public, private entity or non-
10 government organization. Non-compliance with the accreditation requirements of the
11 Department shall be form part of the bases for the possible suspension or cancellation
12 of the entities' license to operate issued by competent authorities.

13 *Sec. 28. Coordination of All Skills Training Schemes.* - In order to integrate the
14 national skills development efforts, all technical education and skills training schemes
15 as provided for in this Act shall be coordinated with the Department particularly those
16 having to do with the setting of trade skills standards. For this purpose, existing
17 technical education and skills training programs in the Government and in the private
18 sector, specifically those wholly or partly financed with government funds, shall be
19 reported to the Department which shall assess and evaluate such programs to ensure
20 their efficiency and effectiveness. Non-compliance with the above mentioned
21 reportorial requirements could disqualify erring entities for any form of government
22 assistance in field technical education and training.

23 *Sec. 29. Enterprise Based Partnerships and Linkages.* - The Authority shall establish
24 effective and efficient institutional arrangements with industry bodies and such other
25 aggrupation or associations to provide direct participation of employers and workers
26 in the design and implementation of skills development schemes, trade skills
27 standardization and certification and such other functions in the fulfillment of the
28 Department's objectives.

29 *Sec. 30. Inclusive Training Opportunities.* - The Authority shall likewise design
30 and implement a delivery system for community based technical education and
31 training opportunities for the marginalized and disadvantaged sectors of the
32 population, providing them with new tools of wealth creation and with the capability

1 to take on higher value-added gainful activities and to share equitably in productivity
2 gains eventually leading to poverty alleviation and reduction;

3 *Sec. 31. Skills Olympics.* - To promote quality skills development in the country
4 and with the view of participating in international skills competitions, the
5 Department, with the active participation of private industries, shall organize and
6 conduct annual National Skills Olympics. The Department shall promulgate the
7 necessary rules and guidelines for the effective and efficient conduct of Annual
8 National Skills Olympics and for the country's participation in international skills
9 Olympics.

10 *Sec. 32. The TET Development Fund.* - A Technical Education and Training
11 Development Fund is hereby established, to be managed/administered by the
12 Department, the income from which shall be utilized exclusively in awarding of
13 grants and providing assistance to training institutions, industries, local government
14 units for upgrading their capabilities and to develop and implement training and
15 training-related activities. The contribution to the fund shall be the following:

- 16 a. A one-time lump sum appropriation from the National Government;
- 17 b. An annual contribution from the Overseas Workers Welfare
18 Administration Fund, the amount of which should be part of the study on
19 financing in conjunction with letter (D) of Section 34;
- 20 c. Donations, grants, endowments, and other bequests or gifts, and any other
21 income generated by the Department.

22 The Secretary shall be the administrator of the fund, and as such, shall
23 formulate the necessary implementing guidelines for the management of the fund,
24 subject to the following:

- 25 a. Unless otherwise stipulated by the private donor, only earnings of private
26 contributions shall be used; and
- 27 b. No part of the seed capital of the fund, including earnings, thereof, shall be
28 used to underwrite expenses for administration.

29 The Secretary shall appoint a reputable government-accredited investment
30 institution as fund manager, subject to existing government regulations.

31 *Sec. 33. Technical Assistance, Incentives and Scholarship Grants.* - The Department
32 shall adopt a system of providing technical assistance, incentives and scholarship

1 grants which shall be designed to encourage public and private sector and clientele
2 participation in technical education and training activities along the priorities
3 identified by the National Development Plan/ Agenda.

4 Sec. 34. *Placement Centers.* There shall be established a network of placement
5 centers or PLACERS in all the Provincial/ District Offices to cater specifically to the
6 job placement of TET institutions. These Centers shall be financed and administered
7 by the Department but will form part of the National Employment Service Network
8 of the DOLE;

9 Sec. 35. *Budget.* - The amount necessary to finance the initial implementation of
10 this Act shall be charged against the existing appropriations of the TESDA. Thereafter,
11 such funds as may be necessary for the continued implementation of this Act shall be
12 included in the annual General Appropriations Act.

13 Sec. 36. *Transitory Provisions.* - The personnel of the TESDA shall, in a holdover
14 capacity, continue to perform their respective duties and responsibilities and receive
15 their corresponding salaries and benefits until such time when the organizational
16 structure and staffing pattern of the Department shall have been approved: *Provided,*
17 That the preparation and approval of the said new organizational structure and
18 staffing pattern shall, as far as practicable, respect and ensure the security of tenure
19 and seniority rights affected government employees. Those personnel whose
20 positions are not included in the new staffing pattern or who are not reappointed or
21 who choose to be separated as a result of the reorganization shall be paid their
22 separation or retirement benefits under existing laws.

23 Sec. 37. *Implementing Rules and Guidelines.* - The Department shall issue, within
24 a period of ninety (90) days after the effectivity of this Act, the rules and regulations
25 for the effective implementation of this Act. The Department shall submit to
26 concerned Committees of both Houses of Congress copies of the implementing rules
27 and guidelines within (30) days after its promulgation. Any violation of this Section
28 shall render the official/s concerned liable under R. A. No. 6713, otherwise known as
29 the "Code of Conduct and Ethical Standards for Public Officials and Employees" and
30 other existing administrative and/or criminal laws.

1 Sec. 38. *Repealing Clause.* - All laws, presidential decrees, executive orders,
2 presidential proclamations, rules and regulations or part thereof contrary to or
3 inconsistent with this Act are hereby repealed or modified accordingly.

4 Sec. 39. *Separability Clause.* - If any provision of this Act is declared
5 unconstitutional, the same shall not affect the validity and effectivity of the other
6 provisions hereof.

7 Sec. 40. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete
8 publication in two (2) newspapers of general circulation.

Approved,