

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



23 JUL 20 P2 :39

SENATE
S. No. 2337

RECEIVED BY: 

Introduced by Senator MARK A. VILLAR

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

EXPLANATORY NOTE

In promoting social justice, the state takes steps and measures to promote fairness and equity across many aspects of society. As such, the government is responsible for opening the doors of access and opportunity for everyone, particularly those in greatest need.

In the employment process, after securing a job, the next hurdle for every applicant is the completion of numerous pre-employment documents. However, securing such is not always easy and affordable especially to indigent applicants whose current earnings, if any, is barely sufficient to address their daily basic needs.

This bill seeks to provide assistance to indigent job seekers by easing their financial burden in complying with all the required pre-employment documents. It is the hope of this measure to address this concern and help indigent workers.

In view of the foregoing, the approval of this bill is earnestly sought.


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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 of 2023*”.

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

8 Further, the State shall strive for the 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
12 underprivileged.

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

1 The PSA, based on the criteria set under the Community-Based Monitoring
2 System (CBMS) as established under Republic Act No. 11315, otherwise known as the
3 "Community-Based Monitoring System Act", shall validate the list of indigent
4 households in the *Listahanan* of the Department of Social Welfare and Development
5 (DSWD) identify indigent individuals. The Local Social Welfare Development Officer
6 (LSWDO) of the city/municipality or any equivalent unit of the municipality where the
7 indigent job seeker resides is authorized to issue a Certificate of Indigency based on
8 the latest CBMS data, abovementioned criteria, and established guidelines, as proof
9 of eligibility of job seekers in availing the privileges provided for under this Act. Such
10 certification shall be free of charge.

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

14 An indigent job seeker whose households is enrolled under the seven-year
15 period "Pantawid Pamilyang Pilipino Program (4Ps)", shall be automatically considered
16 as "indigent" and eligible to avail of the privileges under this Act.

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

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

- 24 a) Clearance from the barangay where the job seekers reside;
- 25 b) Clearance from the National Bureau of Investigation (NBI);
- 26 c) National Police Clearance from the Philippine National Police (PNP);
- 27 d) Medical Certificate for local employment from any government hospital
28 licensed by the Department of Health (DOH), and medical certificate for
29 foreign employment from any DOH-accredited medical facility for overseas
30 workers and seafarers;
- 31 e) Certificate of Marriage from the Philippine Statistics Authority (PSA);
- 32 f) Certificate of Live Birth from the PSA;

- 1 g) National Certificate and Certificate of Competency (COC) from the Technical
2 Education and Skills Development Authority (TESDA);
3 h) Certificate of Civil Service Eligibility from the Civil Service Commission (CSC);
4 and
5 i) Other documentary requirements issued by the government that may be
6 required by employers from indigent job seekers, as determined and
7 approved by the Inter-Agency Coordination and Monitoring Committee
8 established in Section 6 of this Act.

9 *Sec. 5. Waiver of Fees and Charges for Pre-Employment Documents.* – The
10 fees and charges required to acquire the following pre-employment documents and
11 cards shall be waived:

- 12 a) Tax Identification from the Bureau of Internal Revenue; and
13 b) Transcript of Records, Transfer Credentials, Authenticated Copy of Diploma,
14 and Certificate of Good Moral Character from the State Universities and
15 Colleges, and Local Universities and Colleges of the job seeker.

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

18 *Sec. 6. Prohibited Acts and Penalties.* – (a) Any public officer or employee who
19 refuses or fails to issue a Certificate of Indigency, or to provide the benefit granted to
20 the indigent job seeker in violation of Sections 4 and 5 of this Act shall, upon
21 conviction, be subject to a fine of not less than Five Thousand Pesos (P5,000) but not
22 more than Twenty Thousand pesos (P20,000). The penalty of temporary
23 disqualification to hold public office for a period of five (5) years shall also be imposed.

24 (b) A jobseeker who misrepresents or falsifies any document to avail of benefits
25 provided under this Act or abuses the privilege granted herein shall be prosecuted and
26 punished in accordance with the pertinent provisions of Republic Act No. 3815, as
27 amended, otherwise known as the "Revised Penal Code". And shall suffer perpetual
28 disqualification in availing the privileges under this Act.

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

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

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

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

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

15 *Sec. 9. Interagency Coordinating and Monitoring Committee.* – An interagency
16 Coordinating and Monitoring Committee, hereinafter referred to as the Committee,
17 shall be established to coordinate and monitor the implementation of this Act.

18 The Committee shall be composed of the Secretary of the Labor and
19 Employment or the authorized representative, as Chairperson; Secretary of Interior
20 and Local Government or his authorized representative, as Vice Chairperson; and the
21 following as Members:

- 22 a) The Secretary of Migrant Workers or his/her authorized representative;
- 23 b) The National Statistician and Civil Registrar General of the PSA or his/her
24 authorized representative;
- 25 c) The Chief of the PNP or his/her authorized representative;
- 26 d) The Director of the NBI or his/her authorized representative;
- 27 e) The Secretary of DOH or his/her authorized representative;
- 28 f) The Chairperson of the Commission on Civil Service (CSC) or his/her
29 authorized representative;
- 30 g) The Chairperson of the Commission on Higher Education (CHED) or his/her
31 authorized representative;
- 32 h) The Director-General of TESDA or his/her authorized representative;

- 1 i) The Presidents of the Liga ng mga Barangay, League of Municipalities of the
2 Philippines, and League of Cities of the Philippines or their authorized
3 representative;
- 4 j) The Lead Convenor of the National Anti-Poverty Commission (NAPC) or
5 his/her authorized representative; and
- 6 k) The Chairperson of the National Commission on Indigenous Peoples (NCIP)
7 or his authorized representative.

8 The Committee shall have the following functions:

- 9 a) To coordinate, monitor, and evaluate the implementation of this Act;
- 10 b) To make recommendations for concerned agencies to ensure the effective
11 and efficient delivery of services in providing the benefits for indigent job
12 seekers under this Act;
- 13 c) To identify and approve other pre-employment certificates and clearances;
- 14 d) To review, evaluate, and amend accordingly the clearances and certificates
15 covered under this Act; and
- 16 e) To submit an annual report to Congress on the implementation of this Act.

17 *Sec. 10. Joint Congressional Oversight Committee.* – Upon the effectivity of this
18 Act, a Joint Congressional Oversight Committee is hereby constituted. The JCOC shall
19 set the overall framework to review the implementation of this Act. It shall likewise
20 recommend necessary remedial legislation, for a period not exceeding three (3) years.

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

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

29 *Sec. 11. Implementing Rules and Regulations.* - The DOLE, in coordination with
30 the other pertinent government agencies, shall promulgate rules and regulations
31 necessary for the implementation of this Act within six (6) months from its effectivity.

1 Sec. 12. *Non-Impairment Clause.* – Nothing in this Act shall be construed as to
2 diminish, impair, or repeal rights recognized, granted, or made available to
3 disadvantaged, marginalized, or specific sectors under existing laws.

4 Sec. 13. *Separability Clause.* – Any portion or provisions of this Act that may be
5 declared unconstitutional or invalid and shall not have the effect of nullifying other
6 portions or provisions hereof as long as such

7 Sec. 14. *Repealing Clause.* – All laws, presidential decrees, executive orders,
8 memoranda, circulars, and other issuances, or parts thereof, which are inconsistent
9 with the Act, are hereby repealed or modified accordingly.

10 Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its
11 publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,