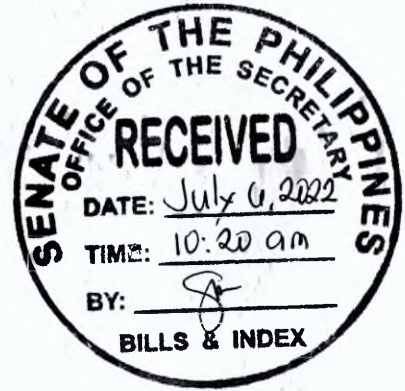


NINETEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE

S. No. 50



Introduced by SENATOR JINGGOY EJERCITO ESTRADA

**AN ACT
ESTABLISHING THE NATIONAL EMPLOYMENT ASSISTANCE CENTER OF
THE PHILIPPINES AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

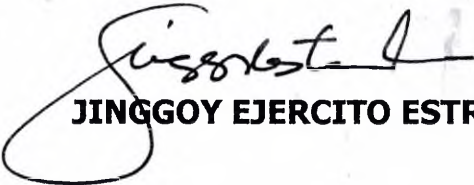
Section 3 of Article XIII of the Constitution provides that, "*The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all*". Despite this constitutional mandate, the Philippines still suffers from massive unemployment.

The unemployment issue does not only affect Filipino workers in the Philippines but also Overseas Filipino Workers victimized by unscrupulous recruiters. A sizeable number of workers fail in their respective endeavor because the government failed to provide comprehensive contingency measures to ensure the workers' protection and assistance.

This bill seeks to create a National Employment Assistance Center of the Philippines in order to assist and help the country fight the soaring unemployment problem that threatens not only the economy but also the political stability of the Philippines. To sustain a strengthened partnership with the other stakeholders, the Center will build coordination with the Department of Foreign Affairs to reach their constituents in various parts of the world, as well as with concerned private agencies

which will provide information and other assistance for referral and placement purposes.

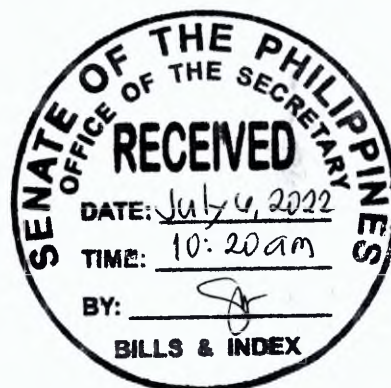
In view of the foregoing, the enactment of this bill is recommended.



JINGGOY EJERCITO ESTRADA

NINETEENTH CONGRESS OF THE REPUBLIC)
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S. No. 50



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**AN ACT
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THE PHILIPPINES 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 "*National Employment*
2 *Assistance Center of the Philippines Act of 2022*".

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to afford full
4 protection to labor and promote full employment and equality of employment
5 opportunities for all. It is therefore the responsibility of the government to address
6 the various legitimate concerns of the Filipino workers by preparing comprehensive
7 contingency measures to ensure the workers' protection and to extend critical
8 assistance to those adversely affected by the economic crisis.

9 Sec. 3. *Creation.* - There is hereby created the National Employment
10 Assistance Center (NEAC) of the Philippines, hereinafter referred to as the Center,
11 which shall be under the supervision and control of the Department of Labor and
12 Employment.

13 Sec. 4. *Purpose.* - The Center shall provide both employees and employers
14 with the basic information on local manpower demand, competency, assessment and
15 orientation, manpower pooling, and referral for retraining. The Center shall likewise
16 provide a one-stop action center which shall facilitate the processing and
17 documentation of all long-term employment. It shall encourage consolidation of the

1 effort of various public and private entities involved in the labor sector of similar and
2 other related programs.

3 **Sec. 5. *Functions.*** -The Center shall perform the following functions:

- 4 a) to provide information to prospective employers, public or private, local and
5 foreign, on the different kind of skills and expertise available for utilization;
- 6 b) to establish an updated data bank of all industries and businesses requiring
7 manpower;
- 8 c) to establish an updated data bank of all skilled but unemployed Filipino
9 workers, which includes basic information such as name, address, date of
10 birth, telephone number, educational and professional background as special
11 skills;
- 12 d) to organize and maintain centralized one-stop shop services or assistance
13 center that shall expedite the processing of all requirements necessary in
14 employment;
- 15 e) to formulate and coordinate the conduct of relevant research projects to help
16 attain the Center's goals;
- 17 f) to formulate and develop employment programs designed to benefit the more
18 disadvantaged groups;
- 19 g) to develop a responsive vocational guidance and testing system in aid of
20 proper human resources allocation;
- 21 h) to receive donations, contribution, gifts, grants from any source, public or
22 private, whether from domestic or international sources, proceeds of which
23 shall not be used for any other purpose;
- 24 i) to enter into all kinds of arrangements or joint ventures with other
25 government and/or private entities that will help promote its aims and
26 purposes; and
- 27 j) to exercise such other functions as may be assigned by the Secretary of Labor
28 and Employment.

29 **Sec. 6. *Structural Organization.*** - The Center shall have a Board of Governors
30 under which shall be the offices of Director-General and the Deputy Director-
31 General. Under the Office of the Director-General shall be two (2) departments
32 which shall be headed by their respective directors, namely:

- 1 1.) Domestic Employment, to handle all local employment matters; and
- 2 2.) Overseas Employment, to handle all overseas employment matters.

3 Under each department shall be three (3) divisions which shall be headed by
4 their division chiefs, namely on:

- 5 1.) Technical Research Division, to handle the registration for workers and
6 industries / businesses;
- 7 2.) Testing and Skills Upgrading Division, to handle all matters pertaining to
8 the development of a responsive guidance, testing and training system; and
- 9 3.) Referral and Placement Division, to handle all matters pertaining to the
10 working permits, referral to and placement in industries and businesses of the
11 employees by their division chiefs, namely on:

12 A central documentation and information service headed by a Director, to
13 handle all documentation, information and related matters, including public relations,
14 shall be constituted to private staff support to the Director-General.

15 *Sec. 7. Board of Governors; Composition, Term and Compensation.* -The
16 Center shall be governed and its activities and properties shall be managed by a
17 Board of Governors which shall be under the supervision and control of the Office of
18 the President, to be chaired by the Secretary of Labor and Employment, and shall be
19 composed of ten (10) members five (5) of whom shall come from the government
20 sector and five (5) of whom shall come from the private sector, all of whom shall be
21 appointed by the President: *Provided*, That a representative from the private sector
22 shall be appointed as Vice-chairman; *Provided further*, That all board members shall
23 have broad experience in human resources, labor and industrial relations.

24 The term of office of Board members from the government sector shall be for
25 the duration of their public office or three (3) years, whichever comes earlier, while
26 the term of office of the private sector Board members shall be three (3) years each
27 until their successors shall have been appointed and qualified; *Provided*, That they
28 shall be eligible for reappointment after the expiration of their respective terms;
29 *Provided, further*, That any private sector Board member appointed by the President
30 to fill a vacancy in the Board of Governors occurring prior to the expiration of the
31 term for which his predecessor was appointed shall serve only for the unexpired
32 portion of his predecessor.

1 The Board members shall meet regularly at least once a month or as often as
2 the exigencies of the service demand. The presence of at least six (6) members shall
3 constitute a quorum, and the vote of a majority of the members present shall be
4 necessary for the adoption of any resolution, rule or decision.

5 The Board members shall receive for every meeting attended a *per diem* to
6 be fixed by the President of the Philippines.

7 **Sec. 8. *Board of Governors.*** - The Board of Governors shall have the following
8 powers and function:

- 9 a) to formulate policies, guidelines and programs to effectively implement
10 the purposes of the Center;
11 b) to approve the annual and supplemental budgets for the Center;
12 c) to promulgate rules as may be necessary for the effective
13 exercise of the powers and functions of the Center;
14 d) to authorize any contract or agreement as may be necessary for the
15 proper, efficient and stable administration of the Center;
16 e) to determine and approve the appointment of other officers of the
17 Center, with their corresponding qualifications, duties and emoluments;
18 and,
19 f) to prepare and submit periodic and/or special reports for the President.

20 **Sec. 9. *Office of the Director-General.*** - The chief operation officer and
21 principal representative of the Center shall be the Director-General assisted by a
22 Deputy Director-General, working full time, both to be appointed by the President.

23 **Sec. 10. *Removal or Suspension for Cause.*** - An officer of the Center may be
24 suspended or removed by the President for mismanagement, grave abuse of
25 discretion, infidelity in the conduct of fiduciary relations, gross negligence in the
26 performance of duties, dishonesty, corruption, or any act involving moral turpitude.

27 **Sec. 11. *Appointments, Promotion, Terms and Conditions of Employment.*** -
28 The officers and employees of the Center shall be covered by the Civil Service Law,
29 as well as the Rules of the Office of Compensation and Position Classification.

30 **Sec. 12. *Location.*** - The Center's head office shall be located in a convenient
31 and accessible site in the National Capital Region: Provided, That the regional offices
32 of the Center may be integrated with the regional offices of the Department of Labor

1 and Employment whenever feasible and shall obtain all its service functions under
2 one roof, including the head office.

3 Sec. 13. *Coordination with Private Agencies.* - Private agencies concerned
4 shall coordinate with the Center and shall, when requested by the Center, provide
5 information and such other assistance for referral and placement purposes. For this
6 purpose, all private agencies concerned shall henceforth detail their appropriate
7 representatives to the Center: *Provided*, That such private agencies shall provide for
8 such detailed personnel's salaries and/or other emoluments.

9 Moreover, the Department of Foreign Affairs, through its commercial attachés
10 worldwide, shall extend assistance to the Center by disseminating data properly
11 released by the Center to the different countries concerned. The commercial
12 attaches shall also furnish the Center with current and relevant data from other
13 countries for circulation in the Philippines.

14 Sec. 14. *Appropriation.* - An amount not exceeding Fifteen million pesos
15 (P15,000,000.00) shall be charged to the current appropriations of the Department
16 of Labor and Employment for the initial implementation of this Act. Thereafter, the
17 amount as may be necessary for the continued operation of the Center shall be
18 included in the Annual General Appropriations Act.

19 Sec. 15. *Rules and Regulations.* - The Department of Labor and Employment
20 shall promulgate all rules and regulations as may be necessary for the proper and
21 effective implementation of this Act.

22 Sec. 16. *Repealing Clause.* - All laws, orders, decrees, rules and regulations,
23 and other issuances or parts thereof, inconsistent with this Act, are hereby repealed
24 or modified accordingly.

25 Sec. 17. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after
26 its complete publication in two (2) newspapers of general circulation in the
27 Philippines.

Approved,