



HOUSE OF REPRESENTATIVES

H. No. 8008

BY REPRESENTATIVES ROMERO, MALAPITAN, BONDOC, MAGSINO, MERCADO-REVILLA, DUTERTE, TULFO (R.W.), DIONISIO, VERZOSA, MENDOZA, TAMBUNTING, REVILLA (B.), REVILLA (R.J.), YAP (ERIC), YAP (EDVIC), TULFO (J.), ABALOS, GOMEZ, HERNANDEZ, BOLILIA, ABUNDA, ZUBIRI, MERCADO, SAULOG, GALEOS, GARCIA (D.), MASTURA, DIMAPORO (S.A.), VERGARA, BULUT-BEGTANG, PADUANO, BROSAS, LEE, SUAN, LIBANAN, SORIANO AND DALIPE, PER COMMITTEE REPORT NO. 511

**AN ACT
PROVIDING INDIGENT JOB SEEKERS, DISCOUNTED OR WAIVED FEES AND CHARGES IN THE ISSUANCE OF CERTAIN PRE-EMPLOYMENT DOCUMENTS ISSUED BY GOVERNMENT AGENCIES**

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 “*Kabalikat sa*
2 *Hanapbuhay Act*”.

3 **SEC. 2. Declaration of Policy.** – It is the policy of the State to promote a just and
4 dynamic order that will ensure the prosperity and independence of the nation and free
5 the people from poverty through policies that provide adequate social services,
6 promote full employment, a rising standard of living, and an improved quality of life
7 for all.

8 Further, the State shall strive for a more equitable distribution of opportunities,
9 decent jobs, income, and wealth; a sustained increase in the amount of goods and
10 services produced by the nation for the benefit of the people, and an expanding
11 productivity as the key to raising the quality of life for all, especially the underprivileged.
12 To this end, the State shall provide indigent job seekers a twenty percent (20%)
13 discount in the payment of fees and charges or waived fees for certain certificates and
14 clearances issued by government agencies.

15 **SEC. 3. Identification of Beneficiaries.** – As used in this Act, an indigent job
16 seeker refers to a person who is seeking gainful employment and has no visible means
17 of income or whose income falls below the official poverty threshold, as identified by
18 the National Economic and Development Authority and/or cannot afford in a sustained
19 manner to provide their minimum basic needs of food, health, education, housing and
20 other essential amenities of life.

21 The PSA, based on the criteria set under the Community-Based Monitoring
22 System (CBMS) as established under Republic Act No. 11315, otherwise known as
23 the “Community-Based Monitoring System Act”, shall validate the list of indigent
24 households in the *Listahanan* of the Department of Social Welfare and Development
25 identify indigent individuals. The Local Social Welfare Development Officer (LSWDO)
26 of the city/municipality or any equivalent unit of the municipality where the indigent job
27 seeker resides is authorized to issue a Certificate of Indigency based on the latest
28 CBMS data, abovementioned criteria and established guidelines, as proof of eligibility
29 of job seekers in availing the privileges provided for under this Act. Such certification
30 shall be free of charge.

31 For purposes of identifying indigent job seekers, any other unified targeting
32 system duly agreed upon by the Inter-Agency Coordinating and Monitoring Committee
33 may be used in the future.

34 An indigent job seeker whose household is enrolled under the seven-year period
35 “*Pantawid Pamilyang Pilipino Program (4Ps)*”, shall be automatically considered as
36 “indigent” and eligible to avail of the privileges under this Act.

37 First time job seekers who avail of waived government fees and charges in the
38 issuance of pre-employment documents under Republic Act No. 11261, otherwise
39 known as the “First Time Jobseekers Assistance Act” are not covered by this Act.

40 **SEC. 4. Twenty Percent (20%) Discount on Fees and Charges for Clearances**
41 **and Certificates.** – Indigent job seekers, whether here or abroad, shall be granted a
42 twenty percent (20%) discount in the payment of fees and charges for the following
43 clearances and certificates requisite for pre-employment application:

- 44 (a) Clearance from the barangay where the job seeker resides;
- 45 (b) Clearance from the National Bureau of Investigation (NBI);
- 46 (c) National Police Clearance from the Philippine National Police (PNP);
- 47 (d) Medical certificate for local employment from any government hospital licensed
48 by the Department of Health (DOH), and medical certificate for foreign
49 employment from any DOH-accredited medical facility for overseas workers and
50 seafarers;
- 51 (e) Certificate of marriage from the Philippine Statistics Authority (PSA);
- 52 (f) Certificate of live birth from the PSA;
- 53 (g) National Certificate and Certificate of Competency (COC) from the Technical
54 Education and Skills Development Authority (TESDA);
- 55 (h) Certificate of Civil Service Eligibility from the Civil Service Commission (CSC);
- 56 and

57 (i) Other documentary requirements issued by the government that may be
58 required by employers from indigent job seekers, as determined and approved
59 by the Inter-Agency Coordinating and Monitoring Committee established in
60 Section 6 of this Act.

61 **SEC. 5. Waiver of Fees and Charges for Pre-Employment Documents.** – The
62 fees and charges required to acquire the following pre-employment documents and
63 cards shall be waived:

- 64 (a) Tax Identification Number from the Bureau of Internal Revenue; and
65 (b) Transcript of Records, Transfer Credentials, Authenticated Copy of Diploma,
66 and Certificate of Good Moral Character from the State Universities and
67 Colleges, and Local Universities and Colleges of the job seeker.

68 The indigent job seeker may avail of the privileges of waived or discounted fees under
69 this Act only once every six (6) months from each government agency.

70 **SEC. 6. Prohibited Acts and Penalties.** – (a) Any public officer or employee who
71 refuses or fails to issue a Certificate of Indigency, or to provide the benefit granted
72 to the indigent job seeker in violation of Sections 4 and 5 of this Act shall, upon
73 conviction, be subject to a fine of not less than Five thousand pesos (P5,000) but not
74 more than twenty thousand pesos (P20,000). The penalty of temporary disqualification
75 to hold public office for a period of five (5) years shall also be imposed.

76 (b) A job seeker who misrepresents or falsifies any document to avail of benefits
77 provided under this Act or abuses the privilege granted herein shall be prosecuted and
78 punished in accordance with the pertinent provisions of Republic Act No. 3815, as
79 amended, otherwise known as the “Revised Penal Code”, and shall suffer perpetual
80 disqualification in availing the privileges under this Act.

81 Administrative sanctions shall be imposed without prejudice to prosecution as
82 provided for in this Act.

83 Prosecution for an offense set forth in this Act shall be without prejudice to any
84 liability for violation of any other existing laws, including civil service law, rules and
85 regulations.

86 **SEC. 7. Indigent Job Seekers Database.** – The Public Employment Service
87 Office in coordination with the LSWDO shall establish and maintain a database system
88 containing an updated roster of all indigent job seekers who availed of the benefits
89 under this Act.

90 The PhilJobnet platform of the Department of Labor and Employment (DOLE) shall
91 serve as the monitoring mechanism to record, monitor, and report the availment of the
92 benefits granted to indigent job seekers.

93 **SEC. 8. Non-Authority to Charge Fees.** – Other government agencies that do
94 not charge fees in relation to the discharge of their functions cannot use this law to
95 impose fees if no such authority is granted under their respective charter or other
96 relevant laws.

97 **SEC. 9. *Interagency Coordinating and Monitoring Committee.*** – An
98 Interagency Coordinating and Monitoring Committee, hereinafter referred to as the
99 Committee, shall be established to coordinate and monitor the implementation of
100 this Act.

101 The Committee shall be composed of the Secretary of the Labor and
102 Employment or the authorized representative, as Chairperson; Secretary of Interior
103 and Local Government or his authorized representative, as Vice Chairperson; and the
104 following as members: Secretary of Migrant Workers or his authorized representative;
105 National Statistician and Civil Registrar General of the PSA or his authorized
106 representative; Chief of the PNP or his authorized representative; Director of the NBI
107 or his authorized representative; Secretary of DOH or his authorized representative;
108 Chairperson of the Commission on Civil Service (CSC) or his authorized
109 representative; Chairperson of the Commission on Higher Education (CHED) or his
110 authorized representative; Director-General of TESDA or his authorized
111 representative; Presidents of the Liga ng mga Barangay, League of Municipalities of
112 the Philippines, and League of Cities of the Philippines or their authorized
113 representatives; Lead Convenor of the National Anti-Poverty Commission (NAPC) or
114 his authorized representative; and Chairperson of the National Commission on
115 Indigenous Peoples (NCIP) or his authorized representative.

116 The Committee shall have the following functions:

- 117
- 118 (a) To coordinate, monitor and evaluate the implementation of this Act;
 - 119 (b) To make recommendations for concerned agencies to ensure the effective and
120 efficient delivery of services in providing the benefits for indigent job seekers
121 under this Act;
 - 122 (c) To identify and approve other pre-employment certificates and clearances;
 - 123 (d) To invite other agencies to be members of the Committee;
 - 124 (e) To review, evaluate, and amend accordingly the clearances and certificates
125 covered under this Act; and
 - 126 (f) To submit an annual report to Congress on the implementation of this Act.

127 **SEC. 10. *Joint Congressional Oversight Committee.*** – Upon the effectivity of
128 this Act, a Joint Congressional Oversight Committee is hereby constituted. The JCOC
129 shall set the overall framework to review the implementation of this Act. It shall
130 likewise recommend necessary remedial legislation, for a period not exceeding three
131 (3) years.

132 The JCOC shall be composed of fourteen (14) members with the chairpersons of
133 the Committee on Poverty Alleviation of the House of Representatives, and of the
134 Committee on Social Justice, Welfare and Rural Development of the Senate as
135 Co-Chairpersons, and six (6) members from each House, to be designated by the
136 Speaker of the House of Representatives, and the Senate President, respectively.

137 The Secretariat of the JCOC shall be drawn from the existing personnel of the
138 Committee on Poverty Alleviation of the House of Representatives, and the Committee
139 on Social Justice, Welfare and Rural Development of the Senate.

140 **SEC. 11. *Implementing Rules and Regulations.*** – Within six (6) months after the
141 effectivity of this Act, the DOLE shall, in consultation with the Department of the Interior
142 and Local Government, Department of Migrant Workers, PSA, PNP, NBI, DOH, CSC,
143 CHED, TESDA, Leagues of Barangay, Municipalities, and Cities, NAPC and NCIP,
144 promulgate the rules and regulations to implement this Act.

145 **SEC. 12. *Separability Clause.*** – If any provision or part of this Act is held invalid
146 or unconstitutional, the remaining parts or provisions hereof, not otherwise affected,
147 shall remain in full force and effect.

148 **SEC. 13. *Repealing Clause.*** – Any law, presidential decree or issuance,
149 executive order, letter of instruction, administrative order, rule or regulation contrary to
150 or inconsistent with the provisions of this Act is hereby repealed, amended or modified
151 accordingly.

152 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
153 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,