

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

OFFICE OF THE SECRETARY

10 JUL -8 11:36

SENATE

S. No. 980

RECEIVED BY

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Based on historical accounts our government's concern for the welfare of persons with disabilities (PWDs) began as early as 1917 and the national concern for rehabilitation was manifested by non-government organizations as well. On January 16, 1978, our country hosted the Second International Conference on Legislation Concerning the Disabled Persons organized by the Rehabilitation International's national affiliate, the Philippine Foundation for the Rehabilitation for Disabled Persons (PFRD). During the said conference, former President Ferdinand Marcos signed Presidential Decree No. 1509 creating the National Commission Concerning Disabled Persons (NCCDP). NCCDP was tasked to prepare and adopt an integrated and comprehensive long-term National Rehabilitation Plan (NRP).

Our country has also enacted various laws pertaining to the welfare of disabled persons including: (a) Republic Act No. 9442 otherwise known as the "Amendment to the Magna Carta for the Disabled Persons", (b) Republic Act No. 7277 otherwise known as "Magna Carta for Disabled Persons" and (c) Batas Pambansa Blg. 344 otherwise known as the "Accessibility Law". Our government is also a signatory to ILO Convention No. 159 otherwise known as the "Convention on Vocational Rehabilitation of Persons With Disability".

Globally, the United Nations has also called upon government agencies all over the world to develop and provide the needed programs to promote the welfare of persons with disabilities (PWD) in their proclamation of the "Asian and Pacific Decade of Disabled Persons from 1993 to 2002" and its extension to another decade from 2003-2012.

This proposed measure seeks to promote the employment opportunities for persons with disabilities (PWDS) and strengthen existing employment facilitation service machinery of the government for persons with disability, particularly at the local levels. This measure seeks to established in all capital towns of provinces, key cities and other strategic areas a "Persons With Disability (PDW) Employment Facilitation Office" which shall be community-based and maintained largely by local government units (LGUs) and a number of non-governmental organizations (NGOs) or community-based organizations (CBOs). This office shall ensure the prompt, appropriate, and timely employment facilitation service for persons with disability and the provision of relevant information, education and communication (IEC) materials for the benefits of the PWDs seeking for productive employment opportunities.

The PWDEFO will provide a venue where PWDs could find and explore various employment options and seek training assistance for possible employment venture and serve as referral and information center for the various services and programs being

provided by the DOLE and other government agencies with respect to the welfare and employment of persons with disabilities.

Based on the World Health Organization (WHO) definition on disability, the term "disability" refers to any restriction or lack of ability (resulting from impairment) to perform an activity in the manner or within the range considered normal for a human being. Impairments associated with disabilities may be physical, mental or sensory motor impairment such as partial or total blindness and deafness, muteness, speech defect, orthopedic handicaps, and mental retardation. The categories of disability used almost in all surveys include total blindness, partial blindness, low vision, total deafness, partial deafness, hard of hearing, oral defect, one hand, no hands, no legs, quadriplegic (regular), quadriplegic (severe), retarded (regular), retarded (severe), multiple impairment (regular) and multiple impairment (severe).

Through these employment opportunities being provided by the State, we will not only help boost the Person with Disabilities' self confidence, but also enable them to be self-reliant and productive members of the community.

Given the importance of promoting the rights of persons with disabilities to decent work, the early passage of this bill is earnestly sought.

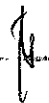
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MANUEL "LITO" M. LAPID
Senator

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Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
INSTITUTIONALIZING A NATIONAL EMPLOYMENT FACILITATION
SERVICE NETWORK FOR PERSONS WITH DISABILITY (PWD) THROUGH
THE ESTABLISHMENT OF A PERSONS WITH DISABILITY (PWD)
EMPLOYMENT FACILITATION OFFICE IN EVERY PROVINCE, KEY CITY
AND OTHER STRATEGIC AREAS THROUGHOUT THE COUNTRY

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

SECTION 1. Short Title. — This Act shall be known as the "***Persons With Disability (PWD) Employment Facilitation Office Act of 2010.***"

SEC. 2. Declaration of Policy. — It is a declared policy of the State to promote employment opportunities for persons with disabilities and strengthen existing employment facilitation service machinery of the government for persons with disability, particularly at the local levels.

SEC. 3. Establishment of the Persons With Disability (PWD) Employment Facilitation Office. — There is hereby established in all capital towns of provinces, key cities and other strategic areas a Persons With Disability (PDW) Employment Facilitation Office, hereinafter referred to as "PWDEFO," which shall be community-based and maintained largely by local government units (LGUs) and a number of non-governmental organizations (NGOs) or community-based organizations (CBOs).

The PWDEFO shall be linked to the regional offices of the Department of Labor and Employment (DOLE) for coordination and technical supervision, and to the DOLE central office, to constitute the national employment service network.

SEC. 4. Objectives of the PWDEFO. — The Persons With Disability (PWD) Employment Facilitation Office shall ensure the prompt, appropriate, and timely employment facilitation service for persons with disability and the provision of relevant information, education and communication (IEC) materials for the benefits of the PWDs seeking for productive employment opportunities.

Specifically, the PWDEFO shall:

- (a) Provide a venue where PWDs could find and explore various employment options and seek training assistance for possible employment venture;
- (b) Serve as referral and information center for the various services and programs being provided by the DOLE and other government agencies with respect to the welfare and employment of PWDs;
- (c) Provide PWDs with sufficient information on employment opportunities and labor market situation in the area; and
- (d) Network with other PWDEFOs within the province and/or region on employment opportunities for PWDs.

SEC. 5. Functions of the PWDEFO. — The PWDEFO shall have the following functions:

- (a) Encourage employers to submit to the PWDEFO on a regular basis a list of job vacancies available for persons with disabilities in their respective establishments in order to facilitate the exchange of labor market information between PWDs who seeks employment and employers by providing employment information services to PWDs job seekers, and recruitment assistance to employers;
- (b) Develop training modules for PWDs in order to improve their skills and comply with the skills requirements of the employer;
- (c) Provide PWDs with access to the various livelihood and self-employment programs offered by both government and non-governmental organizations (NGOs) at the provincial / city / municipal / barangay levels by undertaking referrals for such programs;
- (d) Undertake employability enhancement trainings/seminars for PWDs, as well as those PWDs who would like to enhance their employability;

- (e) Provide occupational counseling, career guidance, mass motivation and values development activities to PWDs;
- (f) Conduct pre-employment counseling and orientation to PWDs;
- (g) Provide reintegration assistance services to PWDs who are retrenched or terminated; and
- (h) Perform such functions as willfully carry out the objectives of this Act.

SEC. 6. Other Services of the PWDEFO. — In addition to the functions enumerated in the preceding section, every PWDEFO shall also undertake the following programs and activities:

- (a) **Jobs Fairs** — These shall be conducted periodically all over the country to bring together in one venue PWD job seekers and employers for immediate matching;
- (b) **Livelihood and Self-Employment Bazaars** — These will give the PWDs information on the wide array of livelihood programs they choose to avail of, particularly in the rural areas;
- (c) **Work Appreciation Program (WAP)** — This program aims to develop the values of work appreciation and ethics by exposing the PWDS to actual work situations; and
- (f) Other programs/activities developed by DOLE to enhance provision of employment assistance to PWDs, particularly for special groups of disadvantaged workers.

SEC. 7. Role of DOLE and LGUs and NGOs. — Upon the request of the LGUs and NGOs which do not have existing PWDEFOS, the establishment, operation and maintenance of PWDEFOS shall be undertaken by the DOLE. The DOLE shall enter into memoranda of agreements (MOA) with the concerned LGUs and NGOs for the establishment, operation and maintenance of PWDEFO in their respective areas of jurisdiction, and the institutionalization of existing PWDEFOS.

It shall be the responsibility of the DOLE to:

- (a) Establish and maintain a computerized PWDs manpower registry of skills and employment and business opportunities to facilitate the provision and packaging of

employment assistance to PWD clients and the setting-up of regional job clearance systems as part of the overall employment network;

(b) Provide office space, equipment and/or supplies, as well as the necessary personnel complement to manage, operate and maintain the PWDEFO;

(c) Designate, in consultation with the LGU or NGO concerned, a qualified project manager and/or key personnel who shall be responsible for the operation and management of the PWDEFO;

(d) Provide technical assistance and allied support services to the PWDEFO;

(e) Train PWDEFO personnel in the various aspects of employment facilitation functions;

(f) Extend/facilitate such other package of employment services to the provision of employment assistance to PWD clients of the LGU or NGO concerned, including the conduct of jobs fairs and other activities; and

(g) Undertake, monitor, assess and evaluate the PWDEFO program implementation.

SEC. 8. Administration of the PWDEFO Program. — The DOLE shall be primarily responsible for the administration of the PWDEFO Program through its Bureau of Local Employment, as well as its regional offices throughout the country. The Secretary of Labor and Employment, in coordination with the Department of the Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD) and in consultation with the presidents of the various local government leagues, namely the League of Provinces, the League of Cities, the League of Municipalities and the League of Barangays, shall accordingly promulgate, within ninety (90) days from the effectivity of this Act, the necessary rules and regulations for the effective implementation of the Program.

SEC. 9. Conduct of an Annual Nationwide Disability Prevalence Survey. - Realizing the need to develop a system of reliable information on disability, the Department of Health (DOH), in coordination with the Department of Labor and Employment) and the National Council on the Welfare of Disabled Persons, is hereby mandated to conduct an annual Nationwide Disability Prevalence Survey.

The objectives of the Annual Nationwide Disability Prevalence Survey shall include the following:

1. to determine the prevalence of disability in the country in general and in the various regions of the country in particular;
2. to determine the distribution of disability in the country and the various regions with respect to age, sex and type of disability; and
3. to determine the status of rehabilitation and the rehabilitation needs of PWD in the country.

SEC. 10. *Funding.* — The amount necessary for the initial implementation of this Act shall be charged against the existing appropriation of the DOLE and its other operating agencies. Thereafter, the amounts needed for the full implementation of this Act shall be included in the budget of the DOLE in the succeeding General Appropriations Act.

SEC. 11. *Repealing Clause.* — All laws, decrees, executive orders, rules and regulations or any part thereof which are inconsistent herewith are hereby deemed repealed or modified accordingly.

SEC. 12. *Separability Clause.* — If for any reason, any section or provision of this Act or any part thereof, or the application of such section, provision or portion is declared invalid or unconstitutional, the remainder thereof shall not be affected by such declaration.

SEC. 13. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,