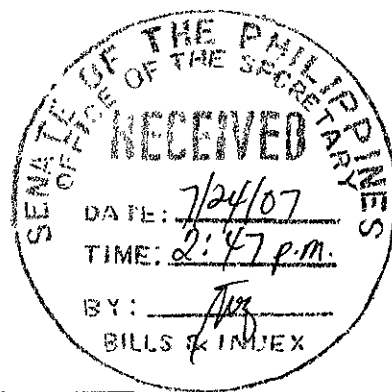


FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

SENATE  
S. B. No. **1310**



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Introduced by Senator Miriam Defensor Santiago

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#### 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. (Emphasis supplied)

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The Department of Labor and Employment even reported that in the early part of 1998, 219 notices of lay-offs have already been served, affecting 8,700 workers. It has likewise reported that Filipino workers in Malaysia and Korea are reported losing jobs by the thousands. Jobs are being lost because of the continued high interest rates forcing businesses to slow down both in investments and in actual production.

The trend 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. The conditions have not changed despite the fact that it is now 2007.

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  
*Feb*

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



- 1 (1) A public local school authority having administrative control of elementary,  
2 middle, or secondary school or providing adult education;
- 3 (2) A public or private institution that provides alternative middle or high school  
4 education;
- 5 (3) A public education institution or agency having administrative control of  
6 secondary or post-secondary vocational education programs; or
- 7 (4) A post-secondary institution;
- 8 (D) “Mature or Older Worker” means an individual who is over forty (40) years of age  
9 or older;
- 10 (E) “Participant” means an individual who has been determined to be eligible to  
11 participate in the program;
- 12 (F) “School Dropout” means an individual who has been determined to be eligible to  
13 participate in the program; and
- 14 (G) “Termination” means the separation of a participant who is no longer receiving  
15 services.

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

- 19 (A) Individuals whose income is not in excess of the poverty line;
- 20 (B) Individuals who are eligible for housing assistance; or
- 21 (C) Individuals who are included in 2 or more of the following categories:
- 22 (1) Individuals who are unemployed 15 of the past 26 weeks;
- 23 (2) Individuals who are unemployed 30 of the past 52 weeks;
- 24 (3) Individuals who are working 20 or fewer hours a week;
- 25 (4) Individuals who are displaced homemakers;
- 26 (5) Individuals who are homeless;
- 27 (6) Individuals who have finished less than 10 years of school;
- 28 (7) Individuals who are deficient in basic skills;

- 1 (8) Individuals who have been notified that the jobs of such individuals will be  
2 terminated within the next 60 days; or  
3 (9) Individuals who live alone.  
4

5 SECTION 5. *Program Design.* –

6 (A) *Program Requirements.* – Each program assisted under this part shall include –

- 7 (1) An objective assessment, using the case management technique of the skill  
8 levels and service needs of each participant including such factors as basic  
9 skills, occupational skills, prior work experience, employability, interests,  
10 aptitudes, including interests and aptitudes for non-traditional employment,  
11 and supportive service needs, except that a new assessment of a participant is  
12 not required if the program determines that a recent assessment of the  
13 participant conducted under another education or training program, is an  
14 appropriate assessment.
- 15 (2) Development of service strategists that shall identify the employment goal  
16 (including, in appropriate circumstances, non-traditional employment), the  
17 appropriate achievement objectives, and the appropriate sequence of services  
18 for participants, taking into account the assessments conducted under  
19 subparagraph (1), except that a new service strategy is not required if the  
20 program determines a recent service strategy developed for the participant  
21 under another education or training program in an appropriate service  
22 strategy;
- 23 (3) A review of the progress of each participant in meeting the objectives of the  
24 service strategy; and
- 25 (4) Basic skills training and occupational skills training if the assessment and the  
26 service strategy indicate such training are appropriate.

27 (B) *Additional Requirements.* –

- 28 (1) *Minimum Income Participants and Applicants.* – Each service delivery area  
29 participating in a program assisted under this part shall insure that each

1 participant or applicant shall be provided information on the full array of the  
2 applicable or appropriate services that are available through the service  
3 delivery area or other service providers, including providers receiving funds  
4 under this Act; and referral to other appropriate training and educational  
5 programs that have the capacity to serve the participant or applicant either on  
6 a sequential or concurrent basis.

7 (2) *Applicants Not Meeting Enrollment Requirements.* – Each service provider  
8 shall ensure that an eligible applicant who does not meet the enrollment  
9 requirements of the particular program of the provider shall be referred to the  
10 service delivery area for further assessment, as necessary, and referrals to  
11 appropriate programs to meet the basic skills and training needs of the  
12 applicant.

13 The service delivery area shall ensure that appropriate referrals are  
14 made and shall maintain records on the referrals and the reasons for which  
15 applicants are referred.

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

- 18 (a) Outreach and recruitment;
- 19 (b) Intake and assessment;
- 20 (c) Job search assistance;
- 21 (d) Classroom and occupational skill training;
- 22 (e) On-the-job training;
- 23 (f) Work experience;
- 24 (g) Basic remedial and education and literacy training;
- 25 (h) Supplemental services, including day care for dependent children and  
26 adults;
- 27 (i) Occupational placement assistance.

1 (C) *Service Providers.* – In the selection of service providers, the Department of Labor  
2 and Employment shall give preference to agencies and organizations with  
3 demonstrated in conducting older and mature worker programs.

4 The Department of Labor and Employment shall develop the job training  
5 program under this Act. It may seek the assistance of older government agencies  
6 such as the Department of Education and the help of private educational agencies. It  
7 shall also formulate the necessary implementing rules and regulations that will  
8 ensure the efficient and effective implementation of this Act.

9 SECTION 6. *Report.* – The Secretary shall submit to the President of the Philippines  
10 and to both the Houses of Congress, not later than the opening of the regular session each year,  
11 an annual report on the status of the implementation of this Act. The annual report shall include  
12 an analysis, for each province and on a nationwide basis, of the number of participants serviced  
13 under this Act, and the type of services under this Act received by participants.

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

17 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
18 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent  
19 with the provision of this Act is hereby repealed, modified, or amended accordingly.

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

22 Approved,